

28-4-428. Staff requirements. Each licensee shall ensure that all of the following requirements are met:

(a) Minimum ~~staff/child~~ staff-child ratio.

(1) The ratio between staff members and children shall be determined by the ~~age~~ ages of the children and the type of service care provided. ~~The required staff/child ratio shall not fall below the minimum level at any time and no child shall be left unsupervised. Only staff who are in attendance with the children shall be counted in the minimum staff/child ratio as follows:~~

(2) The minimum staff-child ratio and the maximum number of children per unit shall be the following, at all times:

Age of children	Minimum Staff/Child <u>staff-child</u> ratio	Maximum number of children per unit
Infants (2 weeks to 12 months)	1 to 3	9
Infants to 6 years and other <u>children under the age of 6</u>	1 to 4 (max. including <u>not more than 2 infants</u>)	8 (max. including not <u>more than 4 infants</u>)
Toddlers (12 mos. to 2½ years, <u>if walking alone</u>)	1 to 5	10
<u>Children at least 2 years to</u> <u>3 years of age but under</u> <u>the age of 3</u>	1 to 7	14
<u>Children at least 2½ years to</u> <u>of age but under school-age</u>	1 to 10	20

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<u>Children at least 3 years to of</u>	1 to 12	24
<u>age but under school-age</u>		
Kindergarten enrollees	1 to 14	28
School-age	1 to 16	32

(3) No child shall be left unsupervised.

(b) Substitute staff. Each ~~facility~~ preschool and each child care center shall have two additional adults who are available to work in case of illness or emergency. ~~Their~~ These adults' names and phone numbers shall be posted, and ~~their~~ these individuals' health certificates shall be on file at the preschool or child care center.

(c) Volunteers. ~~Volunteers~~ Each volunteer shall be at least 14 years of age. ~~Volunteers~~ Any volunteer may be counted in the ~~staff/child~~ staff-child ratio if ~~they are~~ the individual is at least 16 years of age or older, participate in in-service completes the education and training programs requirements for a volunteer specified in K.A.R. 28-4-428a, and ~~are~~ is supervised at all times by ~~employed staff~~ a staff member who is not a volunteer.

(d) Program director.

(1) Each preschool and each child care center shall have a program director who is employed full time.

(2) Each ~~facility~~ preschool and each child care center licensed for more than 60 children shall employ a program director who has no other assigned responsibilities.

(3) Each ~~facility~~ preschool and each child care center licensed for more than 60 children shall have an administrator, who may also be the program director.

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~~(e) Staff training.~~

~~(1) The program director shall receive at least five clock hours of approved in-service training annually. In-service training shall be conducted away from the facility.~~

~~(2) Teaching staff shall receive at least 10 clock hours of approved in-service training annually.~~

~~(f) (e) References.~~ Each staff member shall provide work references to the licensee at the time of application for employment.

~~(g) The program director shall submit an annual program report to the Kansas department of health and environment on forms supplied by the department.~~ (Authorized by and implementing K.S.A. 2015 Supp. 65-508; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended P-_____.)

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28-4-428a. Education and training requirements. (a) Orientation.

(1) Each person shall, before applying for a license, complete an orientation program on the requirements for operating a preschool or a child care center. If the person is not an individual, the person shall designate an individual to meet this requirement. The orientation shall be provided by the county health department or the secretary's designee that serves the county in which the preschool or child care center will be located.

(2) Each licensee shall provide orientation to each program director not later than seven calendar days after the date of employment and before the program director is given sole responsibility for implementing and supervising the program.

(3) Each licensee shall ensure that orientation is completed by each staff member who will be counted in the staff-child ratio and by each volunteer who will be counted in the staff-child ratio. Each staff member and each volunteer shall complete the orientation within seven calendar days after the date of employment or volunteering ~~and before the~~ Each staff member ~~or volunteer is~~ shall complete the orientation before being given sole responsibility for the care and supervision of children.

(4) Each licensee shall ensure that the orientation for each program director, staff member, and volunteer is related to work duties and responsibilities and includes the following:

(A) Licensing regulations;

(B) the policies and practices of the preschool or child care center, including emergency procedures, behavior management, and discipline;

(C) the schedule of daily activities;

(D) care and supervision of children in care;

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(E) health and safety practices; and

(F) confidentiality.

(b) Health and safety training.

(1) Each staff member who is counted in the staff-child ratio, each volunteer who is counted in the staff-child ratio, and each program director shall complete health and safety training either before employment or volunteering or not later than 30 calendar days after the date of employment or volunteering. Each staff member shall complete the training before being given sole responsibility for the care and supervision of children.

(2) The health and safety training shall be approved by the secretary and shall include the following subject areas:

(A) ~~At least two clock hours of training in~~ Recognizing the signs of child abuse or neglect, including prevention of abusive head trauma and the reporting of suspected child abuse ~~and or~~ neglect;

(B) ~~at least two clock hours of training in~~ basic child development, including supervision of children; and

(C) ~~at least two clock hours of training on~~ safe sleep practices and sudden infant death syndrome ~~if the individual will be caring for children under 12 months of age. ;~~

(D) prevention and control of infectious diseases, including immunizations;

(E) prevention of and response to emergencies due to food and allergic reactions;

(F) building and premises safety, including identification of and protection from hazards that could cause bodily injury, including electrical hazards, bodies of water, and

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vehicular traffic;

(G) emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event, including violence at a facility;

(H) handling and storage of hazardous materials and the appropriate disposal of bio-contaminants, including blood and other bodily fluids or waste; and

(I) precautions when transporting children.

~~(3) Each individual who is required to complete this training and who was employed in the preschool or child care center before the effective date of this regulation shall complete the training within one calendar year after the effective date of this regulation. Each staff member, volunteer, and program director who was employed at the facility before September 1, 2016 and who has completed the training in the subject areas specified in paragraphs (b)(2)(A), (B), and (C) shall be exempt from training in the subject areas specified in paragraphs (b)(2)(D) through (I).~~

(c) Pediatric first aid and cardiopulmonary resuscitation (CPR) certifications.

(1) Each staff member counted in the staff-child ratio, each volunteer counted in the staff-child ratio, and each program director shall obtain certification in pediatric first aid and in pediatric CPR as specified in this subsection either before the date of employment or volunteering or not later than 30 calendar days after the date of employment or volunteering.

~~(2) Each individual who is required to obtain the certifications and who was employed in the preschool or child care center before the effective date of this regulation shall obtain the certifications within one calendar year after the effective date of this regulation.~~

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~~(3)~~ (2) Each individual who is required to obtain the certifications shall maintain current certifications.

(4) (3) Each licensee shall ensure that, for each unit in a preschool or child care center, at least one staff member or volunteer counted in the staff-child ratio who has current certification in pediatric first aid and current certification in pediatric CPR is ~~in-attendance~~ present at all times.

(d) Medication administration training. Each program director and each staff member designated to administer medications shall complete the training in medication administration as specified in this subsection.

(1) The training shall be approved by the secretary.

(2) Each program director and each staff member designated to administer medications who was employed at the facility before September 1, 2016 shall complete the training not later than March 31, 2017. The program director or the staff member designated to administer medications shall not administer medications after March 31, 2017 unless the individual has completed the training.

(3) Each program director and each staff member designated to administer medications who is employed at the facility on or after September 1, 2016 shall complete the training before administering medication to any child.

(e) Education requirements. Each program director shall be a high school graduate or the equivalent. For each unit in a preschool or child care center, there shall be ~~in-attendance~~ present at all times at least one staff member who has a high school diploma or the equivalent, as

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required in K.A.R. 28-4-429(h).

(e) (f) Annual in-service training requirements.

(1) In each licensure year, each program director shall assess the training needs of each staff member and each volunteer and shall provide or arrange for annual in-service training as needed.

(2) In each licensure year, the following training requirements shall be met:

~~(1)~~ (A) Each program director shall complete 24 clock-hours of annual in-service training as required in ~~K.A.R. 28-4-428(e)(1)~~.

~~(2)~~ (B) Each staff member counted in the staff-child ratio and each volunteer counted in the staff-child ratio shall complete 16 clock-hours of annual in-service training ~~as required in K.A.R. 28-4-428(e)(2)~~ based on the staff member's or volunteer's job responsibilities and the training needs identified by the program director.

(3) The training shall be approved by the secretary.

(f) (g) Documentation. Each licensee shall ensure that documentation of all orientation, training, certifications, and education requirements is kept in each individual's file in the preschool or child care center. (Authorized by and implementing K.S.A. ~~2010~~ 2015 Supp. 65-508; effective Feb. 3, 2012; amended P-_____.)

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