

### Corrective Action Plan

<b>Date Issued</b>	December 19, 2024	<b>Status</b>	Completed
<b>Provider Name</b>	<u>Peace Lutheran Early Childhood Center</u>		
<b>Program Type</b>	<u>Day Care Center</u>		
<b>Provider Number</b>	<u>010604129</u>		
<b>Program Address</b>	<u>1104 22<sup>nd</sup> Ave S., Brookings, SD</u>		
<b>Provider Contact</b>	<u>Tim Rynearson-Pastor</u>		
	<u>Stacy Sahr-Director</u>		

The following administrative rules have been found to be out of compliance. A corrective action plan is required to bring the provider into compliance.

Corrective Action Plan
<p><b>Administrative Rule</b></p> <p><b>ARSD 67:42:17:13. Background check.</b> All child care providers, program employees age fourteen and older, and family day care household members age eighteen and older, shall meet federal background check requirements. An individual may not provide care, or work in a child care setting, if the individual's background check reveals:</p> <ol style="list-style-type: none"> <li>(1) A crime that indicates harmful behavior towards children;</li> <li>(2) A crime of violence, as defined in SDCL 22-1-2, or in a similar statute from another state;</li> <li>(3) A sex crime pursuant to SDCL chapters 22-22 or 22-24A, SDCL 22-22A-3, or similar statutes from another state;</li> <li>(4) A felony conviction for domestic abuse, physical assault, battery, kidnapping, or arson;</li> <li>(5) Any other felony conviction, within the preceding five years; or</li> <li>(6) A substantiated report of child abuse or neglect.</li> </ol> <p>A family day care provider may not provide care in the provider's home, if any household member's background check reveals any item listed in this section.</p> <p>A background check is required at least once every five years.</p> <p><b>ARSD 67:42:17:15. Provider employee records.</b> A child care provider shall maintain a record for each employee that includes:</p> <ol style="list-style-type: none"> <li>(1) The employee's name and date of birth;</li> <li>(2) The dates on which the employee began and ended employment;</li> <li>(3) Documentation of orientation and ongoing annual training, if the employee provides direct care and supervision of children;</li> <li>(4) A statement that:             <ol style="list-style-type: none"> <li>(a) Defines child abuse and neglect;</li> <li>(b) Sets forth the employee's responsibility to report all incidents of child abuse or neglect in accordance with SDCL 26-8A-3 and 26-8A-8; and</li> <li>(c) Is signed by the employee; and</li> </ol> </li> <li>(5) The results of the background check.</li> </ol> <p>All records required by this section must be reviewed and updated at least annually by the provider, made available to the department for verification of the contents, and retained by the provider for six months after the employee leaves the program.</p>

**ARSD 67:42:17:17. Orientation training.** All providers shall, within ninety days after the date of employment, complete and obtain documentation of orientation training in the following areas:

- 1) Prevention and control of infectious diseases;
- 2) Prevention of sudden infant death syndrome and the use of safe sleep practices, if infant care is provided;
- 3) Administration of medication;
- 4) Prevention of and response to an emergency due to food allergies and other allergic reactions;
- 5) Building and physical premises safety;
- 6) Prevention of shaken baby syndrome and abusive head trauma, if infant care is provided;
- 7) Emergency preparedness and response planning for an emergency resulting from a natural disaster or man-caused event;
- 8) Handling and storage of hazardous materials and the appropriate disposal of biological contaminants;
- 9) Precautions in transporting a child, if the program provides transportation;
- 10) Recognition and reporting of child abuse and neglect;
- 11) Pediatric first aid;
- 12) Pediatric cardiopulmonary resuscitation; and
- 13) Child development.

Before a provider may care for children without supervision, the provider must complete orientation training in each of the areas listed in this section.

**ARSD 67:42:17:18. Ongoing training requirements.** All providers must obtain annual training in the topic areas identified in 45 C.F.R. § 98.41, in effect on September 30, 2016, or as identified by the department. Training must be documented and relevant to the provider's position as determined by the department. Training may include on-site or online classes. Pediatric cardiopulmonary resuscitation renewal may not be included in annual training.

Each director and provider of center and school-age programs counted in staff-child ratios shall complete ten hours of annual training.

Each provider of family day care counted in staff-child ratios shall complete six hours of annual training.

Orientation training hours qualify as annual training hours for each provider in the year the training was completed.

Every five years, all providers shall complete additional, advanced training in each of the training areas listed in § 67:42:17:17.

**ARSD 67:42:17:42. Required child records.** A provider shall maintain a record for each child that includes:

- (1) The child's name and date of birth;
- (2) The parent or guardian's name and telephone number;
- (3) An emergency contact name and telephone number;
- (4) Parental permission for emergency medical treatment;
- (5) The names of individuals authorized to pick up the child;
- (6) Health information, including any allergies or special needs;
- (7) A current immunization record or, for a school-age program, the name of the child's school;
- (8) Parental permission for medication;
- (9) The child's attendance records;
- (10) The date of the child's enrollment; and
- (11) The date on which the child's enrollment ends.

The provider shall annually review and update each record required under this section, and make the child's record available to the department, upon request.

**ARSD 67:42:17:46. Pediatric first aid and cardiopulmonary resuscitation.** A provider shall complete pediatric first aid training every five years and maintain documentation of the training. A provider must be certified in pediatric cardiopulmonary resuscitation. The certification must include a hands-on skills test.

A provider shall work under supervision until the provider has completed the training required by this section. The supervisor shall have completed their pediatric first aid training and be certified in pediatric cardiopulmonary resuscitation.

**Summary of Non-Compliance Finding**

During the annual Program Inspection conducted by the Office of Licensing & Accreditation (OLA) on October 22, 2024, and October 28, 2024, 65 employee records were reviewed, and 54 employee records were incomplete.

- Nineteen employees had incomplete in-state background screenings.
- Fifteen employees who require an out of state background screening, did not have verification that it had been completed.
- Four employees did not have a signed statement that defines child abuse and neglect and the employee's responsibility to report all incidents of child abuse or neglect.
- Twenty-five employees who have been employed for more than 90 days did not have verification of orientation training.
- Twenty employees did not have completed annual training from previous training year.
- Twenty employees did not have verification of pediatric CPR certification.

During the annual Program Inspection conducted by the Office of Licensing & Accreditation (OLA) on October 22, 2024, 43 child files were reviewed, and 28 child files were incomplete.

- Seven child files did not contain an enrollment date.
- Twenty-eight child files did not contain updated immunization records.

**Corrective Action (policy/procedure, training, environmental changes, etc.):**

OLA will require the following to ensure correction:

- The Provider will ensure that a cleared background screening is on file before employees begin working with children.
- The Provider will submit verification of the missing provider employee and child record documentation to OLA by **January 31, 2025**.
- The program director will utilize an onboarding tracking checklist, provided by OLA, when hiring new employees to ensure employee records are completed accurately.
- Assistant Director will meet monthly with the Program Director to review employee files to determine completion.
- Director and/or assistant director will complete South Dakota Immunization Information System (SDIIS) training to allow the program to have online access to obtain children's immunization records.
- OLA will conduct a meeting with the Director, Lead Pastor, and Assistant Director by **January 24, 2025**. The meeting will consist of a review of the staff hiring and training requirements and recommendations to ensure efficient monitoring of the required information.
- The Provider could designate or hire an assistant to aid in maintaining appropriate staff and child records. Should the Provider choose this as an option, the Provider will notify OLA to schedule a meeting to review the employee record requirements with the designated individual.



COMPLETION DATE: *May 15, 2025*

The Department of Social Services, Office of Licensing and Accreditation has reviewed the actions taken by the agency to resolve the above items and has accepted the above plan as completed.

*Amber Jaacks*

Printed Name of DSS Staff

*Amber Jaacks*

Signature of DSS Staff

Dear Tim Rynearson:

The Department of Social Services, Office of Licensing & Accreditation is requiring the implementation of a Corrective Action Plan. The Plan is established to ensure changes are made to achieve and maintain compliance with the identified Administrative Rule(s) of South Dakota (ARSD). Continued non-compliance could lead to revocation of your child care license.

Please review and sign the Corrective Action Plan **by December 27, 2024**.



**Supporting Evidence:**

- Verification of completed provider employee and child record items will be submitted to OLA and retained in each provider's personnel file and child file.
- OLA will monitor the employee records and child files, including compliance with background checks, orientation training and training documentation, to ensure completeness for a period of five months.
- During the monitoring visits conducted by OLA, if an individual is found working in the program without a cleared background screening, the individual will be advised that they cannot work until the background check clearance has been completed.

**How Maintained:**

- The Provider will review the employee and child records monthly to ensure the files are complete.
- The Provider will use a tracking tool provided by OLA or developed by the Provider to ensure all required items are included in provider employee and child records.

**Position Responsible:**

**Anticipated Completion Date:**

**Date Completed (for office use only):**

Tim Rynearson  
Peace Lutheran Pastor

May 31, 2025

may 15, 2025

**Board Notified:**

Y  N  n/a

Your signature below certifies you have read and understand the non-compliance finding(s) and submitted a plan to comply with the identified administrative rules to the Department of Social Services, Office of Licensing and Accreditation.

Printed Name of Provider

Provider Signature

Date:

The Department of Social Services, Office of Licensing and Accreditation has reviewed and accepted the above plan.

Printed Name of DSS Staff

Signature of DSS Staff

Date:

12/19/24