COMPLIANCE PLAN
OFFICE OF LICENSING & ACCREDITATION

South Dakota Department of Social Services

Date Issued	October 02, 2026	Status	In Process

Provider Name	AGAPE DAYCARE
Provider ID	1219517073
Provider Address	209 3rd St W, Lemmon, SD 57638, USA
Provider Contact	Tracy Fattorusso

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:

67:42:17:37

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:

The following issues were identified during the inspection:

- The fire alarm panel was last tagged by Simplex in March 2025. The panel displayed trouble lights for other areas of the building, and the previous service company did not tag the unit.
- The exit light at the east exit of the cafeteria was not illuminated.
- A fire extinguisher was not located near the kitchen food preparation area. The designated fire extinguisher box near the kitchen was empty.
- The carbon monoxide detector located in the child care areas had a dead battery.

- Toilet paper was stored on the top shelf of the storage closet.

Corrections to be Made:

Program will correct each of the following non-compliance items and submit verification to the Office of Licensing & Accreditation:

- Alarm panel will be inspected by a certified technician and report submitted.
- Exit light at the east exit of cafeteria will be repaired to ensure it illuminates properly.
- Fire extinguisher will be replaced in the kitchen prep area.
- Batteries will be replaced in the carbon monoxide detector located in the day care areas.
- Remove toilet paper from top shelf of storage closet to ensure there is at least two feet below the ceiling or eighteen inches below sprinkler head deflectors.

Corrections Made:

- (10/05/26) Program submitted verification that the exit light at the east exit of cafeteria is illuminating properly.
- (10/05/26) Program replaced the batteries in the carbon monoxide detector located in the day care areas.
- (10/05/26) Program removed toilet paper from top shelf of storage closet.

Anticipated Completion Date:
October 16, 2026

Date Completed:

Compliance Plan Action #2

Administrative Rule:

67:42:17:39

For family day care providers, unused electrical outlets must have an outlet plug cover, have a tamper-resistant cover, or be made inaccessible to a child.

For center and school-age programs, unused electrical outlets must have a self-closing outlet cover or tamper-resistant cover.

Summary of Non-Compliance Finding:

Outlet near east exit of cafeteria is not closed; self-close latch is stuck open.

Corrections to be Made:

Program will repair the outlet near east exit of cafeteria ensuring it is self-closing by using a self-closing outlet cover or tamper-resistant cover. Verification of correction should be submitted to the Office of Licensing & Accreditation.

Corrections Made:

Program repaired the outlet near east exit of cafeteria ensuring it is self-closing outlet cover and submitted verification to the Office of Licensing & Accreditation.

Anticipated Completion Date:
October 16, 2026

Date Completed:
October 05, 2026

Compliance Plan Action #3

Administrative Rule:

67:42:17:44
All toxic or hazardous substances must be:

(1) Inaccessible to children;
(2) Used according to manufacturer's instructions;
(3) Stored in the original or other labeled container; and
(4) Disposed of according to manufacturer recommendations.

Bio-contaminants must be handled and disposed of properly.

Soiled diapers must be changed promptly, in a designated area, on a non-porous surface. The diaper changing area must be clean and disinfected with a sanitizing solution approved by the department. Soiled diapers must be kept in a leakproof, nonabsorbent container that is covered with a tight-fitting lid.

Summary of Non-Compliance Finding:
Program is using low splash bleach as a tabletop/kitchen sanitizer. Program should be using an unscented regular bleach without any additives and with hypochlorite concentration listed on label.

Corrections to be Made:
Program will submit verification to the Office of Licensing & Accreditation of using a sanitizing solution approved by the department.

Corrections Made:
Program advised the Office of Licensing & Accreditation that they are using a sanitizing solution approved by the department.

Anticipated Completion Date:	**Date Completed:**
October 16, 2026	October 05, 2026

Compliance Plan Action #4

Administrative Rule:
67:42:17:32
All walls, ceilings, floors, and equipment must be easily cleanable, kept clean, and in good repair. Heating and cooling systems must maintain a temperature between sixty-five degrees Fahrenheit and seventy-five degrees Fahrenheit. For a child care center and school-age program, all heating and cooling systems must be inspected annually, by a certified technician.

Food preparation areas, including tables and countertops, must be made of a smooth, nonporous material, kept clean and sanitized, be free of cracks, and be in good repair. Center and school-age programs, in which more than twenty children are cared for, must provide a ventilation hood over all cooking areas. The hood must be appropriate for the type of appliance and intended use, as required in § 61:15:01:01.

Summary of Non-Compliance Finding:

Program did not have heating and cooling inspection available during the inspection.

Corrections to be Made:

Program will submit documentation of the heating and cooling inspection report to the Office of Licensing & Accreditation.

Corrections Made:

Anticipated Completion Date:
October 16, 2026

Date Completed:

Compliance Plan Action #5

Administrative Rule:

67:42:17:31

An infant shall be fed according to the infant's schedule. The provider shall hold the infant's bottle when feeding the infant. The provider may not feed an infant by propping up the infant's bottle.

Food, including breast milk and formula, must be properly stored, kept at the proper temperature, and protected from potential contamination according to the preparing, feeding, and storing standards contained in **Caring for Our Children: National Health and Safety Performance Standards, 4th Edition**.

Summary of Non-Compliance Finding:

Farm-fresh eggs were donated from a private home and were not obtained from an inspected or approved source.

Corrections to be Made:

Program will ensure that all eggs come from an approved source and will notify the Office of Licensing & Accreditation of egg source.

Corrections Made:

Program notified the Office of Licensing & Accreditation that the program will no longer use farm fresh eggs, all eggs will come from an approved source.

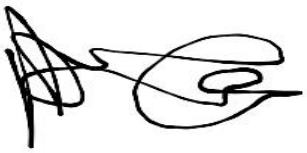
Anticipated Completion Date:
October 16, 2026

Date Completed:
October 05, 2026

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.

Tracy Fattorusso

Printed Name of Provider/Agency Contact



October 02, 2026

Signature of Provider/Agency Contact | 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



October 02, 2026

Signature of DSS Staff: | Date