I. POLICY
An exception is granted to staff qualifications for program directors, assistant program directors, group leaders, and staff members to:

1) Allow experience* from a facility that is not required to be licensed by KDHE to apply to licensing requirements, such as;
   a. Non-licensed preschools operating under a school district or on the premises of private schools as authorized by K.A.R. 28-4-422(a)(2);
   b. Non-licensed Head Starts operating under the Federal Department of Health & Human Services; and
   c. Facilities operating on military installations under the Federal Department of Defense.

2) Allow experience* from any type of eligible facility (licensed or legally exempt) to apply to licensing requirements. Experience does not have to be limited to the same type of facility. For example, experience in a day care home setting could apply to experience required for similar staff roles in a center, preschool, or school age program.

The exception applies to K.A.R. 28-4-429 subsections (b), (c), (d), (e); K.A.R. 28-4-440 subsection (n); and K.A.R. 28-4-587 (b) and (d). Where “teaching experience, work experience, experience, supervised practicum, and/or observations” are referenced.

*Experience for this exception is defined as providing direct care and supervision of children.

II. PROCEDURES
Facilities have the option to substitute allowable non-licensed experience for experience in a licensed facility. Out of state experience applies. The following documentation must be maintained on file at the facility and supplied to the Department or its designee (e.g., local licensing surveyor) upon request.

   a. Name and address of the facility where experience was obtained
   b. Job title and duties/responsibilities
   c. Dates of employment including months, days, and year (xx/xx/xxxx)

This exception is effective as of the date stated above and remains in effect unless the Department determines the exception is no longer in the best interest of children and families and expires the exception.

III. PURPOSE
The purpose of this exception is to remove barriers for the workforce and increase access to care for young children and families. Existing child care licensing regulations require experience in licensed facilities and same type of facility (e.g., center, preschool) which limits access to qualified staff with relevant experience in facilities known to require higher standards than licensing (e.g., Head Start, Military). Additionally, this exception provides flexibility for facilities making hiring decisions based on changing needs. The exception also supports growth within the workforce, allowing experience to apply across a variety of settings.

IV. AUTHORITY
The Secretary of the Kansas Department of Health and Environment has the authority to grant exceptions to regulations when it is in the best interest of children and families pursuant to K.A.R. 28-4-422(f) and K.A.R. 28-4-578(e)(2).

[Signature]
3/31/2022
Program Director

[Signature]
03/31/2022
Bureau Director

Administrative Policy and Procedure Manual
Kansas Department of Health and Environment
Bureau of Family Health
Policy: Exception to Allow Experience in a Facility Not Required to be Licensed and Experience in Any Eligible Facility

Program CCL – Early Care and Youth Programs
Applies to: Child Care Centers, Preschools, School Age Programs
Effective Date: April 4, 2022 Revised July 19, 2022