# COMPLIANCE PLAN
## OFFICE OF LICENSING & ACCREDITATION

South Dakota Department of Social Services

| | | | |
|---|---|---|---|
| Date Issued | August 12, 2025 | Status | Closed |

Provider Name SPENCER, HOLLY
Provider ID 016597821
Provider Address 300 N Fairgrounds St, Faith, SD 57626, USA
Provider Contact HOLLY SPENCER

**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:**

67:42:17:43
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:**

- Provider did not have a written emergency preparedness and response plan for this new location.
- A emergency preparedness and response plan has not been shared with the family day care assistant.

**Corrections to be Made:**

- Provider will need to submit a written emergency preparedness and response plan for the new location to the Office of Licensing & Accreditation.
- Provider will need to share the written emergency preparedness and response plan with the family day care assistant.

**Corrections Made:**

Provider submitted an updated emergency preparedness and response plan to the Office of Licensing and Accreditation, and shared the plan with the family day care assistant.

| Anticipated Completion Date: | Date Completed: |
|---|---|
| September 05, 2025 | September 23, 2025 |

## Compliance Plan Action #2

**Administrative Rule:**

67:42:17:37

Center and school-age programs operating outside of a school building shall follow applicable construction and fire safety requirements, as outlined in chapters 61:15:05 and 61:15:06. School-age programs operating in a school building shall follow applicable construction and fire safety requirements, as outlined in chapters 61:15:01, 61:15:02, and 61:15:07.

A family day care home must have the following fire safety measures in place:

(1) A working smoke detector must be located on each level of the home;
(2) A fully charged, portable fire extinguisher, with a minimum 2A rating, as identified on the extinguisher label, must be kept in or within fifteen feet of the kitchen or food preparation area;
(3) A carbon monoxide detector must be installed, according to the manufacturer's instructions, if a fuel burning appliance is present in the home;
(4) Each level of the home must have at least two remote exits that shall remain clear of obstructions. One of these exits must be a standard-sized door, and the other may be either a standard-sized door or an unobstructed, operable window, having at least five square feet of openable space, with a minimum width of twenty inches and a minimum height of twenty-four inches; and
(5) Whenever a portable space heater, a wood burning stove, or a fireplace is in use, the heater, stove, or fireplace must be inaccessible to children.

**Summary of Non-Compliance Finding:**

Provider did not have an operable smoke detector downstairs.

**Corrections to be Made:**

Provider will need to install an operable smoke detector downstairs and submit a picture to the Office of Licensing & Accreditation when this has been completed.

**Corrections Made:**

Provider installed an operable smoke detector downstairs and submitted proof to the Office of Licensing & Accreditation.

| Anticipated Completion Date: | Date Completed: |
|---|---|
| August 18, 2025 | September 19, 2025 |

## Compliance Plan Action #3

**Administrative Rule:**

67:42:17:38

The following must be inaccessible to a child:

(1) Firearms;
(2) Pellet guns, BB guns, and cap guns;
(3) Matches and lighters;
(4) Tobacco products;
(5) Choking and strangulation hazards;
(6) Items capable of being pulled or tipped onto a child;
(7) A platform measuring more than thirty inches above ground level, unless surrounded by a railing that is at least thirty-six inches tall with no more than five inches between openings; and
(8) Other hazardous condition as identified by the department.

The department may direct a provider to remove or correct a hazardous condition or circumstance not covered in this chapter, if the department considers the conditions or circumstances to have the potential to cause injury or illness to the children in care.

**Summary of Non-Compliance Finding:**

- Stairs leading to entrance door has a railing with openings more than five inches.
- At top of deck there is no gate blocking the other half of deck that provider is not going to use.
- Decking out the second emergency door has not railing.

**Corrections to be Made:**

- Provider will need to add more railing to ensure openings between railing leading to entrance door is no more than five inches.
- The provider will need to install a gate to ensure children do not have access to the half of decking she does not want children gaining access to.
- Provider will need to add railing to the emergency exit door decking.

**Corrections Made:**

- Provider added more railing to ensure openings between railing leading to entrance door is no more than five inches.
- Provider installed a gate to ensure children do not have access to the half of decking that will not be used.
- Provider added railing to the emergency exit door decking.

| **Anticipated Completion Date:** | **Date Completed:** |
| --- | --- |
| September 05, 2025 | September 26, 2025 |

## Compliance Plan Action #4

**Administrative Rule:**

67:42:17:35
Playgrounds for all child care settings must be safe, in good repair, and free of debris, trash, and weeds. Playground equipment must be installed according to the manufacturer's instructions and maintained in good repair.

For a center program, a fence that measures at least four feet high is required around the center's outdoor play space.

For a family day care or school-age program, a fence that measures at least forty-two inches high may be required to separate the outdoor play space, if the department determines a body of water, vehicular traffic, or other hazard poses a risk of injury or death to a child.

**Summary of Non-Compliance Finding:**

Provider has trampoline that has a drooping netting on a section around the trampoline and has some leaning poles.

**Corrections to be Made:**

Provider will need to either remove or repair the trampoline and submit verification to the Office of Licensing & Accreditation.

**Corrections Made:**

Provider removed the trampoline from the outside play area making it inaccessible to children.

| **Anticipated Completion Date:** | **Date Completed:** |
|---|---|
| September 05, 2025 | September 25, 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.**

HOLLY SPENCER

Printed Name of Provider/Agency Contact

Holly Spencer

Signature of Provider/Agency Contact

August 12, 2025

Date

---

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

Andrea Neff

Printed Name of DSS Staff

8/12/2025, 10:24:40 AM

A Neff

Signature of DSS Staff:

August 12, 2025

Date