

Date Issued	April 25, 2025	Status	Closed
Provider Name	DISCOVERY LEARNING CENTER SOUTH		
Provider ID	018042657		
Provider Address	5310 S Broadband Ln, Sioux Falls, SD 57108, USA		
Provider Contact	Lissa Hoxsie		

The items listed below are those that the provider was not in compliance with at the time of the inspection.

Compliance Plan Action #1

Administrative Rule:

67:42:17:16

The files and records of a provider are confidential. A child's records, photographs, and information about a child or the child's family may not be shared or publicly posted, unless the parent signs a consent form. Nothing in this section prevents licensing specialists, child protective services, or law enforcement from accessing the files and records of a provider or family information.

Summary of Non-Compliance Finding:

The program did not have parent's written consent prior to sharing photos of the children.

Corrections to be Made:

The files and records of a provider are confidential. A child's records, photographs, and information about a child or the child's family may not be shared or publicly posted, unless the parent signs a consent form. Nothing in this section prevents licensing specialists, child protective services, or law enforcement from accessing the files and records of a provider or family information.

Corrections Made:

The program obtained parent's written consent prior to sharing photos of the children.

Anticipated Completion Date:
April 30, 2025

Date Completed:
April 30, 2025

Compliance Plan Action #2

Administrative Rule:

67:42:17:27

Before any medication is administered to a child, permission of the parent or guardian must be documented and must include the name of the child, the name of the medication, and the dates, times, and dosage of the medication. The medication must be provided by the parent and kept in the original container, with the original label. The label for a prescription medication must contain the child's name, the amount and frequency of dosage, the expiration date, the physician or other licensed practitioner's name, and instructions for storage. The medication must be returned to the parent when no longer needed or expired. The provider shall document, in the child's record, any medication administered to a child and shall include the dose, the name of the child, the time and date administered, and the name of the person administering the medication. The documentation must be retained for at least six months and be made available to the child's parent upon request.

Summary of Non-Compliance Finding:

At the time of the inspection, there was not medication authorization forms completed by the parents for numerous medications that were kept on site. There was also extra and expired medication that was not returned to the child's parent.

Corrections to be Made:

Before any medication is administered to a child, permission of the parent or guardian must be documented and must include the name of the child, the name of the medication, and the dates, times, and dosage of the medication. Children's medication must be returned to the parent when no longer needed or expired.

Corrections Made:

Medication authorization forms were completed by the parents for all medications that were kept on site. All extra and expired medication was returned to the child's parent.

Anticipated Completion Date:
April 30, 2025

Date Completed:
April 30, 2025

Compliance Plan Action #3

Administrative Rule:

67:42:17:29

A provider shall have a written care plan for each child who has a known food allergy. The plan must contain instructions regarding any food allergens, steps to be taken to avoid that food, and a detailed treatment plan to be implemented if the child has an allergic reaction.

Summary of Non-Compliance Finding:

The program did not have a written care plan for all children in care with a known food allergy.

Corrections to be Made:

A provider shall have a written care plan for each child who has a known food allergy. The plan must contain instructions regarding any food allergens, steps to be taken to avoid that food, and a detailed treatment plan to be implemented if the child has an allergic reaction.

Corrections Made:

The program obtained a written care plan for all children in care with a known food allergy.

Anticipated Completion Date:
April 30, 2025

Date Completed:
May 05, 2025

Compliance Plan Action #4

Administrative Rule:

67:42:17:41

A provider shall meet the physical, social, emotional, and cognitive needs of a child, and identify procedures to implement behavior management strategies for use with children in care. Behavior management strategies must offer limits, with positive guidance and direction, to help a child develop self-control and respect for the rights of others, be appropriate to a child's age and developmental level, and include strategies to prevent shaken baby syndrome and abusive head trauma. A behavior management strategy may not be delegated to an older child or peer. Separation, when used as a strategy, must be within sight or hearing of a provider. The parent of a child may not, while working at the program, use a prohibited discipline technique to discipline the parent's child.

The following methods of discipline are prohibited:

- (1) Spanking, hitting, pinching, biting, shaking, or inflicting any other physical punishment;
- (2) Verbal abuse, shouting, threats, humiliation, or derogatory or sarcastic remarks about the child or the child's family;
- (3) Restriction of movement or confinement;
- (4) Isolating a child in an adjacent room, hallway, closet, darkened area, or any other area where a child cannot be seen or supervised;
- (5) Punishment for lapses in toilet training;
- (6) Withholding or forcing of meals, snacks, naps, or outdoor time to correct behavior;
- (7) Demanding excessive physical exercise or excessive rest; and
- (8) Placing substances in a child's mouth to cause discomfort such as soap, food, or spices.

A provider who is under investigation for abuse and neglect may not be in a caregiving role, if the department determines there is an imminent safety concern to a child in the provider's care.

Summary of Non-Compliance Finding:

A provider used inappropriate discipline methods with a child in care.

Corrections to be Made:

The following methods of discipline are prohibited: (1) Spanking, hitting, pinching, biting, shaking, or inflicting any other physical punishment; (2) Verbal abuse, shouting, threats, humiliation, or derogatory or sarcastic remarks about the child or the child's family; (3) Restriction of movement or confinement; (4) Isolating a child in an adjacent room, hallway, closet, darkened area, or any other area where a child cannot be seen or supervised; (5) Punishment for lapses in toilet training; (6) Withholding or forcing of meals, snacks, naps, or outdoor time to correct behavior; (7) Demanding excessive physical exercise or excessive rest; and (8) Placing substances in a child's mouth to cause discomfort such as soap, food, or spices.

Corrections Made:

Providers were reminded of inappropriate discipline methods and confirmed they will no longer use restriction of movement for discipline.

Anticipated Completion Date:
April 09, 2025

Date Completed:
April 09, 2025

Compliance Plan Action #5

Administrative Rule:

67:42:17:42

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.

Summary of Non-Compliance Finding:

Not all children records included the required information outlined in ARSD 67:42:17:42.

Corrections to be Made:

All children records need to included the required information outlined in67:42:17:42.

Corrections Made:

All children records were updated to include the required information outlined in ARSD 67:42:17:42.

Anticipated Completion Date:

April 30, 2025

Date Completed:

April 30, 2025

Compliance Plan Action #6

Administrative Rule:

67:42:17:43

A provider shall have:

- (1) A written emergency preparedness and response plan for emergencies resulting from a natural disaster or a man-caused event;
- (2) A written plan for evacuation, relocation, shelter-in-place, or a lock-down, that includes accommodations for infants, toddlers, and children with disabilities or medical conditions;
- (3) A written procedure for communication and reunification with parents; and
- (4) A written procedure for the continuity of operations.

A provider shall practice the evacuation, shelter-in-place, and lock down procedures, outlined in the emergency preparedness and response plan, at least twice each calendar year. The provider shall document the dates on which the procedures are practiced. A provider shall communicate the emergency preparedness and response plan to each individual at the time the individual begins employment. Except for family day care, all child care providers shall have liability insurance. Proof of current liability insurance shall be made available to the department, upon request.

Summary of Non-Compliance Finding:

Not all providers and provider assistants were knowledgeable on the emergency preparedness and response plan and procedures. Additionally, the program did not conducted two lockdown drills in the previous calendar year.

Corrections to be Made:

A provider shall communicate the emergency preparedness and response plan to everyone at the time the individual begins employment. The provider shall practice the evacuation, shelter-in-place, and lock down procedures, outlined in the emergency preparedness and response plan, at least twice each calendar year.

Corrections Made:

Program administration reviewed the program's emergency preparedness and response plan and procedures with all providers, and completed a lockdown drill.

Anticipated Completion Date:

April 30, 2025

Date Completed:

April 30, 2025

Compliance Plan Action #7

Administrative Rule:

67:42:17:17

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.

Summary of Non-Compliance Finding:

Not all providers completed orientation training within 90 days of employment.

Corrections to be Made:

All providers shall, within ninety days after the date of employment, complete and obtain documentation of orientation training.

Corrections Made:

All providers completed orientation training and program administration is aware that providers need to complete orientation training within 90 day of employment.

Anticipated Completion Date:

April 30, 2025

Date Completed:

April 23, 2025

Compliance Plan Action #8

Administrative Rule:

67:42:17:15

A child care provider shall maintain a record for each employee that includes:

- (1) The employee's name and date of birth;
- (2) The dates on which the employee began and ended employment;
- (3) Documentation of orientation and ongoing annual training, if the employee provides direct care and supervision of children;
- (4) A statement that:
 - (4a) Defines child abuse and neglect;
 - (4b) 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

- (4c) Is signed by the employee; and
- (5) The results of the background check.

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.

Summary of Non-Compliance Finding:

There was 5 employee records that did not have all the required information outlined in ARSD 67:42:17:15.

Corrections to be Made:

Provider employee records should included all required information outlined in ARSD 67:42:17:15.

Corrections Made:

All employee records were updated to include the required information outlined in ARSD 67:42:17:15.

Anticipated Completion Date:
April 30, 2025

Date Completed:
June 17, 2025

Your signature below certifies you have read and understand the non-compliance findings and agree to make corrections to be compliant with the identified administrative rules.

Lissa Hoxsie

Printed Name of Provider/Agency Contact



Signature of Provider/Agency Contact

April 25, 2025

Date

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

Brooke Flemmer

Printed Name of DSS Staff



Signature of DSS Staff:

April 10, 2025

Date

4/10/2025, 11:51:39 AM