

<p>Administrative Policy and Procedure Manual Kansas Department of Health and Environment Bureau of Child Care and Health Facilities</p> <p>Interpretation: Interpretation of the requirement for a stairway with two or more stairs and a landing to be guarded on each side.</p>	<p>Program CCLR – CPA & Residential Programs Section 2008 - 006</p> <p>Applies to Family Foster Homes</p> <p>Effective Date: July 14, 2008</p>
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INTERPRETATION OF THE REQUIREMENT FOR A STAIRWAY WITH TWO OR MORE STAIRS AND A LANDING TO BE GUARDED ON EACH SIDE.

I. INTERPRETATION

K.A.R. 28-4-820(d)(5) requires each stairway with two or more stairs and a landing to have a handrail and be guarded on each side. The Department interprets the need for a guard along those open-sided stairways when there is a drop-off of more than 21 inches from the stairs or landing to the floor or ground. A guard is not required when the drop-off is 21 inches or less.

II. PROCEDURES

This interpretation is effective as of the date stated above and remains in effect unless the Department determines the interpretation is no longer in the best interest of children in foster care.

III. PURPOSE

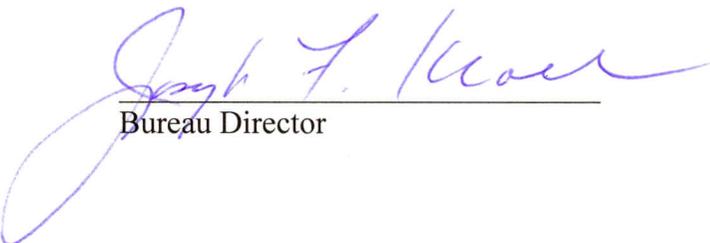
The purpose of this interpretation is to provide clarification regarding the need for a guard on open-sided stairways when the height of the open section of the stairway above the floor or ground is at varying measurements. The reason for the required guard is to reduce the potential for serious injury to a child in foster care resulting from a fall from an elevated surface. Typically, the younger the child, the less coordination and balance they have, causing them to be more vulnerable to unintentional falls which could result in injury. The U.S. Consumer Product Safety Commission recommends guardrails for an elevated surface which is more than 30 inches above a protective surfacing. Protective surfacing is not typically provided adjacent to interior or exterior stairways; therefore a guard is required when there is potential for a fall from a height of more than 21 inches, which is approximately the typical height of two stairs and a landing. Appropriate supervision is necessary to reduce the potential for falls whenever children are using stairs and/or walking on an elevated surface.

IV. AUTHORITY

The Kansas Department of Health and Environment has the authority to interpret the regulations for family foster homes.



 Program Director



 Bureau Director

Administrative Policy and Procedure Manual Kansas Department of Health and Environment Bureau of Child Care and Health Facilities	Program CCLR – CPA & Residential Programs Section 2008 - 006
Policy: Exception to permit a child in foster care who is a parent to transport any child of that parent	Applies to Family Foster Homes Effective Date: July 14, 2008

EXCEPTION TO PERMIT A CHILD IN FOSTER CARE WHO IS A PARENT AND WHO MEETS REQUIREMENTS TO TRANSPORT ANY CHILD OF THAT PARENT

I. POLICY

An exception is granted to K.A.R. 28-4-816(g) to permit a child in foster care who is a parent and who is 16 years of age to 18 years of age to transport any child of that parent. With the exception of the age requirement contained in K.A.R. 28-4-816(a)(1), the remainder of the requirements in K.A.R. 28-4-816(a) through (d) shall be met per K.A.R. 28-4-816(g).

II. PROCEDURES

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 in foster care.

III. PURPOSE

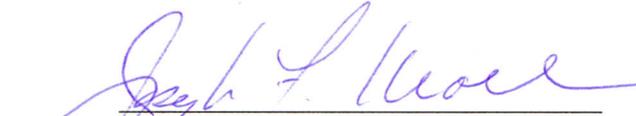
The purpose of this exception is to address an error in the current regulation that references the driver must be 18 years of age or older. The intent of the regulation is to permit a child in foster care, 16 years of age and older to transport his/her own child.

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 in foster care pursuant to K.A.R. 28-4-804(e).



Program Director



Bureau Director