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Child Care Licensing Program  
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# Building Based School Age Program

## Full Survey Inspection Tool

For survey results, click on the “Search for a Licensed Child Care Facility Inspection Results” on the prior screen. The “View Findings” link will provide the user with a list of violations cited at the time of the survey. The findings are listed by statute (KSA) or regulation (KAR) number.

**Please note:** All regulations were reviewed. Only those regulations that were found to be in noncompliance will show on the inspection results. Those regulations that were in compliance at the time of the survey will not be listed.

C = Compliance  
NC = Noncompliance  
R = Reviewed

**K.S.A. 65-501** **License or temporary permit required; exemptions.**  
If initial applicant and no temporary permit or license has been issued by KDHE, the applicant does not have children or youth in care. C NC R

**K.S.A. 65-504** **Licenses; contents; limitations; posting; inspections; temporary permits; access to premises; temporary licenses; denial or revocation of license; procedure.**  
(a) No greater number of women or children than is authorized in the license shall be kept on those premises and the business shall not be carried on in a building or place not designated in the license. C NC R

**K.S.A. 65-506** **Notice of issuance, limitation, modification, suspension or revocation of license; notice to parents or guardians of enrollees of limitation, modification, suspension, revocation or denial; unlicensed placements prohibited.**  
Parents or guardians notified in writing if the license is suspended, revoked or denied. No child placed in a facility not licensed by KDHE. C NC R

**K.S.A. 65-508** **Equipment, supplies, accommodations; competent supervision and care of children; rules and regulations; immunizations.**  
(a)(1) Each facility shall be properly heated, plumbed, lighted, and ventilated. C NC R

**K.S.A. 65-508**  
(a)(2) Each facility shall have plumbing, water, and sewerage systems which conform to all applicable state and local laws. C NC R

**K.S.A. 65-508**  
(a)(3) Each facility shall be operated with strict regard to the health, comfort, safety, and social welfare of children/youth. C NC R

**K.S.A. 65-508**  
(b) Each facility complies with fire codes, rules and regulations of the state fire marshal and have current approval on file. C NC R

**K.S.A. 65-512** **Inspections.**  
Surveyor is given immediate entry and access to every place on the premises. Surveyor is immediately provided with records which are required to be inspected. C NC R

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**K.S.A. 65-513** **Changes or alterations required to comply with law; notice; duty of licensee.**  
Operator understands that it is her/his responsibility to make changes or alterations identified on any Notice of Survey Finding within 5 days of the receipt of the notice. C NC R

**K.S.A. 65-516** **Restrictions on persons maintaining or residing, working or volunteering at child care facility; criminal history check by secretary of health and environment; information to be provided sponsoring child placement agency.**  
No person known to be a prohibited person is residing, working or regularly volunteering in the home. C NC R

**K.A.R. 28-4-577** **Terms of temporary permit or license.**  
(a)(1) Each operator shall provide 35 square feet of indoor available space for activities. The license capacity may be increased by one child or youth for each 75 square foot of outdoor available space for activities. The total license capacity can not exceed 175% of the license capacity based on the indoor space. C NC R

**K.A.R. 28-4-577**  
(b) Temporary permit or license is posted in a conspicuous place on the premises visible to parents. C NC R

**K.A.R. 28-4-577**  
(c) Number of children or youth attending the program at any one time is within the license capacity. C NC R

**K.A.R. 28-4-577**  
(e)(1) Temporary permit or license is only valid for the person and address listed on the temporary permit or license. C NC R

**K.A.R. 28-4-578** **Licensure; amended license; exceptions; notification; renewal.**  
If initial applicant and no temporary permit or license has been issued by KDHE, the applicant does not have children or youth in care. C NC R

**K.A.R. 28-4-578**  
(d)(2) No changes are made to a program requesting an amendment until the amended temporary permit or license is issued by the Secretary. C NC R

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**K.A.R. 28-4-578**      **Licensure; amended license; exceptions; notification; renewal.**  
(e)(3)      No changes are made to a program requesting an exception until written approval is given by the Secretary. If an exception is granted, the approval is posted with the temporary permit or license.      C   NC   R

**K.A.R. 28-4-578**  
(f)      Applicant or operator notified the Secretary in writing before withdrawing an application or closing the program.      C   NC   R

**K.A.R. 28-4-578**  
(f)(1)      Applicant or operator notified the Secretary in writing before changing any high risk or recreational activities offered by the program.      C   NC   R

**K.A.R. 28-4-578**  
(f)(2)      Applicant or operator notified the Secretary in writing before changing program director.      C   NC   R

**K.A.R. 28-4-578**  
(f)(3)      Applicant or operator notified the Secretary in writing before changing the physical structure of the program site due to new construction or remodeling.      C   NC   R

**K.A.R. 28-4-578**  
(f)(4)      Applicant or operator notified the Secretary in writing before changing use of any part of the premises.      C   NC   R

**K.A.R. 28-4-580**      **Application procedures; advertising.**  
(b)      If applicant advertises the availability of the program, the advertisement does not contradict the written description of the program of activities and services submitted with the application. Applicant does not claim state approval until the secretary issues a temporary permit or license.      C   NC   R

**K.A.R. 28-4-581**      **Inspections; surveys; investigations; posting administrative order.**  
(b)(3)      If an applicant or operator disagrees with a NOSF, he/she understands that he/she may request an explanation of the finding from the secretary's designee. If the explanation is not satisfactory, he/she understands that he/she may send written request to the secretary within 10 calendar days of receiving the explanation.      C   NC   R

**K.A.R. 28-4-581**  
(c)      If receiving an administrative order from the secretary, applicant/operator has posted the order in a conspicuous place on the premises accessible to parents for 90 calendar days following the date the order became final.      C   NC   R

**K.A.R. 28-4-582**      **Administration; training; recordkeeping.**  
(a)      Initial Survey Only: each applicant has the following documentation on file on the premises or designated central office accessible for review by secretary's designee: documentation that the building complies with applicable building codes, fire safety requirements, zoning.      C   NC   R

**K.A.R. 28-4-582**  
(b)      Operator shall have the financial resources necessary to maintain the program in compliance with licensing regulations.      C   NC   R

**K.A.R. 28-4-582**  
(c)      Operator has defined lines of authority governing operation of the program.      C   NC   R

**K.A.R. 28-4-582**  
(d)      Operator delegates administrative authority so each program has a program director or a program director designee in charge during all hour of operation.      C   NC   R

**K.A.R. 28-4-582**  
(e)(1)      Operator obtains the following information for each child of youth before or on the first day attending the program:

**K.A.R. 28-4-582**  
(e)(1)(A)      Operator obtains the following information for each child of youth before or on the first day attending the program: first and last name, date of birth, and gender;      C   NC   R

**K.A.R. 28-4-582**  
(e)(1)(B)      Operator obtains the following information for each child of youth before or on the first day attending the program: health history;      C   NC   R

**K.A.R. 28-4-582**  
(e)(1)(C)      Operator obtains the following information for each child of youth before or on the first day attending the program: anticipated schedule of hours and days of attendance or notation that attendance is on a drop-in basis;      C   NC   R

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**K.A.R. 28-4-582 Administration: training; recordkeeping.**

(e)(1)(D) Operator obtains the following information for each child of youth before or on the first day attending the program: name, address, and telephone number of each parent or other adult responsible for the child or youth, names of any other persons authorized to pick up the child/youth, emergency contact information. **C NC R**

**K.A.R. 28-4-582**

(e)(2) Before attending or within the first week, operator obtains written authorization for emergency medical care, signed by the parent or legal guardian of child/youth. **C NC R**

**K.A.R. 28-4-582**

(e)(3) Except as specified in (e)(4), operator obtains written permission signed by the parent or other adult responsible for the child/youth before participating in the following activities, as applicable: **C NC R**

**K.A.R. 28-4-582**

(e)(3)(A) Except as specified in (e)(4), operator obtains written permission signed by the parent or other adult responsible for the child/youth before participating in swimming and water activities. **C NC R**

**K.A.R. 28-4-582**

(e)(3)(B) Except as specified in (e)(4), operator obtains written permission signed by the parent or other adult responsible for the child/youth before participating in high risk sport and recreational activities. **C NC R**

**K.A.R. 28-4-582**

(e)(3)(C) Except as specified in (e)(4), operator obtains written permission signed by the parent or other adult responsible for the child/youth before transportation is provided by the program. **C NC R**

**K.A.R. 28-4-582**

(e)(3)(D) Except as specified in (e)(4), operator obtains written permission signed by the parent or other adult responsible for the child/youth before participating in off-premises activities. **C NC R**

**K.A.R. 28-4-582**

(e)(4) If operator is unable to obtain written information and records required for the child's or youth's participation in the program, operator has documentation that a reasonable effort was made to obtain necessary information and records. Operator has developed and implemented a plan approved by the secretary. **C NC R**

**K.A.R. 28-4-582**

(e)(5) Each health history and parental or other adult permission, as specified in this subsection, are recorded on forms provided by the department or approved by the secretary. **C NC R**

**K.A.R. 28-4-582**

(e)(6) Each Child's or youth's record is confidential. Operator has written confidentiality policy. The confidential policy is shared with each staff member and each parent and adult responsible for children/youth. Confidential policy is followed. Access to confidential records is given to the secretary, secretary's designee, secretary of DCF, or law enforcement personnel. **C NC R**

**K.A.R. 28-4-582**

(f) Operator has the following staff and volunteer information on file on the premises or at a designated central office location accessible for review by the secretary's designee: **C NC R**

**K.A.R. 28-4-582**

(f)(1) Documentation of required health information as specified in K.A.R. 28-4-590 and date of participation in program orientation for each staff member as specified in K.A.R. 28-4-587 is on file on the premises or at a designated central office location accessible for review by the secretary's designee. **C NC R**

**K.A.R. 28-4-582**

(f)(2) Copy of identifying information submitted to the secretary for completion of criminal history and child abuse registry background check as specified in K.A.R. 28-4-584 is on file on the premises or at a designated central office location accessible for review by the secretary's designee. **C NC R**

**K.A.R. 28-4-582**

(f)(3) Copy of current certification for first aid and certification for CPR as specified in K.A.R. 28-4-592 is on file on the premises or at a designated central location accessible for review by the secretary's designee. **C NC R**

**K.A.R. 28-4-582**

(f)(4) Copy of Program Director's approval letter, and documentation of professional development training for the PD as specified in K.A.R. 28-4-587 is on file on the premises or at a designated central location accessible for review by the secretary's designee. **C NC R**

**K.A.R. 28-4-582**

(g)(1) Operator maintains a daily attendance record on file for one year on the premises or at a designated central office location accessible for review by the secretary's designee. **C NC R**

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**K.A.R. 28-4-582 Administration; training; recordkeeping.**

(g)(2) Operator does not allow any child or youth to attend the program for more than 16 hours in a 24 hour period, unless program of activities includes overnight activities. If overnight activities, operator ensures that children/youth do not attend more than two consecutive weeks of overnight activities. C NC R

**K.A.R. 28-4-582**

(h) Operator makes records and reports of the child or youth available to the parent or other adult responsible for the child or youth on request. C NC R

**K.A.R. 28-4-583 Access to the premises; safety of off-premises activities.**

(a) Operator gives each custodial parent or other adult responsible for a child or youth attending the program immediate access to the premises during all hours of operation. C NC R

**K.A.R. 28-4-583**

(b) Operator of a program in which children/youth attend on a regular basis:

**K.A.R. 28-4-583**

(b)(1) Operator shall develop and implement a policy regarding the following: hours of operation, times for arrival and departure of each child and youth, supervision during arrival and departure, Operator defines in the policy the supervisory and notification responsibilities of each staff member if a child or youth does not arrive at the established time or if a parent or other authorized individual is late picking up the child or youth. C NC R

**K.A.R. 28-4-583**

(c)(1) Operator obtains prior written permission as specified in K.A.R. 28-4-582, for each child or youth to go off premises for program-sponsored activities. C NC R

**K.A.R. 28-4-583**

(c)(2) Each off-premise location and activity is related directly to the program of activities and goals and purpose of the program. Each location is used with strict regard for the health and safety of each child or youth. Each location is age-appropriate. Each location has sufficient space and equipment for the activities being conducted at that location. C NC R

**K.A.R. 28-4-583**

(c)(3) Operator maintains on premises a record of the following:

**K.A.R. 28-4-583**

(c)(3)(A) Record of each destination is maintained on the the premises. C NC R

**K.A.R. 28-4-583**

(c)(3)(B) Record of time children or youth leave the premises is maintained on premises. C NC R

**K.A.R. 28-4-583**

(c)(3)(C) Record of name of each adult supervising the children/youth while off premises is maintained on premises. C NC R

**K.A.R. 28-4-583**

(c)(3)(D) Record of telephone number for reaching an adult supervising children/youth in case of emergency is maintained on premises. C NC R

**K.A.R. 28-4-583**

(c)(3)(E) Record of estimated time of return is maintained on the premises. C NC R

**K.A.R. 28-4-583**

(c)(4) Operator ensures a method is in place for notifying each Parent/adult responsible for child/youth before each off-premises activity occurs. May include posting notification in a place accessible, providing a calendar of scheduled off-premise activities or providing written notification. C NC R

**K.A.R. 28-4-583**

(c)(5) Operator and each staff member has a method of accounting for each child/youth while off premises to ensure no child/youth is forgotten or left behind. C NC R

**K.A.R. 28-4-584 Criminal history and child abuse registry background check.**

(a)(1) Applicant/operator submits the identifying information necessary to complete a criminal history and child abuse registry background check for each individual 14 years of age or older who works, substitutes, or regularly volunteers in the program as follows:

**K.A.R. 28-4-584**

(a)(1)(A) KBI/DCF form submitted when applying for a license; C NC R

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**K.A.R. 28-4-584 Criminal history and child abuse registry background check.**

(a)(1)(B) KBI/DCF form submitted when submitting an application to renew license; C NC R

**K.A.R. 28-4-584**

(a)(2) Identifying information is submitted on a form supplied by the department C NC R

**K.A.R. 28-4-584**

(a)(1)(C) KBI/DCF form submitted before allowing each new individual to work, substitute or regularly volunteer in the program. C NC R

**K.A.R. 28-4-584**

(b) Operator, upon receipt of notification that an individual is prohibited from working, substituting, or regularly volunteering in the program takes the steps necessary to comply with K.S.A. 65-516 and notifies the secretary of steps taken within five days of receipt of the notice. C NC R

**K.A.R. 28-4-584**

(c) Operator maintains for one year from the date of submission, a copy of each form submitted to the secretary requesting KBI/DCF check. All copies are on file on the premises or at a designated central office location accessible for review by the secretary's designee. C NC R

**K.A.R. 28-4-585 Building and outdoor premises.**

(a)(1) Operator ensures the program is located in a building that meets the requirements specified in K.S.A. 65-508. Operator ensures that no child or youth is knowingly exposed to environmental hazards including asbestos, lead paint, pesticides. C NC R

**K.A.R. 28-4-585**

(a)(2) Operator ensures that hot and cold running water is supplied to hand sinks except outdoor summer camps and mobile summer camps are exempt from the requirement to provide hot running water to hand sinks. Hot water temperature does not exceed 120 F C NC R

**K.A.R. 28-4-585**

(a)(3)(A) Operator meets one of the following requirements: Building has a minimum of one working flush toilet and one working hand sink for every 30 children/youth in the license capacity. One urinal may be substituted for each additional toilet in the boys' rest room C NC R

**K.A.R. 28-4-585**

(a)(3)(B) Operator designates the rest rooms to be used by the program. A separate rest room is provided for each gender unless the rest room is designated for single occupancy. C NC R

**K.A.R. 28-4-585**

(a)(3)(C) Each rest room is located to allow for the following:

**K.A.R. 28-4-585**

(a)(3)(C)(i) Each rest room is located to allow for supervision of children/youth. C NC R

**K.A.R. 28-4-585**

(a)(3)(C)(ii) Each rest room is located to allow for immediate access to rest room facilities by children/youth and adult. C NC R

**K.A.R. 28-4-585**

(a)(3)(C)(iii) Each rest room is located to allow for privacy while using the toilet C NC R

**K.A.R. 28-4-585**

(a)(3)(D) If rest rooms are also used by non-program participants during hours of operation of the program, the operator has developed and implemented policies for rest room use for the protection of children/youth attending the program. C NC R

**K.A.R. 28-4-585**

(a)(3)(E) The following is available in each rest room: Toilet paper, soap, either paper towels or hand dryers. C NC R

**K.A.R. 28-4-585**

(a)(4) Operator provides adequately for the health, safety, and comfort of each child/youth and adult by maintaining the space used by the program according to the following:

**K.A.R. 28-4-585**

(a)(4)(A) Space is uncluttered, free from accumulated dirt, trash, vermin, and rodent infestation. C NC R

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**K.A.R. 28-4-585 Building and outdoor premises.**

(a)(4)(B) Each indoor trash container is emptied daily or more often if contents are overflowing or removal is needed to control odor.

C NC R

**K.A.R. 28-4-585**

(a)(4)(C) Floors are not slippery and/or cracked.

C NC R

**K.A.R. 28-4-585**

(a)(4)(D) Each rug or carpet used as floor covering is slip-resistant and free from tripping hazards.

C NC R

**K.A.R. 28-4-585**

(a)(4)(E) Each exit is marked. Each exit is not blocked at any time.

C NC R

**K.A.R. 28-4-585**

(a)(5) Heating appliances are vented, used as intended, safely located, and maintained in operating condition. Power strips, if used, have a UL rating.

C NC R

**K.A.R. 28-4-585**

(a)(6) Operator safely stores toxic substances and materials including cleaning supplies, pesticides, and poisons in a locked janitor's closet, locked room or other locked area. No child/youth has unsupervised access to toxic substances and materials.

C NC R

**K.A.R. 28-4-585**

(b)(1) PROGRAMS IN PUBLIC AND ACCREDITED NON-PUBLIC SCHOOL BUILDING SITES ONLY, when the school building site is used by school age children and the same age children are cared for in the school age program - K.S.A. 65-527(b)(2)&(4). The operator ensures that the building complies during all hours of operation of the program with the Kansas fire prevention code or building code compliance with which is by law deemed to be in compliance with the Kansas fire prevention code for schools. K.S.A. 65-527(b)(3) Operator ensures that during all hours of operation the building complies with all local building provisions.

C NC R

**K.A.R. 28-4-585**

(b)(2)(A) PROGRAMS IN PUBLIC AND ACCREDITED NON-PUBLIC SCHOOL BUILDING SITES ONLY, the operator ensures that existing playground or activity area and equipment acceptable for use by students of the same age during the academic day may be used by children/youth in the program if the equipment is in sound condition.

C NC R

**K.A.R. 28-4-585**

(b)(2)(B) PROGRAMS IN PUBLIC AND ACCREDITED NON-PUBLIC SCHOOL BUILDING SITES ONLY, the operator ensures that if the equipment is acceptable for use by students of the same age during the academic day, additional impact-absorbing surfacing material is not required under anchored climbing equipment, slides and swings.

C NC R

**K.A.R. 28-4-585**

(c) PUBLIC RECREATION CENTER BUILDING SITE ONLY when the recreation center is used by school age children and the same age children are cared for in the school age program - K.S.A. 65-527(b)(2)&(4) - the operator ensures that the building complies during all hours of operation of the program with the Kansas fire prevention code or building code compliance with which is by law deemed to be in compliance with the Kansas fire prevention code for recreation centers. K.S.A. 65-527(b)(3) Operator ensures that during all hours of operation the building complies with all local building code provisions that apply to recreation centers.

C NC R

**K.A.R. 28-4-585**

(d) BUILDINGS THAT ARE NOT PUBLIC OR ACCREDITED NON-PUBLIC SCHOOL BUILDINGS OR PUBLIC RECREATION CENTERS.

**K.A.R. 28-4-585**

(d)(1) The operator ensures that the following requirements are met for the building used:

**K.A.R. 28-4-585**

(d)(1)(B) BUILDINGS THAT ARE NOT PUBLIC OR ACCREDITED NON-PUBLIC SCHOOL BUILDINGS OR PUBLIC RECREATION CENTERS. The operator ensures that the building is not a residence or a single family dwelling.

C NC R

**K.A.R. 28-4-585**

(d)(1)(C) BUILDINGS THAT ARE NOT PUBLIC OR ACCREDITED NON-PUBLIC SCHOOL BUILDINGS OR PUBLIC RECREATION CENTERS. The operator ensures that each stairway with more than two steps is railed.

C NC R

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**K.A.R. 28-4-585 Building and outdoor premises.**

**(d)(1)(D)** BUILDINGS THAT ARE NOT PUBLIC OR ACCREDITED NON-PUBLIC SCHOOL BUILDINGS OR PUBLIC RECREATION CENTERS. The operator ensures that if windows are open, they are screened, each screen is in good condition to prevent insects from entering the premises. **C NC R**

**K.A.R. 28-4-585**

**(d)(2)** The operator ensures that if the program uses a non-public source for the water supply, the water is tested annually by a department certified lab. The well is approved by the local environmental protection program(LEPP) **C NC R**

**K.A.R. 28-4-585**

**(e)** OUTSIDE PREMISES OF PUBLIC RECREATION CENTERS AND OF OTHER PROGRAMS, INCLUDING OUTDOOR SUMMER CAMPS, THAT ARE NOT CONDUCTED IN PUBLIC SCHOOLS OR NON-PUBLIC SCHOOLS

**K.A.R. 28-4-585**

**(e)(1)(A)** Operator ensures that outdoor activity meets the following requirements:

**K.A.R. 28-4-585**

**(e)(1)(A)(i)** The operator ensures that the outdoor area is located and arranged to reduce the risk of injury and to enable staff to provide close visual supervision at all times. **C NC R**

**K.A.R. 28-4-585**

**(e)(1)(A)(ii)** The operator ensures that the outdoor area is well drained and free of known health and environmental hazards. **C NC R**

**K.A.R. 28-4-585**

**(e)(1)(A)(iii)** The operator ensures that no tall weeds or grass, untrimmed shrubbery or trash in the activity area. **C NC R**

**K.A.R. 28-4-585**

**(e)(1)(B)** If the outdoor activity area is accessible to the public, operator defines boundaries for the children/youth attending the program and, to the extent possible, uses space reserved exclusively for the program. **C NC R**

**K.A.R. 28-4-585**

**(e)(2)** Each operator complies with the following safety requirements in the outdoor activity area:

**K.A.R. 28-4-585**

**(e)(2)(A)** Each operator complies with the following safety requirements in the outdoor activity area: the equipment is safely located, age-appropriate, and in good repair. **C NC R**

**K.A.R. 28-4-585**

**(e)(2)(B)** Each operator complies with the following safety requirements in the outdoor activity area: Impact-absorbent surfacing material shall be installed in each use zone under and around anchored play or recreational equipment over four feet in height, including climbing equipment, slides, and swings. Impact-absorbent surfacing material shall consist of any loose fill material specified in paragraph (e)(2)(G), unitary surfacing material, or synthetic impact material. Before any equipment over 11 feet in height is used, the operator shall meet the requirements specified in K.A.R. 28-4-588(e). (High Risk Sports or Activities) **C NC R**

**K.A.R. 28-4-585**

**(e)(2)(C)** Each use zone shall be at least six feet from all sides of the structure. However, the side of some equipment, including a swing, shall not be required to have impact-absorbent surfacing material on each side if the potential for a fall to the side is minimal. **C NC R**

**K.A.R. 28-4-585**

**(e)(2)(D)** Hard-surfacing materials, including asphalt, concrete, and hard-packed dirt, shall not be used in any use zone under and around climbing equipment, slides, and swings. This requirement shall apply regardless of the height of the climbing equipment, slides, and swings. **C NC R**

**K.A.R. 28-4-585**

**(e)(2)(E)** If unitary surfacing material or synthetic impact material, including rubber mats, rubber tiles, and poured-in-place material, is installed in the use zone, the material shall be used and maintained according to the manufacturer's recommendations. The manufacturer's recommendations shall be on file on the premises or at a designated central office location and shall be accessible for review by the secretary's designee. **C NC R**

**K.A.R. 28-4-585**

**(e)(2)(F)** Surfaces made of loose materials shall be maintained by replacing, leveling, or raking the material. **C NC R**

**K.A.R. 28-4-585**

**(e)(2)(G)** If loose fill material is installed in the use zone, the material shall be specifically developed for playground use, type and depth of material conforms to the chart. **C NC R**



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**K.A.R. 28-4-585 Building and outdoor premises.**

(e)(3) The operator ensures that each child/youth is protected from environmental hazards as follows: NOTE: PUBLIC RECREATION CENTERS ARE EXEMPT FROM PARAGRAPH (e)(3).

**K.A.R. 28-4-585**

(e)(3)(A) The operator ensures that each child youth is protected from environmental hazards as follows: if a small fish pond or decorative pool with water 24 inches deep or less is on the premises, no child has unsupervised access to it. **C NC R**

**K.A.R. 28-4-585**

(e)(3)(B) Each outdoor activity has a fence, partial fence or other barrier to prevent chance access to any adjacent hazard, including the following: a busy street; railroad tracks; or a water hazard, including a ditch, irrigation ditch, pond, lake, and any standing water over 24 inches deep. NOTE: PUBLIC RECREATION CENTERS ARE EXEMPT FROM (e)(3). **C NC R**

**K.A.R. 28-4-586 Outdoor summer camps and mobile summer programs.**

(b)(1)(A) Outdoor summer camp shall be held in a city or county park or park-like setting that has at least 75 square feet of available space for each child or youth. Operator uses the premises according to its intended purpose, with strict regard for the health, safety, and well-being of each child/youth who attends the outdoor summer camp. No child/youth shall be exposed to environmental hazards, including asbestos, lead paint, and pesticides. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(B) If a lake, pond, river, or other large body of water is located within 100 yards of the premises, operator shall ensure that the water hazard is physically separated from the activity area to prevent access by each child/youth, or has submitted a plan for protecting each child/youth from unsupervised access and the plan, has been approved by the secretary before the premises are used. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(C) Outdoor summer camp has access to the following:

**K.A.R. 28-4-586**

(b)(1)(C)(i) Outdoor summer camp has access to a shelter or permanent building for protection from inclement weather and for dining purposes, as needed, that is large enough to accommodate the number of children/youth in attendance comfortably without being crowded. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(C)(ii) Outdoor summer camp has access to the rest room, and hand-washing facilities as specified in K.A.R. 28-4-585(a)(3), (a)(4)(A) through (E) (COMPLETE REFERENCED PORTION OF THE SURVEY INSTRUMENT) **C NC R**

**K.A.R. 28-4-586**

(b)(1)(D) Rest room facilities shall be located in visual proximity to each program activity area. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(E) Shelter structure is in sound condition and good repair, free from accumulated dirt and trash. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(F) If a building is used, the operator ensures that the building meets the requirements specified in K.A.R. 28-4-585 (COMPLETE THE REFERENCED PORTION OF THE SURVEY INSTRUMENT). Shelter house has a roof and is enclosed by walls on all sides shall be considered a building. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(G) Each outdoor summer camp has facilities for sanitary dish washing available as specified in K.A.R. 28-4-591. (COMPLETE THE REFERENCED PORTION OF THE SURVEY INSTRUMENT). If hot water is not available to the sink or if the dish-washing facilities do not meet the requirements specified in K.A.R. 28-4-591, the operator has obtained approval from the secretary's designee for the use of alternate methods for sanitary dish washing. **C NC R**

**K.A.R. 28-4-586**

(b)(1)(H) Each operator of an outdoor summer camp conducts a daily safety assessment of the premises to ensure the premises are maintained to protect the health, safety, and wellbeing of each child/youth. **C NC R**

**K.A.R. 28-4-586**

(b)(2) Operator of an outdoor summer camp has develop and implement policies for the following: **C NC R**

**K.A.R. 28-4-586**

(b)(2)(A) Operator of an outdoor summer camp develops and implements policies for the protection and shelter of children/youth in case of inclement weather. **C NC R**

C = Compliance  
NC = Noncompliance  
R = Reviewed

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NC = Noncompliance  
R = Reviewed

**K.A.R. 28-4-586 Outdoor summer camps and mobile summer programs.**

(b)(2)(B) Operator of an outdoor summer camp develops and implements policies for the use and maintenance of the shelter and rest room facilities, including policies for use and maintenance if the shelter and rest room facilities are owned and operated by another entity. C NC R

**K.A.R. 28-4-586**

(b)(3) If the operator transports children/youth to and from the outdoor summer camp premises to a designated pick-up and drop-off location, the operator shall meet the requirements specified in K.A.R. 28-4-583,(COMPLETE THAT PORTION OF THE SURVEY INSTRUMENT.) and K.A.R. 28-4-593(COMPLETE THAT PORTION OF THE SURVEY INSTRUMENT.) and paragraph (c)(4) and (5) following. C NC R

**K.A.R. 28-4-585 Building and outdoor premises.**

(c) Mobile summer programs.

**K.A.R. 28-4-586 Outdoor summer camps and mobile summer programs.**

(c)(1) Mobile summer program license is issued for the address of the designated drop-off and pick-up site. C NC R

**K.A.R. 28-4-586**

(c)(2) Mobile summer program drop-off and pick-up site shall contain a shelter or a permanent building that provides adequate protection from inclement weather. C NC R

**K.A.R. 28-4-586**

(c)(3) Operator of mobile summer program ensures that no child/youth waits at the drop-off or pick-up site for more than one hour at the beginning of the program day or for more than one and one-half hours at the end of the program day. C NC R

**K.A.R. 28-4-586**

(c)(4) Operator of mobile summer programs ensures that child/youth do not board the transporting vehicle until immediately before it is time to leave. C NC R

**K.A.R. 28-4-586**

(c)(5) Operator of mobile summer program shall ensure that the program has exclusive use of the licensed area during the entire time that children or youth involved in the program are present. C NC R

**K.A.R. 28-4-586**

(c)(6) Operator of a mobile summer program shall meet the transportation requirements specified in K.A.R. 28-4-593 (COMPLETE THE REFERENCED PORTION OF THE SURVEY INSTRUMENT.) and K.A.R. 28-4-583 (COMPLETE THE REFERENCED PORTION OF THE SURVEY INSTRUMENT.) C NC R

**K.A.R. 28-4-586**

(d) Operator of an outdoor summer camp or a mobile summer program may keep the staff records specified in K.A.R. 28-4-582 at a designated central office location available to the secretary or the secretary's designee upon request. Operator keeps health records and contact information for emergency notification immediately available in case of emergency. C NC R

**K.A.R. 28-4-586**

(e) Children/youth records. Operator may keep children/youth records as specified in K.A.R. 28-4-582 on file at a designated central office location available to the secretary's designee upon request. Operator shall ensure that the following records for each child/youth are immediately available in case of emergency: C NC R

**K.A.R. 28-4-586**

(e)(1) Operator shall ensure that the health history form for each child/youth are immediately available in case of emergency. C NC R

**K.A.R. 28-4-586**

(e)(2) Operator shall ensure that the authorization for emergency medical care for each child/youth are immediately available in case of emergency. C NC R

**K.A.R. 28-4-586**

(e)(3) Operator shall ensure that the emergency contact information for each child/youth are immediately available in case of emergency. C NC R

**K.A.R. 28-4-587 Staff member qualifications; professional development training; staffing requirements.**

(a) Staff qualifications. Each operator and each staff member shall demonstrate an understanding of children and youth and shall act with reasonable care and judgment. C NC R

**K.A.R. 28-4-587**

(b) Program director.

C = Compliance  
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**K.A.R. 28-4-587** **Staff member qualifications; professional development training; staffing requirements.**  
(b)(1) Each operator shall hire a program director who meets the following qualifications: **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(A) Program director is at least 18 years of age and is at least three years older than the oldest youth in the program. **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(B) Program director demonstrates the following:

**K.A.R. 28-4-587**  
(b)(1)(B)(i) Program director demonstrates knowledge of child and youth development. **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(B)(ii) Program director demonstrates knowledge of the licensing regulations governing school-age programs. **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(B)(iii) Program director demonstrates administrative and supervisory skills. **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(B)(iv) Program director demonstrates the ability to communicate clearly. **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(B)(v) Program director demonstrates the competence to manage the program in compliance with the program policies, the program plan, and the licensing regulations governing school-age programs. **C NC R**

**K.A.R. 28-4-587**  
(b)(1)(C) Program director holds either a high school diploma or a general educational development (GED) credential. **C NC R**

**K.A.R. 28-4-587**  
(b)(3)(B) Within 10 calendar days after hiring a program director, each operator shall comply with one of the following:

**K.A.R. 28-4-587**  
(b)(3)(A) Within 10 calendar days after hiring a program director obtain from the program director a copy of the approval letter issued by the secretary to document that the program director is qualified for the license capacity. **C NC R**

**K.A.R. 28-4-587**  
(b)(3)(B) Within 10 calendar days after hiring a program director submit a request to the secretary for approval of the program director who has been hired. **C NC R**

**K.A.R. 28-4-587**  
(b)(4) Each program director designee shall meet the requirements specified in paragraphs (b)(1) and (2)(A). **C NC R**

**K.A.R. 28-4-587**  
(c) Administrator. Each operator of a program that has a license capacity of 91 or more children or youth shall employ an administrator who meets the following qualifications: **C NC R**

**K.A.R. 28-4-587**  
(c)(1) Administrator is not the program director or a group leader. **C NC R**

**K.A.R. 28-4-587**  
(c)(2) Administrator is at least 18 years of age. **C NC R**

**K.A.R. 28-4-587**  
(c)(3) Administrator holds either a high school diploma or a GED credential. **C NC R**

**K.A.R. 28-4-587**  
(c)(4) Administrator possesses administrative ability, knowledge of the licensing regulations governing school-age programs, and the skill to supervise the business operation of the program. **C NC R**

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**K.A.R. 28-4-587 Staff member qualifications; professional development training; staffing requirements.**

(d) Group leader. C NC R

**K.A.R. 28-4-587**  
(d)(1) Each individual designated as group leader shall meet the following qualifications: C NC R

**K.A.R. 28-4-587**  
(d)(1)(A) Group leader is at least 18 years of age and is at least three years older than the oldest youth in the group. C NC R

**K.A.R. 28-4-587**  
(d)(1)(B) Group leader holds either a high school diploma or a GED credential. C NC R

**K.A.R. 28-4-587**  
(d)(1)(C) Group leader has job-related experience working with school-age children or school-age youth. C NC R

**K.A.R. 28-4-587**  
(d)(2) Each group leader shall possess the following: C NC R

**K.A.R. 28-4-587**  
(d)(2)(A) Each group leader possesses knowledge of child and youth development. C NC R

**K.A.R. 28-4-587**  
(d)(2)(B) Each group leader possesses knowledge of the licensing regulations governing school-age programs. C NC R

**K.A.R. 28-4-587**  
(d)(2)(C) Each group leader possesses an understanding of age-appropriate activities and services. C NC R

**K.A.R. 28-4-587**  
(d)(2)(D) Each group leader possesses the ability to communicate clearly. C NC R

**K.A.R. 28-4-587**  
(d)(2)(E) Each group leader possesses skills and abilities to implement the program of activities. C NC R

**K.A.R. 28-4-587**  
(d)(2)(F) Each group leader possesses the ability to foster positive, healthy relationships with children or youth. C NC R

**K.A.R. 28-4-587**  
(d)(3) Each group leader shall meet the following requirements:

**K.A.R. 28-4-587**  
(d)(3)(A) Each group leader shall provide supervision and direction to the children and youth assigned to the group. C NC R

**K.A.R. 28-4-587**  
(d)(3)(B) Each group leader shall supervise group activities during all hours children and youth are present. C NC R

**K.A.R. 28-4-587**  
(d)(3)(C) Each group leader shall provide supervision and direction to an assistant group leader. C NC R

**K.A.R. 28-4-587**  
(e) Assistant group leader.

**K.A.R. 28-4-587**  
(e)(1) Each individual designated as assistant group leader shall meet the following qualifications: C NC R

**K.A.R. 28-4-587**  
(e)(1)(A) Assistant group leader is at least 16 years of age and is at least three years older than the oldest youth in attendance in the group. C NC R

**K.A.R. 28-4-587**  
(e)(1)(B) Each assistant group leader possesses the following:

C = Compliance  
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**K.A.R. 28-4-587** **Staff member qualifications; professional development training; staffing requirements.**  
(e)(1)(B)(i) Each assistant group leaders possesses the ability to provide supervision and guidance to a group of children or youth under the direction of a group leader. C NC R

**K.A.R. 28-4-587**  
(e)(1)(B)(ii) Each assistant group leader possesses the skill and ability to carry out the program of activities. C NC R

**K.A.R. 28-4-587**  
(e)(1)(B)(iii) Each assistant group leader possesses the ability to foster positive, healthy relationships with children and youth. C NC R

**K.A.R. 28-4-587**  
(e)(2) Each assistant group leader shall be under the supervision and direction of a group leader. C NC R

**K.A.R. 28-4-587**  
(f) Substitute staff members.

**K.A.R. 28-4-587**  
(f)(1) Each operator shall ensure that substitutes are available to work if there is an emergency or a staff member absence. C NC R

**K.A.R. 28-4-587**  
(f)(2) Each substitute shall meet the requirements for the staff member whom the substitute is temporarily replacing. C NC R

**K.A.R. 28-4-587**  
(f)(3) The name and telephone number of each substitute shall be available to the program director or the program director's designee. C NC R

**K.A.R. 28-4-587**  
(g) Volunteers.

**K.A.R. 28-4-587**  
(g)(1) Each volunteer shall be at least 14 years of age and, if working directly with the children and youth, shall be at least three years older than the oldest youth in the group. C NC R

**K.A.R. 28-4-587**  
(g)(2) No volunteer shall be counted in the supervisory ratio unless the volunteer meets all the requirements of a group leader or assistant group leader and is designated as a group leader or assistant group leader by the program director. C NC R

**K.A.R. 28-4-587**  
(h) Documentation of qualifications. In addition to meeting the staff record requirements in K.A.R. 28-4-582, each operator shall have on file an application form completed by each staff member, including documentation of the staff member's qualifications. The documentation shall be on file on the premises or at a designated central office location that is accessible for review by the secretary's designee. C NC R

**K.A.R. 28-4-587**  
(i) Professional development training.

**K.A.R. 28-4-587**  
(i)(1) Orientation training. Each operator shall provide orientation training to each program director and each staff member who is counted in the supervisory ratio. The training shall be provided before or within the first week the program director or staff member works with children or youth. Each staff member shall complete the training before being given sole responsibility for the care and supervision of children or youth. The training shall be related to work duties and responsibilities and shall include the following subject areas: C NC R

**K.A.R. 28-4-587**  
(i)(1)(A) Orientation includes training related to the mission and goals of the program. C NC R

**K.A.R. 28-4-587**  
(i)(1)(B) Orientation includes training related to the licensing regulations governing school-age programs. C NC R

**K.A.R. 28-4-587**  
(i)(1)(C) Orientation includes training related to program policies and practices, including security and behavior management. C NC R

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**K.A.R. 28-4-587** **Staff member qualifications; professional development training; staffing requirements.**  
(i)(1)(D) Orientation includes training related to the program of activities. C NC R

**K.A.R. 28-4-587**  
(i)(1)(E) Orientation includes training related to the supervision of children and youth, including any special needs and known allergies. C NC R

**K.A.R. 28-4-587**  
(i)(1)(F) Orientation includes training related to confidentiality. C NC R

**K.A.R. 28-4-587**  
(i)(1)(G) Orientation includes training related to recognizing and reporting symptoms of illness, child abuse, child neglect, and critical incidents as specified in K.A.R. 28-4-592. C NC R

**K.A.R. 28-4-587**  
(i)(1)(H) Orientation includes training related to the prevention of and response to emergencies due to food and allergic reactions. C NC R

**K.A.R. 28-4-587**  
(i)(1)(I) Orientation includes training related to the prevention and control of infectious diseases, including immunizations. C NC R

**K.A.R. 28-4-587**  
(i)(1)(J) Orientation includes training related to the premises safety, including identification of and protection from hazards that could cause bodily injury, including electrical hazards, bodies of water, and vehicular traffic. C NC R

**K.A.R. 28-4-587**  
(i)(1)(K) Orientation includes training related to emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event, including violence at a premises. C NC R

**K.A.R. 28-4-587**  
(i)(1)(L) Orientation includes training related to the handling and storage of hazardous materials and the appropriate disposal of bio-contaminants, including blood and other bodily fluids or waste. C NC R

**K.A.R. 28-4-587**  
(i)(1)(M) Orientation includes training related to the precautions when transporting children and youth, if transportation is provided. C NC R

**K.A.R. 28-4-587**  
(i)(2) Ongoing professional development training.

**K.A.R. 28-4-587**  
(i)(2)(A) For purposes of this subsection, "licensure year" shall mean the period beginning on the effective date and ending on the expiration date of a license.

**K.A.R. 28-4-587**  
(i)(2)(B) In each licensure year, each program director shall complete professional development training as follows:

**K.A.R. 28-4-587**  
(i)(2)(B)(i) Each program director shall complete 15 clock-hours for licensure year ending during the 2017 calendar year. C NC R

**K.A.R. 28-4-587**  
(i)(2)(C) In each licensure year, each operator or program director shall assess the training needs of the staff members and shall provide or arrange for staff training as needed to maintain the program in compliance with the licensing regulations governing school-age programs. C NC R

**K.A.R. 28-4-587**  
(i)(2)(E) Each operator shall ensure that documentation of training is kept in each staff member's file on the premises or at a designated central office location that is accessible for review by the secretary's designee. C NC R

**K.A.R. 28-4-587**  
(j) Staffing requirements.

**K.A.R. 28-4-587**  
(j)(1) Staff coverage. Each operator shall have a sufficient number of staff members on duty to supervise the children and youth during all hours of operation and to provide for their health, safety, and well-being. Each operator shall provide staff coverage in case of emergencies or a staff member absence. C NC R

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<b><u>K.A.R. 28-4-587</u></b>	<b><u>Staff member qualifications; professional development training; staffing requirements.</u></b>	
(j)(2)	Supervision.	
<b><u>K.A.R. 28-4-587</u></b>		
(j)(2)(A)	Each operator shall ensure that the program has a qualified group leader for each 30 children or youth attending the program, except as specified in K.A.R. 28-4-596.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(2)(B)	Each operator shall maintain additional qualified staff to ensure that the supervisory ratio of one staff member for each 15 children and youth is not exceeded.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(2)(C)	Each staff member counted in the supervisory ratio shall be assigned responsibility for the supervision of children and youth and shall meet the following requirements:	
<b><u>K.A.R. 28-4-587</u></b>		
(j)(2)(C)(i)	Each staff member counted in supervisory ratio meets the applicable qualifications for a group leader or assistant group leader.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(2)(C)(ii)	Each staff member counted in the supervisory ratio is physically present with the children or youth.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(3)	Grouping. Except as specified in K.A.R. 28-4-596, the number of children and youth in a group is limited by the following:	
<b><u>K.A.R. 28-4-587</u></b>		
(j)(3)(A)	The number of children and youth in a group is limited by the available space for activities.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(3)(B)	The number of children and youth in a group is limited by the type of activity.	C NC R

<b><u>K.A.R. 28-4-587</u></b>		
(j)(4)	Supervision of children and youth. Each staff member working with children and youth shall provide supervision to protect the health, safety, and welfare of the children and youth, and to reduce the risk of injury, illness, or abuse.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(5)	Positive relationships. Each staff member shall encourage the development of positive adult-to-child and adult-to-youth relationships and shall be actively engaged with the children or youth under the staff member's supervision.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(6)	Location of each child and each youth. Each group leader or assistant group leader shall know the location of each child and each youth under the supervision of that group leader or assistant group leader at all times.	C NC R
<b><u>K.A.R. 28-4-587</u></b>		
(j)(7)	Unescorted child or youth. Any group leader or assistant group leader may, based on the policy of the program and the age and responsibility level of the child or youth, give a child or youth permission to walk unescorted from one supervised activity area to another supervised activity area or to the rest room.	C NC R
<b><u>K.A.R. 28-4-588</u></b>	<b><u>Program plan, program of activities, and use of space.</u></b>	
(a)	Each operator develops and implements a written program plan that includes a program of activities, services, and schedules in keeping with the overall mission, goals, and purpose of the program and the developmental needs and interests of the children/youth.	C NC R
<b><u>K.A.R. 28-4-588</u></b>		
(b)	Program of activities.	
<b><u>K.A.R. 28-4-588</u></b>		
(b)(1)	Operator ensures that each activity is adapted to the number of children/youth participating in the activity and the space available. Whenever possible, each operator encourages each child/youth to participate in planning the program of activities	C NC R
<b><u>K.A.R. 28-4-588</u></b>		
(b)(2)	Each operator ensures that each activity meets the following conditions:	

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**K.A.R. 28-4-588 Program plan, program of activities, and use of space.**

(b)(2)(A) Each operator ensures that each activity is developmentally appropriate and age-appropriate. **C NC R**

**K.A.R. 28-4-588**

(b)(2)(B) Each operator ensures that each activity helps each child or youth develop useful skills, a positive self-concept, a sense of independence, and positive relationships. **C NC R**

**K.A.R. 28-4-588**

(b)(2)(C) Each operator provides a variety of structured, unstructured, and self-directed activities in keeping with the goals and purpose of the program and the hours of operation. **C NC R**

**K.A.R. 28-4-588**

(b)(2)(D) Each operator ensures that each activity is scheduled to allow adequate time to transition from one activity to another. **C NC R**

**K.A.R. 28-4-588**

(b)(3) Operator ensures that television programs, videos, and movies are limited to those with age-appropriate content and shown only for special occasions or educational instruction. **C NC R**

**K.A.R. 28-4-588**

(c) Use of available space for activities.

**K.A.R. 28-4-588**

(c)(1) If activities that are not part of the school age program are conducted on the same premises as those for the school-age program, the operator designates space for exclusive use by the program during the hours of operation. **C NC R**

**K.A.R. 28-4-588**

(c)(2) Operator provides sufficient space in each area for children/youth to engage comfortably in the activity without being crowded. **C NC R**

**K.A.R. 28-4-588**

(d) Materials, equipment, and furnishings.

**K.A.R. 28-4-588**

(d)(1) Operator provides a sufficient quantity of program materials, equipment, furnishings, and supplies to keep each child/youth engaged and to carry out the program of activities. **C NC R**

**K.A.R. 28-4-588**

(d)(2) Operator ensures compliance with the following safety requirements:

**K.A.R. 28-4-588**

(d)(2)(A) Operator ensures equipment, furnishings, and supplies are used as intended and are safely stored to prevent injury or misuse. **C NC R**

**K.A.R. 28-4-588**

(d)(2)(B) Operator ensures equipment is maintained in good repair. **C NC R**

**K.A.R. 28-4-588**

(d)(2)(C) Operator ensures if bedding is used, it is stored in a sanitary manner. **C NC R**

**K.A.R. 28-4-588**

(d)(3) Operator ensures there are no firearms, ammunition, hunting knives, and other weapons on the premises. Archery equipment and air-powered guns, including BB guns and pellet guns, shall be prohibited unless both of the following conditions are met: **C NC R**

**K.A.R. 28-4-588**

(d)(3)(A) Archery equipment and air-powered guns, including BB guns and pellet guns, shall be prohibited unless equipment and guns are used as part of an instructional activity that meets the requirements for high-risk sports and recreational activities specified in subsection (e) of this regulation. **C NC R**

**K.A.R. 28-4-588**

(d)(3)(B) Archery equipment and air-powered guns, including BB guns and pellet guns, shall be prohibited unless equipment and guns are kept in locked storage, and no child/youth has unsupervised access to the equipment and guns. **C NC R**

**K.A.R. 28-4-588**

(e) High-risk sports and recreational activities.



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**K.A.R. 28-4-588 Program plan, program of activities, and use of space.**

(e)(1) Before any high-risk sport or recreational activity is included in the program, the operator has submitted a description of the sport or activity to the secretary for written approval. C NC R

**K.A.R. 28-4-588**

(e)(2) Operator keeps the written approval from the secretary on file on the premises or at a designated central office location accessible for review by the secretary's designee. C NC R

**K.A.R. 28-4-588**

(e)(3) Only an instructor who meets the qualifications for conducting a high-risk sport or recreational activity instructs and supervises the children/youth engaged in the high-risk sport or recreational activity. C NC R

**K.A.R. 28-4-588**

(e)(4) Before participating in a high-risk sport or recreational activity, each child/youth has written permission, as specified in K.A.R. 28-4-582, on file on the premises or at a designated central office location accessible for review by the secretary's designee. C NC R

**K.A.R. 28-4-588**

(f) Children/youth with special needs.

**K.A.R. 28-4-588**

(f)(1) If Operator and the parent or other adult responsible for a child/youth agree that the child/youth will be provided with specialized services while attending the program, an IPP is developed and implemented by the following individuals: C NC R

**K.A.R. 28-4-588**

(f)(1)(A) Program director and each staff member of the program who is responsible for implementing the IPP. C NC R

**K.A.R. 28-4-588**

(f)(1)(B) An IPP is developed and implemented by parent or other adult responsible for the child or youth. C NC R

**K.A.R. 28-4-588**

(f)(1)(C) An IPP is developed and implemented by a professional who is licensed or credentialed and who is qualified to work with the child/youth regarding the child's/youth's special need. C NC R

**K.A.R. 28-4-588**

(f)(1)(D) An IPP is developed and implemented by the child or youth, as appropriate. C NC R

**K.A.R. 28-4-588**

(f)(2) Each IPP shall contain the following information:

**K.A.R. 28-4-588**

(f)(2)(A) Each IPP contains the date the IPP is developed and updated. C NC R

**K.A.R. 28-4-588**

(f)(2)(B) Each IPP shall contain the special need identified as requiring specialized services. C NC R

**K.A.R. 28-4-588**

(f)(2)(C) Each IPP shall contain each specialized service to be provided while the child/youth is attending the program and the name of the person who will provide each service. C NC R

**K.A.R. 28-4-588**

(f)(2)(D) Each IPP shall contain the anticipated goal of each specialized service. C NC R

**K.A.R. 28-4-588**

(f)(2)(E) Each IPP shall contain the name and position of each person participating in the development of the IPP. C NC R

**K.A.R. 28-4-588**

(f)(3) Operator ensures that each IPP is reviewed and updated annually to meet the special needs of the child/youth. C NC R

**K.A.R. 28-4-588**

(f)(4) Operator provides a copy of each IPP and each updated IPP to the participants who developed the IPP. Operator keeps a copy in the child's/youth's file. C NC R

C = Compliance  
NC = Noncompliance  
R = Reviewed

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**K.A.R. 28-4-588 Program plan, program of activities, and use of space.**

(f)(5) Each program operating concurrently under a school-age program license issued by the secretary and a license issued by the secretary of DCF as specified in K.S.A. 75-3307b, is exempt from the following regulations if the program is in compliance with the licensing requirements of the secretary of DCF: K.A.R. 28-4-587; K.A.R. 28-4-588; (b),(e) and (f)(1) through (4) and any IPP requirements specified in K.A.R.28-4-589(d).

C NC R

**K.A.R. 28-4-589 Behavior management.**

(a) Behavior management practices.

**K.A.R. 28-4-589**

(a)(1) Behavior management practices are consistent with the goals and purposes of the program and appropriate to the age and developmental level of the child/youth.

C NC R

**K.A.R. 28-4-589**

(a)(2) Staff members practice methods of behavior management that are designed to help each child/youth develop inner controls and manage the child's/youth's own behavior in a socially acceptable manner.

C NC R

**K.A.R. 28-4-589**

(b) If time out is used to manage behavior, the child/youth remains in time out only long enough to regain self-control. Each child/youth in time out is kept under visual staff supervision. If a separate room is used, the door remains open, or the staff member responsible for providing supervision remains in the room with the child/youth.

C NC R

**K.A.R. 28-4-589**

(c) Prohibited punishment.

**K.A.R. 28-4-589**

(c)(1) No operator or any staff member uses any of the following methods of punishment:

**K.A.R. 28-4-589**

(c)(1)(A) Punishment which is humiliating, frightening, physically or mentally harmful is not used.

C NC R

**K.A.R. 28-4-589**

(c)(1)(B) Corporal punishment, including spanking with the hand or any implement, slapping, swatting, pulling hair, yanking the arm, excessive exercise, exposure to extreme temperatures, and any other measure that produces physical pain or threatens the child's/youth's health or safety is not used.

C NC R

**K.A.R. 28-4-589**

(c)(1)(C) Verbal abuse, threats, or derogatory remarks about the child or the child's family is not used.

C NC R

**K.A.R. 28-4-589**

(c)(1)(D) Enclosing the child or youth in a confined space, including any closet, box, and locked room is not used.

C NC R

**K.A.R. 28-4-589**

(c)(1)(E) Withholding or forcing foods as punishment is not used.

C NC R

**K.A.R. 28-4-589**

(c)(1)(F) Placing soap, or other substances that sting, burn, or have a bitter taste, in the child's or youth's mouth or on the tongue, or placing substances that sting or burn on other parts of the child's or youth's body as punishment is not used.

C NC R

**K.A.R. 28-4-589**

(c)(2) Operator and each staff member is prohibited from giving medications, herbal or folk remedies, and drugs to control or manage behavior except as prescribed by the child's or youth's licensed physician or licensed nurse practitioner.

C NC R

**K.A.R. 28-4-589**

(c)(3) Operator and each staff member is prohibited from using physical restraint to manage behavior unless all of the requirements of subsection (d) of this regulation are met.

C NC R

**K.A.R. 28-4-589**

(d) Physical restraint.

C = Compliance  
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**K.A.R. 28-4-589 Behavior management.**

(d)(1) Before physical restraint is used, de-escalation methods are attempted. If de-escalation methods fail and the behavior of a child/youth makes physical restraint necessary for the child's or youth's own protection or the protection of others, the child/youth is held as gently as possible to manage the behavior. If physical restraint is used, two staff members are to be present and remain with the child/youth until physical restraint is no longer necessary.

C NC R

**K.A.R. 28-4-589**

(d)(2) Child/youth is not restrained longer than necessary for the child/youth to gain self-control. No bonds, ties, or straps shall be used to restrict movement.

C NC R

**K.A.R. 28-4-589**

(d)(3) Each staff member using physical restraint has a current certificate on file documenting training in de-escalation methods and specific restraint procedures or techniques. The physical restraint training curriculum is approved by the secretary before the curriculum is used to train the staff members.

C NC R

**K.A.R. 28-4-589**

(d)(4) Each child or youth whose behavior cannot be managed by other less intrusive methods and whose behavior requires the use of ongoing physical restraint for the child's or youth's protection or the protection of others has on file an IPP authorizing the use of physical restraint.

C NC R

**K.A.R. 28-4-589**

(e) Operator informs the parent or other adult responsible for a child/youth each time that physical restraint is used. Operator documents each use of physical restraint on a critical incident report form supplied by the department.

C NC R

**K.A.R. 28-4-590 Health-related requirements.**

(a) Operator ensures that tobacco products are not used during the hours of operation of the program and while children/youth are in attendance.

C NC R

**K.A.R. 28-4-590**

(b) Health of individuals working or volunteering in the program.

**K.A.R. 28-4-590**

(b)(1) Operator and each staff member are free from physical, mental, and emotional handicaps as necessary to protect the health, safety, and welfare of the children/youth.

C NC R

**K.A.R. 28-4-590**

(b)(2) No individual working or volunteering in a program is under the influence of alcohol or illegal substances, or impaired due to the use of prescription or nonprescription drugs.

C NC R

**K.A.R. 28-4-590**

(b)(3) Each individual working or volunteering in the program is free from infectious or contagious disease as specified in K.A.R. 28-1-6.

C NC R

**K.A.R. 28-4-590**

(b)(4) Each operator and each staff member who has regular, ongoing contact with children/youth shall attest to that individual's health status on a form supplied by the department or approved by the secretary. The health status form indicates if the individual has been exposed to an active case of tuberculosis or has been diagnosed with suspect or confirmed active tuberculosis. Each individual update the health status form annually or more often if there is a change in the health status or if the individual has been exposed to an active case of tuberculosis.

C NC R

**K.A.R. 28-4-590**

(b)(5) If an operator or staff member in contact with children/youth experiences significant changes in physical, mental, or emotional health or if the individual has been exposed to an active case of tuberculosis, an assessment of the individual's current health status may be required by secretary. A licensed health care provider qualified to diagnose and treat the condition is to conduct the health assessment. Each assessment shall be kept in the individual's file and submitted to the secretary on request.

C NC R

**K.A.R. 28-4-590**

(c) Tuberculin testing.

**K.A.R. 28-4-590**

(c)(1) If an operator, program director, staff member, child/youth is exposed to an active case of tuberculosis or if the location of the program is in an area identified by the local health department or the secretary as a high-risk area for tuberculosis exposure, that individual is to obtain a Mantoux test or a chest x-ray

C NC R

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**K.A.R. 28-4-590 Health-related requirements.**

(c)(2) Each individual diagnosed with suspected or confirmed active tuberculosis is to be excluded from the program until the operator receives authorization from the secretary for the individual to return. **C NC R**

**K.A.R. 28-4-590**

(c)(3) Operator notifies the secretary if any individual identified in paragraph (c)(1) of this regulation indicates exposure to an active case of tuberculosis, has a diagnosis of suspected or confirmed active tuberculosis, or a positive Mantoux test or positive chest x-ray indicating active disease. **C NC R**

**K.A.R. 28-4-590**

(d) Health of children and youth.

**K.A.R. 28-4-590**

(d)(1) Operator obtains a health history for each child /youth, on a form supplied by the department or approved by the secretary. Each health history is maintained in the child's or youth's file on the premises. **C NC R**

**K.A.R. 28-4-590**

(d)(2) Operator requires that each child/youth attending the program has current immunizations as specified in K.A.R. 28-1-20 or has an exemption for religious or medical reasons. **C NC R**

**K.A.R. 28-4-590**

(d)(3) An exemption from immunization requirements shall be granted if one of the following is obtained:

**K.A.R. 28-4-590**

(d)(3)(A) A written statement, submitted on a form supplied by the department and signed by a parent of the child/youth, that the parent is an adherent of a religious denomination whose teachings are opposed to health assessments or immunizations. **C NC R**

**K.A.R. 28-4-590**

(d)(3)(B) An exemption from immunization requirements shall be granted if a certification from a licensed physician that the physical condition of the child/youth is such that immunizations would endanger the child's or youth's life or health. **C NC R**

**K.A.R. 28-4-590**

(d)(4) Children or youth who are currently attending or who had attended in the preceding school year a public or accredited non-public school in Kansas, Missouri, or Oklahoma are not required to provide documentation of current immunizations or exemptions from immunizations. **C NC R**

**K.A.R. 28-4-590**

(e) Administration of medication.

**K.A.R. 28-4-590**

(e)(1) If nonprescription medication is to be administered during the time children or youth are attending the program, the operator shall ensure compliance with the following procedures: **C NC R**

**K.A.R. 28-4-590**

(e)(1)(A) Obtains written permission from the child's or youth's parent or other adult responsible for the child or youth before administering nonprescription medication to that child or youth. **C NC R**

**K.A.R. 28-4-590**

(e)(1)(B) Administers each medication from the original container and according to instructions on the label. **C NC R**

**K.A.R. 28-4-590**

(e)(1)(C) Each nonprescription medication supplied by a parent or other adult responsible for the child/youth is in the original container that is labeled with the first and last name of the child/youth for whom the medication is intended. **C NC R**

**K.A.R. 28-4-590**

(e)(2) If prescription medication is administered during the time children/youth are attending the program, the operator ensures compliance with the following procedures: **C NC R**

**K.A.R. 28-4-590**

(e)(2)(A) The operator obtains written permission from the child's or youth's parent or other adult responsible for the child or youth before administering prescription medication to that child or youth. **C NC R**

**K.A.R. 28-4-590**

(e)(2)(B) Medication ordered by a licensed physician or licensed nurse practitioner is administered only to the designated child/youth. **C NC R**

C = Compliance  
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**K.A.R. 28-4-590 Health-related requirements.**

**(e)(2)(C)** Prescription medication is kept in the original container labeled by a pharmacist with the following information: **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(C)(i)** Each prescription medication in the original container is labeled with the first and last name of the child/youth. **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(C)(ii)** Each prescription medication in the original container is labeled with the date the prescription was filled. **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(C)(iii)** Each prescription medication in the original container is labeled with the name of the licensed physician or licensed nurse practitioner who wrote the prescription. **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(C)(iv)** Each prescription medication in the original container is labeled the expiration date of the medication. **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(C)(v)** Each prescription medication in the original container is labeled with specific, legible instructions for administration and storage of the medication. **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(D)** The operator consider the instructions on each label to be the order from the licensed physician or licensed nurse practitioner. **C NC R**

**K.A.R. 28-4-590**

**(e)(2)(E)** Medication is administered in accordance with the instructions on the label. **C NC R**

**K.A.R. 28-4-590**

**(e)(3)** Requirements for administering medication.

**K.A.R. 28-4-590**

**(e)(3)(A)** If nonprescription or prescription medication is administered, each operator designates staff members to administer the medication. Before administering medication, each designated staff member received training in medication administration approved by the secretary. **C NC R**

**K.A.R. 28-4-590**

**(e)(3)(B)** The Operator records in the file of each child/ youth who is scheduled to receive medication the following identifying information on forms supplied by the department: **C NC R**

**K.A.R. 28-4-590**

**(e)(3)(B)(i)** The name of each staff member who administered each medication is recorded in each child/youth's file who receives medication. **C NC R**

**K.A.R. 28-4-590**

**(e)(3)(B)(ii)** The date and time the medication was given is recorded in each child/youth's file who receives medication. **C NC R**

**K.A.R. 28-4-590**

**(e)(3)(B)(iii)** Any change in the child's or youth's behavior, response to the medication, or adverse reaction is recorded in each child/youth's file who receives medication. **C NC R**

**K.A.R. 28-4-590**

**(e)(3)(B)(iv)** Any change in the administration of the medication from the instructions on the label or a notation about each missed dose is recorded in each child/youth's file who receives medication. **C NC R**

**K.A.R. 28-4-590**

**(e)(3)(C)** Each record is signed by the individual who was responsible for administering the medication, and a copy of the record is made available to the parent or other adult responsible for the child/youth. **C NC R**

**K.A.R. 28-4-590**

**(e)(4)** Each operator keeps each medication at the recommended temperature except as specified in paragraph (e)(5)(D) of this regulation, in locked storage. Each medication container has a child-protective cap. **C NC R**

**K.A.R. 28-4-590**

**(e)(5)** Self-administration of medication.

C = Compliance  
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**K.A.R. 28-4-590 Health-related requirements.**

(e)(5)(A) Operator may permit each child or youth with a chronic illness, a condition requiring prescription medication on a regular basis, or a condition requiring the use of an inhaler to administer the medication under staff supervision. Operator obtains written permission for the child/youth to self-administer medication from the child's/youth's parent or other adult responsible for the child/youth, and from the licensed physician or nurse practitioner treating the condition of the child /youth.

C NC R

**K.A.R. 28-4-590**

(e)(5)(B) Written permission for self-administration of medication is kept in the child's or youth's file.

C NC R

**K.A.R. 28-4-590**

(e)(5)(C) Self-administration of each medication follows the procedures specified in paragraphs (e)(2)(B), (C), (D), and (E) of this regulation.

C NC R

**K.A.R. 28-4-590**

(e)(5)(D) Each child/youth who is authorized to self-administer medication has immediate access to that child's or youth's medication for administration purposes. Operator safely stores each medication to prevent unauthorized access by others.

C NC R

**K.A.R. 28-4-590**

(e)(5)(E) Each operator records the date and time each medication was self-administered.

C NC R

**K.A.R. 28-4-590**

(f) Health care practices.

**K.A.R. 28-4-590**

(f)(1) Hand washing.

**K.A.R. 28-4-590**

(f)(1)(A) Operator encourages each child/youth to wash the hands with soap and water before and after eating and after toileting.

C NC R

**K.A.R. 28-4-590**

(f)(1)(B) Each staff member shall wash the hands with soap and water before and after eating and after toileting.

C NC R

**K.A.R. 28-4-590**

(f)(1)(C) Waterless sanitizing cleanser or sanitizing wipes shall are not used as a substitute for soap and running water. Individuals do not share towels or washcloths.

C NC R

**K.A.R. 28-4-590**

(f)(2) Each staff member is sensitive to the health status of each child/youth and take precautions to prevent the following:

**K.A.R. 28-4-590**

(f)(2)(A) Each staff member is sensitive to the health status of each child/youth and take precautions to prevent dehydration.

C NC R

**K.A.R. 28-4-590**

(f)(2)(B) Each staff member is sensitive to the health status of each child/youth and takes precautions to prevent heat exhaustion.

C NC R

**K.A.R. 28-4-590**

(f)(2)(C) Each staff member is sensitive to the health status of each child/youth and takes precautions to prevent sunburn.

C NC R

**K.A.R. 28-4-590**

(f)(2)(D) Each staff member is sensitive to the health status of each child/youth and takes precautions to prevent frostbite.

C NC R

**K.A.R. 28-4-590**

(f)(2)(E) Each staff member is sensitive to the health status of each child/youth and takes precautions to prevent allergic reactions.

C NC R

**K.A.R. 28-4-590**

(f)(2)(F) Each staff member is sensitive to the health status of each child/youth and takes precautions to prevent other preventable conditions hazardous to a child's or youth's health.

C NC R

**K.A.R. 28-4-591 Food preparation, service, safety, and nutrition.**

(a) If meals or snacks are served in the program, the operator ensures that the following requirements are met:

**K.A.R. 28-4-591**

(a)(1) Sanitary practices.

C = Compliance  
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**K.A.R. 28-4-591** **Food preparation, service, safety, and nutrition.**  
(a)(1)(A) Each individual engaged in food preparation and food service knows and use sanitary methods of food handling, food service, and storage.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(B) No individual is in the food preparation area who is vomiting, has diarrhea, or has other signs, symptoms, or positive laboratory tests indicating infectious illness that can be transmitted through food handling.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(C) No individual is to handle or serve food until the individual is no longer infectious as required by K.A.R. 28-1-6.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(D) Each individual involved in food handling complies with all of the following requirements:

**K.A.R. 28-4-591**  
(a)(1)(D)(i) Hands are washed with soap and running water in a designated hand-washing sink immediately before the individual engages in food preparation and before the individual serves food.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(D)(ii) If the food preparation sink is used for hand washing, the sink shall be sanitized before using it for food preparation.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(D)(iii) Individual towels, disposable paper towels, or air dryers are used to dry hands.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(D)(iv) Each individual serving food uses utensils or single-use gloves.

C NC R

**K.A.R. 28-4-591**  
(a)(1)(D)(v) Each individual with infectious skin sores or with open or infected injuries on the hands or forearms are to cover the sores or injuries with a bandage when handling or serving food.

C NC R

**K.A.R. 28-4-591**  
(a)(2) Food service and preparation area. If food is prepared on the premises, each operator provides a food preparation area that is separate from the eating area, activity area, laundry area, and rest rooms and that is not used as a passageway during the hours of food preparation and cleanup.

C NC R

**K.A.R. 28-4-591**  
(a)(2)(A) Surfaces used for food preparation and dining are made of smooth, nonporous material and shall be cleaned and sanitized before and after use.

C NC R

**K.A.R. 28-4-591**  
(a)(2)(B) The floors shall be swept daily and mopped when spills occur.

C NC R

**K.A.R. 28-4-591**  
(a)(2)(C) Garbage is disposed of in a garbage disposal or in a covered container. If a container is used, container is removed at the end of the day or more often as needed to prevent overflowing or to control odor.

C NC R

**K.A.R. 28-4-591**  
(a)(3) Food storage and refrigeration.

**K.A.R. 28-4-591**  
(a)(3)(A) Food shall be stored at least six inches above the floor in a clean, dry, well-ventilated area that is free from vermin and rodent infestation. Dry bulk foods that are not in their original, unopened containers shall be stored in metal, glass, or foodgrade plastic containers with tightly fitting covers and shall be labeled.

C NC R

**K.A.R. 28-4-591**  
(a)(3)(B) Food is not be stored with poisonous or toxic materials. If cleaning agents cannot be stored in a room separate from food storage areas, the cleaning agents are clearly labeled and kept in locked cabinets not used for the storage of food.

C NC R

**K.A.R. 28-4-591**  
(a)(3)(C) Each refrigerator and freezer used by the operator for food storage and refrigeration is kept clean inside and out and has an interior thermometer. The temperature is maintained at 40F or lower in the refrigerator, and food stored in the freezer is maintained frozen.

C NC R

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**K.A.R. 28-4-591** **Food preparation, service, safety, and nutrition.**  
(a)(3)(D) Hot foods that are to be refrigerated and stored are transferred to shallow containers in food layers less than three inches deep and not covered until cool.

C NC R

**K.A.R. 28-4-591**  
(a)(3)(E) All food stored in the refrigerator is to be covered, wrapped, or otherwise protected from contamination. Unserved, leftover perishable foods are to be dated, refrigerated immediately after service, and eaten within three days.

C NC R

**K.A.R. 28-4-591**  
(a)(3)(F) Ready-to-eat commercially processed foods, including luncheon meats, cream cheese, and cottage cheese, is eaten within five days after opening the package.

C NC R

**K.A.R. 28-4-591**  
(a)(3)(G) Hot foods are maintained at temperatures of at least 140F.

C NC R

**K.A.R. 28-4-591**  
(a)(3)(H) Cold foods are maintained at temperatures of 40F or less.

C NC R

**K.A.R. 28-4-591**  
(b) Table service.

**K.A.R. 28-4-591**  
(b)(1) Operator provides clean forks, spoons, and knives as appropriate for the food being served and shall provide one of the following: clean cups and dishes that have smooth, hard-glazed surfaces and are free from cracks or chips; or disposable, single-use table service that is of food grade, medium weight, and disposed of after each use.

C NC R

**K.A.R. 28-4-591**  
(b)(2) If nondisposable table service and cooking utensils are used, each operator uses one of the following methods to clean them: a commercial dishwasher for programs serving more than 30 children, or a domestic dishwasher for programs with 30 or fewer children; a three-compartment sink; or a two-compartment sink and a basin for sanitizing the table service and cooking utensils.

C NC R

**K.A.R. 28-4-591**  
(c) Meals or snacks prepared on the premises.

**K.A.R. 28-4-591**  
(c)(1) Operator complies with the following requirements:

**K.A.R. 28-4-591**  
(c)(1)(A) Dairy products are pasteurized.

C NC R

**K.A.R. 28-4-591**  
(c)(1)(B) Meat is from government-inspected sources.

C NC R

**K.A.R. 28-4-591**  
(c)(1)(C) Raw fruits and vegetables are washed thoroughly before being eaten or used for cooking.

C NC R

**K.A.R. 28-4-591**  
(c)(1)(D) Frozen foods are defrosted in the refrigerator, under cold running water, in a microwave oven using the defrost setting, or during the cooking process. Frozen foods are not be defrosted by leaving them at room temperature or in standing water.

C NC R

**K.A.R. 28-4-591**  
(c)(2) Operator ensures that the following foods are prohibited:

**K.A.R. 28-4-591**  
(c)(2)(A) Home-canned food is prohibited.

C NC R

**K.A.R. 28-4-591**  
(c)(2)(B) Food from dented, rusted, bulging, or leaking cans is prohibited.

C NC R



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NC = Noncompliance  
R = Reviewed

**K.A.R. 28-4-591** **Food preparation, service, safety, and nutrition.**  
(c)(2)(C) Food from cans without labels is prohibited.

C NC R

**K.A.R. 28-4-591**  
(e) Nutrition.

**K.A.R. 28-4-591**  
(d) Meals or snacks not prepared on the premises.

C NC R

**K.A.R. 28-4-591**  
(e)(1) Operator ensures that safe drinking water is readily available at all times to each individual participating in the program.

C NC R

**K.A.R. 28-4-591**  
(d)(1) If the operator serves a meal or snack that is not prepared on the premises, the meal is obtained from a food service establishment, summer feeding program, or catering service licensed by the secretary. If perishable food is transported to the premises, each operator serves only food that has been transported promptly in temperature-controlled, clean, covered containers.

C NC R

**K.A.R. 28-4-591**  
(e)(2) Operator ensures that meals and snacks are available to each child or youth according to the following schedule: at least 2 1/2 hours and fewer than 4 hours 1 snack, at least 4 hours and fewer than 8 hours 1 snack and 1 meal, at least 8 hours and fewer than 10 hours 2 snacks and 1 meal or 1 snack and 2 meals, 10 hours or more 2 meals and 2 snacks

C NC R

**K.A.R. 28-4-591**  
(d)(2)(A) Operator may permit parents or other adults responsible for a child/youth to provide snacks and sack lunches.

C NC R

**K.A.R. 28-4-591**  
(e)(3) Operator of a school-age program that meets after school during the school year ensures that at least one snack is served daily to each child/youth who attends the program after school.

C NC R

**K.A.R. 28-4-591**  
(d)(2)(B) If sack lunches are provided either by the operator or by the parent or other adult responsible for each child/youth, Operator ensures that all of the following requirements are met:

C NC R

**K.A.R. 28-4-592** **Safety and emergency procedures; reporting requirements.**  
(a) Telephone.

**K.A.R. 28-4-591**  
(d)(2)(B)(i) Each sack lunch shall be labeled with the name of the child/youth, and sack lunches are not to be shared.

C NC R

**K.A.R. 28-4-592**  
(a)(1) Each operator ensures that there is a working telephone readily available to the operator and staff members to receive all incoming calls and make outgoing calls during all hours of operation.

C NC R

**K.A.R. 28-4-591**  
(d)(2)(B)(ii) Perishable foods and drinks are be kept at the temperatures specified in paragraph (a)(3)(H) through the use of insulated sacks and either a coolant or refrigeration.

C NC R

**K.A.R. 28-4-592**  
(a)(2) Each operator shall post emergency telephone numbers for the police, fire department, ambulance, hospital or hospitals, and poison control center next to the telephone, or shall have the numbers immediately accessible to staff members.

C NC R

**K.A.R. 28-4-591**  
(d)(2)(B)(iii) Each sack lunch is positioned so that neither ice nor water causes the food in the sack to become wet or contaminated.

C NC R

**K.A.R. 28-4-592**  
(b) Emergency plan; drills.

**K.A.R. 28-4-591**  
(d)(2)(B)(iv) Ice that is ingested is kept wrapped and shall not come in contact with sack lunches, food, cans, or other substances.

C NC R

C = Compliance  
NC = Noncompliance  
R = Reviewed

C = Compliance  
NC = Noncompliance  
R = Reviewed

<b><u>K.A.R. 28-4-592</u></b>	<b><u>Safety and emergency procedures; reporting requirements.</u></b>	
(b)(1)	Each operator shall develop and implement an emergency plan to provide for the safety of children, youth, and staff members in emergencies. The emergency plan shall include the following information:	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(A)	The emergency plan includes the types of emergencies likely to occur on or near the premises, including a fire, a weather-related event, a missing or runaway child or youth, a chemical release, a utility failure, an intruder, an act of terrorism, and an unscheduled closing.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(B)	The emergency plan includes a designated shelter-in-place area and a designated off-premises relocation site and evacuation routes for each area and for each site.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(C)	The emergency plan includes procedures to meet the needs of individual children and youth, including each child or youth with special needs.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(D)	The emergency plan includes procedures for notifying each parent or adult responsible for a child or youth of any off-premises relocation.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(E)	The emergency plan includes procedures for reuniting each child and each youth with the parent or adult responsible for the child or youth.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(F)	The emergency plan includes procedures designating the tasks to be followed by each staff member in an emergency, including the following:	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(F)(i)	The emergency procedure designates the staff person to contact 911 or other emergency response entities as appropriate.	C NC R

<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(F)(ii)	The emergency plan designates the staff member to assist the children and youth, including children and youth with special needs, to move to a designated shelter-in-place area and a designated off-premises relocation site.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(1)(F)(iii)	The emergency plan designates the staff member ensuring that emergency supplies are readily available.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(2)	Each emergency plan shall be kept on file on the premises.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(3)	Each operator shall ensure that the emergency plan is provided to the parent or adult responsible for the child or youth before the first day the child or youth begins attending the program.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(4)	Each staff member shall follow the emergency plan.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(5)	Each operator shall review the emergency plan at least annually and update it as needed.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(6)	Each operator shall ensure that each staff member practices, at least annually, the procedures for assisting the children and youth to move to a designated shelter-in-place area and to a designated off-premises relocation site. The date and time of each practice and a list of all participating staff members shall be recorded and kept on file on the premises.	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(7)	Each operator shall ensure that each staff member, child, and youth participates in the following drills:	C NC R
<b><u>K.A.R. 28-4-592</u></b>		
(b)(7)(A)	Fire drills shall be conducted monthly. A record of the date and time of each fire drill and a record of each evacuation time shall be kept on file on the premises for one year.	C NC R

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R = Reviewed

**K.A.R. 28-4-592** **Safety and emergency procedures; reporting requirements.**  
(b)(7)(B) Tornado drills shall be conducted monthly. A record of the date and time of each tornado drill and a record of each evacuation time shall be kept on file on the premises for one year. C NC R

**K.A.R. 28-4-592**  
(c)(2) First aid and cardiopulmonary resuscitation (CPR). C NC R

**K.A.R. 28-4-592**  
(c)(1) Each operator shall ensure that there is at least one staff member on the premises who is readily available to each child or youth at all times and who has a current certification in first aid and a current certification in CPR appropriate to the age of children and youth attending the program. C NC R

**K.A.R. 28-4-592**  
(c)(2) Each operator shall maintain first-aid supplies in a first-aid kit, carrying case, box, or other container. The first-aid supplies shall include the following: C NC R

**K.A.R. 28-4-592**  
(c)(2)(A) The first-aid supplies includes a first-aid manual. C NC R

**K.A.R. 28-4-592**  
(c)(2)(B) The first-aid supplies includes single-use gloves. C NC R

**K.A.R. 28-4-592**  
(c)(2)(C) The first-aid supplies include adhesive bandages of assorted sizes. C NC R

**K.A.R. 28-4-592**  
(c)(2)(D) The first-aid supplies includes adhesive tape. C NC R

**K.A.R. 28-4-592**  
(c)(2)(E) The first-aid supplies includes a roll of sterile gauze. C NC R

**K.A.R. 28-4-592**  
(c)(2)(F) The first-aid supplies include sharp scissors. C NC R

**K.A.R. 28-4-592**  
(c)(2)(G) The first-aid supplies includes sterile gauze squares at least four inches by four inches in size. C NC R

**K.A.R. 28-4-592**  
(c)(2)(H) The first-aid supplies includes a cleansing agent or liquid soap. C NC R

**K.A.R. 28-4-592**  
(c)(2)(I) The first-aid supplies include an elastic bandage. C NC R

**K.A.R. 28-4-592**  
(c)(2)(J) The first-aid supplies include tweezers. C NC R

**K.A.R. 28-4-592**  
(c)(2)(K) The first-aid supplies includes a bottle of water for washing and cleansing. C NC R

**K.A.R. 28-4-592**  
(d) Standard precautions for handling blood and other bodily fluids or waste. Each operator shall ensure that each staff member complies with the following standard precautions when handling blood and other bodily fluids or waste: C NC R

**K.A.R. 28-4-592**  
(d)(1) Each staff member shall avoid coming into direct contact with blood and other bodily fluids or waste. C NC R

**K.A.R. 28-4-592**  
(d)(2) Each staff member shall wear single-use gloves in the following situations: C NC R

**K.A.R. 28-4-592**  
(d)(2)(A) Each staff member wears single-use gloves when cleaning contaminated surfaces or areas. C NC R

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**K.A.R. 28-4-592 Safety and emergency procedures; reporting requirements.**

**(d)(2)(B)** Each staff member wears single-use gloves before dressing a cut or sore that is leaking body fluids. **C NC R**

**K.A.R. 28-4-592**

**(d)(2)(C)** Each staff member wears single-use gloves when cleaning up each spill, including urine, feces, blood, saliva, vomit, and tissue discharge. **C NC R**

**K.A.R. 28-4-592**

**(d)(3)** Each contaminated surface or area on which a spill occurs shall be cleaned by removing any visible spill from the surface or area with a water-saturated disposable paper towel or wipe. After the surface or area has been cleaned, the surface or area shall be sanitized by wetting the entire surface or area with a disinfectant solution of chlorine bleach mixed according to the directions on the label, or an appropriate commercial disinfectant used according to the directions on the label. **C NC R**

**K.A.R. 28-4-592**

**(d)(4)** Each mop used to clean up a contaminated area is cleaned and rinsed in a disinfecting solution, wrung as dry as possible, and hung to dry. **C NC R**

**K.A.R. 28-4-592**

**(d)(5)** Each paper towel, sponge, or other material used for cleaning up a contaminated area is placed in a plastic bag with a secure tie and thrown away in a covered container. **C NC R**

**K.A.R. 28-4-592**

**(e)** Emergency medical care.

**K.A.R. 28-4-592**

**(e)(1)** If a child or youth needs emergency medical care and is taken to an emergency care source, each operator shall ensure that the parent or adult responsible for the child or youth is notified immediately and shall make the following documents and information immediately available to emergency care personnel: **C NC R**

**K.A.R. 28-4-592**

**(e)(1)(A)** The child's or youth's health history is immediately available to emergency care personnel. **C NC R**

**K.A.R. 28-4-592**

**(e)(1)(B)** The following documents and information immediately available to emergency care personnel: the name, address, and telephone number of the following individuals:

**K.A.R. 28-4-592**

**(e)(1)(B)(i)** The name, address, and telephone number of the parent or adult responsible for the child or youth is immediately available to emergency care personnel. **C NC R**

**K.A.R. 28-4-592**

**(e)(1)(B)(ii)** The name, address, and telephone number of the designated emergency contact is immediately available to emergency personnel. **C NC R**

**K.A.R. 28-4-592**

**(e)(1)(B)(iii)** The name, address, and telephone number of the physician designated by the parent or adult to be called in case of emergency is immediately available to emergency care personnel. **C NC R**

**K.A.R. 28-4-592**

**(e)(1)(C)** Authorization for emergency medical care is immediately available to emergency care personnel. **C NC R**

**K.A.R. 28-4-592**

**(e)(2)** If the operator has been unable to obtain the necessary documents as specified in K.A.R. 28-4-582, the plan approved by the secretary is followed. **C NC R**

**K.A.R. 28-4-592**

**(e)(3)** A staff member shall accompany a child or youth to the source of emergency care and shall remain with the child or youth until a parent or other responsible adult assumes responsibility for the child or youth. When a staff member goes to the source of emergency care with a child or youth, the operator shall ensure that there is an adequate number of staff members available to supervise the remaining children and youth in the program. **C NC R**

**K.A.R. 28-4-592**

**(f)** Reporting illnesses.

**K.A.R. 28-4-592**

**(f)(1)** If a child or youth becomes ill, the operator immediately notifies the parent or adult responsible. **C NC R**

C = Compliance  
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NC = Noncompliance  
R = Reviewed

**K.A.R. 28-4-592 Safety and emergency procedures; reporting requirements.**

(f)(2) If an operator, staff member, child, or youth in a program contracts a reportable infectious or contagious disease listed in K.A.R. 28-1-2, the operator shall report the disease to the secretary's designee by the next working day. **C NC R**

**K.A.R. 28-4-592**

(f)(3) The operator shall follow the protocol recommended by the county health department and shall cooperate fully with any investigation, disease control, or surveillance procedures initiated by the county health department or the department. **C NC R**

**K.A.R. 28-4-592**

(g) Reporting critical incidents.

**K.A.R. 28-4-592**

(g)(1) Each operator reports the following critical incidents immediately to each parent or adult responsible for a child or youth affected by the critical incident, on a form supplied by the department:

**K.A.R. 28-4-592**

(g)(1)(A) Fire damage or other damage to the building, or damage to the property that affects the structure of the building or safety of the children or youth shall be reported immediately to each parent or adult responsible for the child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(1)(B) A vehicle collision involving children or youth shall be reported immediately to each parent or adult responsible for child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(1)(C) A missing child or youth shall be reported immediately to each parent or adult responsible for child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(1)(D) Physical restraint of a child or youth by staff members shall be reported immediately to each parent or adult responsible for child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(1)(E) The injury of a child or youth that requires medical attention shall be reported immediately to each parent or adult responsible for child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(1)(F) The death of a child, youth, or staff member shall be reported immediately to each parent or adult responsible for child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(1)(G) Any other incident that jeopardizes the safety of any child or youth shall be reported immediately to each parent or adult responsible for child or youth affected on a form supplied by the department. **C NC R**

**K.A.R. 28-4-592**

(g)(2) Each operator shall report each critical incident specified in paragraph (g)(1) to the secretary's designee by the next working day, on a form provided by the department. A copy of each critical incident report shall be kept on file for not less than one year on the premises or at a designated central office location. **C NC R**

**K.A.R. 28-4-592**

(g)(3) Each operator shall ensure that a report is made to the secretary's designee of all known facts concerning the time, place, manner, and circumstances of the death of a child or a youth attending the program when submitting a critical incident report as specified in paragraph (g)(1). **C NC R**

**K.A.R. 28-4-592**

(h) Reporting suspected child abuse or neglect. Each operator and each staff member shall report to the Kansas department for children and families or to law enforcement any suspected child abuse or child neglect within 24 hours. **C NC R**

C = Compliance  
NC = Noncompliance  
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**K.A.R. 28-4-593 Program-sponsored transportation.**

(a) If the operator provides or arranges for transportation for children/youth to and from the premises or for program-sponsored activities, the operator ensures that prior written permission is obtained for each child/youth to be transported as specified in K.A.R. 28-4-582. The operator ensures that the authorization for emergency medical care for each child/youth is in the vehicle in which the children/youth are being transported or is immediately available to emergency personnel. If the operator is unable to obtain written permission or authorization for emergency medical care, the operator follows the plan approved by the secretary as specified in K.A.R. 28-4-582.

C NC R

**K.A.R. 28-4-593**

(b) Transportation safety.

**K.A.R. 28-4-593**

(b)(1) Operator ensures that the following transportation safety requirements are met while transporting children or youth:

**K.A.R. 28-4-593**

(b)(1)(A) No child or youth under 13 years of age is seated in the front seat of a vehicle that is equipped with a passenger air bag.

C NC R

**K.A.R. 28-4-593**

(b)(1)(B) No child or youth is transported in a trailer pulled by another vehicle, a camper shell, or a truck bed.

C NC R

**K.A.R. 28-4-593**

(b)(1)(C) Each vehicle that is owned or leased by the operator and is used to transport children or youth is maintained in safe operating condition and shall contain a first-aid kit.

C NC R

**K.A.R. 28-4-593**

(b)(2) Each driver shall comply with the following safety requirements:

**K.A.R. 28-4-593**

(b)(2)(A) Each driver is 18 years of age or older, holds an operator's license of the type appropriate for the vehicle being used, and observe all traffic laws.

C NC R

**K.A.R. 28-4-593**

(b)(2)(B) Each driver does not allow the capacity of the transporting vehicle to be exceeded.

C NC R

**K.A.R. 28-4-593**

(b)(2)(C) Each driver removes accumulated trash from the transporting vehicle daily.

C NC R

**K.A.R. 28-4-593**

(b)(2)(D) Each driver locks or has under control each vehicle door while the vehicle is in motion.

C NC R

**K.A.R. 28-4-593**

(b)(2)(E) Each driver maintains order in the vehicle and ensures that all parts of each passenger's body remain inside the vehicle at all times.

C NC R

**K.A.R. 28-4-593**

(b)(2)(F) Each driver does not permit any child or youth to enter the vehicle from or exit the vehicle into a traffic lane.

C NC R

**K.A.R. 28-4-593**

(b)(2)(G) Each driver does not leave any child/youth unattended in the vehicle at any time and, when the vehicle is vacated, ensures that no child or youth is left in the vehicle.

C NC R

**K.A.R. 28-4-593**

(b)(2)(H) Smoking is prohibited in the vehicle while children/youth are in the vehicle.

C NC R

**K.A.R. 28-4-593**

(b)(2)(I) Each driver does not use a cell phone while the vehicle is in motion.

C NC R

**K.A.R. 28-4-593**

(b)(2)(J) Each driver transports each child or youth directly to the location designated by the operator and makes no unauthorized stops along the way except in an emergency.

C NC R

**K.A.R. 28-4-593**

(d) Vehicle seat belt restraints.

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**K.A.R. 28-4-593 Program-sponsored transportation.**

(d)(1) Except as specified in paragraph (d)(2), each operator ensures that each driver and each child /youth uses an individual seat belt restraint and that no more than one child or youth is restrained in each seat belt.

C NC R

**K.A.R. 28-4-593**

(d)(2) If buses of the type used by schools are used to transport children and youth and are not equipped with individual restraints, no operator is required to install individual restraints.

C NC R

**K.A.R. 28-4-594 Swimming, wading, and water activities.**

(a) General

**K.A.R. 28-4-594**

(a)(1) Operator has written permission on file as specified in K.A.R. 28-4-582 for each child/youth participating in water activities.

C NC R

**K.A.R. 28-4-594**

(a)(2) Operator ensures that an individual who can swim and who has a current certificate in first aid and a current certificate in CPR appropriate to the age of the children/youth attending the program is in attendance if children/youth are participating in water activities.

C NC R

**K.A.R. 28-4-594**

(a)(3) Each activity is conducted with strict regard for the life and safety of each child/youth.

C NC R

**K.A.R. 28-4-594**

(a)(4) Each staff member responsible for the supervision of children or youth who are participating in swimming, wading or water activities reviews the safety rules with each child or youth before the child/youth participates in the activity.

C NC R

**K.A.R. 28-4-594**

(a)(5) Operator ensures that no child/youth is permitted to dive from a diving board unless the requirements governing high-risk sports and recreational activities as specified in K.A.R. 28-4-588 are met.

C NC R

**K.A.R. 28-4-594**

(b) Swimming pools on the premises.

**K.A.R. 28-4-594**

(b)(1) Safety and maintenance. Each operator ensures that the following requirements for safety and maintenance are met:

**K.A.R. 28-4-594**

(b)(1)(A) The water in each swimming pool is maintained between pH 7.2 and pH 7.6. The available free chlorine content is between 1.0 and 3.0 parts per million.

C NC R

**K.A.R. 28-4-594**

(b)(1)(B) Each swimming pool is cleaned daily, and the chlorine level and pH level is tested daily during the swimming season. The results of these tests is recorded and kept on file at the premises.

C NC R

**K.A.R. 28-4-594**

(b)(1)(C) Each swimming pool more than six feet in width, length, or diameter shall be provided with a ring buoy and rope or with a shepherd's hook. This equipment is long enough to reach the center of the pool from the edge of the pool.

C NC R

**K.A.R. 28-4-594**

(b)(1)(D) A sensor or a remote monitor shall not used in lieu of a fence around each swimming pool.

C NC R

**K.A.R. 28-4-594**

(b)(1)(E) During the months a swimming pool is not in use, the pool is covered with a safety cover.

C NC R

**K.A.R. 28-4-594**

(b)(1)(F) If a swimming pool on the premises is to be used by children/youth enrolled in the program, the operator ensures that legible safety rules for the use of the pool are posted in a conspicuous location

C NC R

**K.A.R. 28-4-594**

(b)(2) In-ground swimming pools. Each operator shall ensure that the following requirements are met:

**K.A.R. 28-4-594**

(b)(2)(A) Operator ensures that each in-ground swimming pool located outdoors is enclosed by a five-foot fence on all four sides to prevent chance access by children/youth. The fence has a gate that has a self-closing latch with a locking device.

C NC R

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**K.A.R. 28-4-594 Swimming, wading, and water activities.**

**(b)(2)(B)** Operator ensures that if an in-ground swimming pool is within a building, the building is designed to prevent unsupervised access to the pool by each child/youth. **C NC R**

**K.A.R. 28-4-594**

**(b)(2)(C)** Operator ensures that each in-ground swimming pool is surrounded by a nonskid surface that is at least four feet wide, is in good repair, and is free of tears, breaks, and splinters. **C NC R**

**K.A.R. 28-4-594**

**(b)(3)** Above-ground swimming pools. Operator ensures that the following requirements are met:

**K.A.R. 28-4-594**

**(b)(3)(B)** Operator ensures that ladders are removed when the aboveground pool is not in use. **C NC R**

**K.A.R. 28-4-594**

**(b)(3)(A)** Operator ensures that each above-ground swimming pool has sides at least five feet high or is enclosed by a five-foot fence. Side extenders may be installed to increase the height of the sides of the swimming pool. **C NC R**

**K.A.R. 28-4-594**

**(b)(4)** Swimming pools operated by governmental entity. Each swimming pool operated by a governmental entity for public use is governed by the entity's policies and regulations on pool safety and maintenance and meets the regulations applicable to swimming pools included in this regulation, with the exception of paragraphs (b)(1)(A)and(B). **C NC R**

**K.A.R. 28-4-594**

**(c)** Wading pools. The water in each wading pool is emptied immediately after use. **C NC R**

**K.A.R. 28-4-594**

**(d)** Spas and hot tubs. Each spa or hot tub is covered with an insulated cover, which is secured by locks when the spa or hot tub is not in use. **C NC R**

**K.A.R. 28-4-594**

**(e)** Ponds, rivers, and lakes on or off the premises. If a pond, river, or lake is used for swimming, the operator ensures that the body of water is approved for swimming by one of the following: the local health department of the county in which the swimming site is located, if the site is in Kansas; the secretary; or the designated authority in the state in which the swimming site is located, if not in Kansas. **C NC R**

**K.A.R. 28-4-595 Animals on the premises.**

**(a)(1)** If animals are kept on the premises, each operator ensures that each area in which an animal is permitted is maintained in a clean and sanitary manner, with no evidence of flea, tick, or worm infestation in the area. **C NC R**

**K.A.R. 28-4-595**

**(a)(2)** Operator prohibits poisonous animals, pit bulls, and other animals that present a health or safety hazard to children/youth on the premises, unless the animals are displayed as part of an animal exhibit and are supervised at all times by trained animal care personnel. **C NC R**

**K.A.R. 28-4-595**

**(b)** Operator ensures that animals are not present in the following areas:

**K.A.R. 28-4-595**

**(b)(1)** Operator shall ensure that animals are not present in the kitchen while food is being prepared. **C NC R**

**K.A.R. 28-4-595**

**(b)(2)** Operator ensures that animals are not present in the dining area while children/youth are eating; **C NC R**

**K.A.R. 28-4-595**

**(b)(3)** Operator ensures that animals are not present in each food storage area. **C NC R**

**K.A.R. 28-4-595**

**(c)** Each staff member and each child/youth washes that individual's hands with soap and water after handling animals, animal food, and animal wastes. **C NC R**



C = Compliance  
NC = Noncompliance  
R = Reviewed

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**K.A.R. 28-4-595    Animals on the premises.**

(d) Operator ensures that each domesticated cat, dog, or ferret on the premises has a current rabies vaccination. A record of each vaccination is kept on file on the premises or at a designated central office location available for review by the secretary's designee.

C NC R

**K.A.R. 28-4-595**

(e) Operator ensures that each child or youth is taught safe procedures to follow when handling animals. Operator or staff member supervising the activity separates a child/youth from an animal immediately if either of the following occurs:

C NC R

**K.A.R. 28-4-595**

(e)(1) Operator or staff member supervising the activity separates a child/youth from an animal immediately if the animal shows signs of distress or aggression.

C NC R

**K.A.R. 28-4-595**

(e)(2) Operator or staff member supervising the activity separates a child/youth from an animal immediately if the child or youth shows signs of treating the animal inappropriately.

C NC R

**K.A.R. 28-4-595**

(f) If a child or youth is injured by an animal, the operator immediately notifies the parent or other adult responsible for the child/youth about the injury. Operator submits a critical incident report about the injury to the secretary's designee by the next working day. The operator keeps a copy of the incident report in the child's or youth's file.

C NC R

**K.A.R. 28-4-596    Day reporting program.**

(b)(1) Each operator ensures that the program is administered by an individual with job-related experience working with juvenile offenders, and with a knowledge of laws and standards governing programs for juvenile offenders.

C NC R

**K.A.R. 28-4-596**

(b)(2) Operator ensures that each child/youth who attends the program is 10 years of age or older and meets one of the following criteria: child or youth is in the custody of the juvenile justice authority; child/youth is court-ordered to attend; or child/youth is required to attend as a condition of diversion, probation, or release from a juvenile correctional facility, or diverted by the court from direct commitment to a juvenile correctional program.

C NC R

**K.A.R. 28-4-596**

(c) Operator conducting a day reporting program develops and implement an IPP for each child or youth, which includes any combination of the following: assistance to each child/youth in organizing a daily schedule of activities; monitoring the child's or youth's court orders; situational counseling and referrals, if needed; conflict resolution and crisis intervention; contact with each child's or youth's parent or other adult responsible for the child/youth; drug testing and substance abuse education; pregnancy prevention and human sexuality education; assistance with educational and vocational needs; employment training, as appropriate; community service work.

C NC R

**K.A.R. 28-4-596**

(d) Each operator keeps the following in the child's or youth's file:

C NC R

**K.A.R. 28-4-596**

(d)(1) The information required by K.A.R. 28-4-582 is kept in each child/youth file.

C NC R

**K.A.R. 28-4-596**

(d)(2) The child's or youth's legal status as specified in paragraph (b) (2) is kept in each child/youth file.

C NC R

**K.A.R. 28-4-596**

(d)(3) The date the child or youth was admitted to the program is kept in each child/youth file.

C NC R

**K.A.R. 28-4-596**

(d)(4) Intake information for each child or youth gathered at the time of admission is kept in each child/youth file.

C NC R

**K.A.R. 28-4-596**

(d)(5) A summary of the child's or youth's daily activities is kept in each child/youth file.

C NC R

**K.A.R. 28-4-596**

(d)(6) The IPP, progress reports, and any changes made in the plan are kept in each child/youth file.

C NC R

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**K.A.R. 28-4-596 Day reporting program.**

**(d)(7)** The discharge summary is kept in each child/youth file. **C NC R**

**K.A.R. 28-4-596**

**(d)(8)** Any critical incident reports are kept in each child/youth file. **C NC R**

**K.A.R. 28-4-596**

**(e)(1)** Operator establishes written rules of child/youth conduct that define expected behaviors and related consequences. Operator gives each child or youth attending the program a rule book specifying the expected behaviors, ranges of consequences, and disciplinary procedures. **C NC R**

**K.A.R. 28-4-596**

**(e)(2)** Operator obtains a signed acknowledgment from each child/youth that the child/youth has received a copy of the rule book and understands it. The signed acknowledgment is kept in the child's or youth's file. **C NC R**

**K.A.R. 28-4-596**

**(f)** Operator ensures that child/youth services are coordinated with the referring agency or the court, the local mental health center, the local school district, and the local health department, as necessary to implement the day reporting program. **C NC R**

**K.A.R. 28-4-596**

**(g)** The supervisory ratio is one staff member for every 10 children/youth attending the day reporting program. The maximum group size does not exceed 20 children/youth. **C NC R**

**K.A.R. 28-4-596**

**(g)(1)** Each operator ensures that each group has a program director who meets the following qualifications: **C NC R**

**K.A.R. 28-4-596**

**(g)(1)(A)** Each operator ensures that each group has a program director who is 21 years of age or older. **C NC R**

**K.A.R. 28-4-596**

**(g)(1)(B)** Each operator ensures that each group has a program director who meets the staff qualifications for a program director for the licensed capacity of the program, as specified in K.A.R. 28-4-587. **C NC R**

**K.A.R. 28-4-596**

**(g)(1)(C)** Each operator ensures that each group has a program director who has knowledge and experience working with juvenile offenders, high-risk children/youth, community youth programs, or social service programs serving children/youth. **C NC R**

**K.A.R. 28-4-596**

**(g)(2)** Each operator ensures that each group has a group leader who meets the following qualifications: **C NC R**

**K.A.R. 28-4-596**

**(g)(2)(A)** Each operator ensures that each group has a group leader who is 21 years of age or older. **C NC R**

**K.A.R. 28-4-596**

**(g)(2)(B)** Each operator ensures that each group has a group leader who meets the staff qualifications for group leader as specified in K.A.R. 28-4-587. **C NC R**

**K.A.R. 28-4-596**

**(g)(2)(C)** Each operator ensures that each group has a group leader who has knowledge and experience working with juvenile offenders, high-risk children and youth, community youth programs, or social service programs serving children/youth. **C NC R**

**K.A.R. 28-4-596**

**(g)(3)** Each operator ensures that each group has an assistant group leader who meets the following qualifications: **C NC R**

**K.A.R. 28-4-596**

**(g)(3)(A)** Each operator ensures that each group has an assistant group leader who is 18 years of age or older and at least three years older than the oldest child /youth in the group to which the assistant group leader is assigned. **C NC R**

**K.A.R. 28-4-596**

**(g)(3)(B)** Each operator ensures that each group has an assistant group leader who meets the qualifications for an assistant group leader as specified in K.A.R. 28-4-587. **C NC R**

**K.A.R. 28-4-596**

**(g)(3)(C)** Each operator ensures that each group has an assistant group leader who has experience working with children/youth. **C NC R**

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