

09/2017

Kansas Department of Health and Environment
Bureau of Family Health
Child Care Licensing Program
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Topeka, Kansas 66612-1274
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Child Care Center

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.

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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 in care. Also required by K.A.R. 28-4-422(a)(4). **C NC R**

K.S.A. 65-513 **Changes or alterations required to comply with law; notice; duty of licensee.**
Licensee understands that it is her/his responsibility to make changes or alterations provided in any Notice of Survey Finding within 5 days of the receipt of the notice. **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) License is posted in a conspicuous place on the premises. **C NC R**

K.A.R. 28-4-126 **Health of persons 16 years or older in child care facilities.**
(a)(1) Persons caring for children are free from physical, mental, emotional handicaps, and are qualified by temperament, maturity, sound judgment and an understanding of children. (If no, document why): **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.A.R. 28-4-126
(a)(2) Persons in contact with children are not impaired due to alcohol or drugs. **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.A.R. 28-4-126
(b)(1) ***Health assessment on file for each person regularly caring for children. **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.A.R. 28-4-126
(c)(1) ***Negative TB test on file for each person living, working or regularly volunteering. **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. **C NC R**

K.A.R. 28-4-126
(d) Results of HA and TB test recorded on KDHE form and kept on file. (TB results may be recorded on a separate form and attached to the KDHE HA form) **C NC R**

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

K.A.R. 28-4-126
(d) HA and TB results may be transferred to a new place of employment if transfer occurs within one year of previous employ. **C NC R**

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

K.A.R. 28-4-426 **Administration.**
(d) Staff Records. Records are maintained for each staff person. **C NC R**

K.A.R. 28-4-426
(d)(1) Record of education and experience maintained for each staff. **C NC R**

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<u>K.A.R. 28-4-426 Administration.</u> (d)(2) Date of employment maintained for each staff.	C NC R	<u>K.A.R. 28-4-426</u> (e)(2)(C) Name, address and number of physician, hospital and person to notify in case of emergency for each child is readily accessible and near phone.	C NC R
<u>K.A.R. 28-4-426</u> (d)(3) Record of scheduled hours maintained for each staff.	C NC R	<u>K.A.R. 28-4-426</u> (e)(2)(D) Person authorized to call for each child is readily accessible and near phone.	C NC R
<u>K.A.R. 28-4-426</u> (d)(4) Record of in-service training maintained for each staff.	C NC R	<u>K.A.R. 28-4-426</u> (e)(3)(A) Application for enrollment, including beginning date and date of termination is on file for each child.	C NC R
<u>K.A.R. 28-4-426</u> (d)(5) Health Certificate maintained for each staff.	C NC R	<u>K.A.R. 28-4-426</u> (e)(3)(B) A record of scheduled hours and days of attendance is on file for each child.	C NC R
<u>K.A.R. 28-4-426</u> (d)(6) Work References maintained for each staff.	C NC R	<u>K.A.R. 28-4-426</u> (e)(3)(C) A health assessment and immunization records is on file for each child.	C NC R
<u>K.A.R. 28-4-426</u> (e) Children's Records		<u>K.A.R. 28-4-426</u> (e)(3)(D) Each accident report is on file for each child.	C NC R
<u>K.A.R. 28-4-426</u> (e)(1) Daily attendance record is maintained and kept on file at the facility.	C NC R	<u>K.A.R. 28-4-426</u> (e)(3)(E) Signed parent permission for off-premise trips is on file for each child.	C NC R
<u>K.A.R. 28-4-426</u> (e)(2) Emergency information readily accessible and near phone.	C NC R	<u>K.A.R. 28-4-430 Health practices; illness and abuse; general health requirements for staff.</u> (a) Children's Health Assessments	
<u>K.A.R. 28-4-426</u> (e)(2)(A) Name, date of birth, and sex of each child readily accessible and near phone.	C NC R	<u>K.A.R. 28-4-430</u> (a)(1) Preentrance health assessment conducted within six months BEFORE enrollment is on file for each child. Health Assessment conducted by licensed physician or nurse approved to perform child health assessments.	C NC R
<u>K.A.R. 28-4-426</u> (e)(2)(B) Name, home and business address, and phone numbers of legal guardian for each child is readily accessible and near phone.	C NC R		

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K.A.R. 28-4-430 **Health practices; illness and abuse; general health requirements for staff.**
(a)(2) Results of health assessment kept in the child's file at the facility. NOTE: Record of HA no longer required to be on KDHE form. C NC R

K.A.R. 28-4-430
(a)(3) Children transferring from another facility not required to obtain new HA if old record is available. C NC R

K.A.R. 28-4-430
(a)(5) Immunizations are current as medically appropriate. Records are maintained. Also required by K.S.A. 65-508(d) C NC R

K.A.R. 28-4-430
(a)(6) Certificate from a licensed physician is on file exempting the child from immunizations due to a physical condition. Exceptions to the requirement for immunizations. A statement is on file signed by the parent requesting a religious exemption from immunization. C NC R

K.A.R. 28-4-430
(a)(7) Well-child health information is provided to parents at the time of the enrollment OR posted in a conspicuous place. C NC R

K.A.R. 28-4-123 **Parental access to child care facilities.**
Parental/Guardian access allowed during all hours of operation. C NC R

K.A.R. 28-4-124 **Parental permission for children to go off-premises.**
Signed permission for each location on KDHE form. Destination, times and adults responsible posted in a place accessible to parents. C NC R

K.A.R. 28-4-125 **Criminal history and child abuse registry information for the purpose of obtaining criminal and child abuse histories.**
(a) KBI/DCF form submitted with Application/Renewal. C NC R

K.A.R. 28-4-125
(b) ***All persons over 10 years who reside, work or regularly volunteer are submitted on a KBI/DCF form within one week for new persons. C NC R

K.A.R. 28-4-125
(c) Copy of submitted KBI/DCF form is kept on file. 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 facility. C NC R

K.A.R. 28-4-127 **Emergencies.**
(a) Working telephone on the premises during all hours of operation. Emergency telephone numbers posted next to the phone, police, fire, ambulance, hospital, poison control. C NC R

K.A.R. 28-4-127
(b)(1)(A) EMR on file for each child: C NC R

K.A.R. 28-4-127
(c) Health assessments and emergency release forms are taken to the emergency room with the child. C NC R

K.A.R. 28-4-127
(d) When a staff member accompanies child, person stays with the child during emergency care. Other children are adequately supervised during emergency. C NC R

K.A.R. 28-4-127
(e)(2) Injuries or illnesses requiring medical attention are reported to the parent or guardian immediately. C NC R

K.A.R. 28-4-127
(e)(3) Communicable diseases are reported to health department by the next working day. C NC R

K.A.R. 28-4-127
(f) Deaths are reported to KDHE or health department by the next working day. C NC R

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K.A.R. 28-4-128 Safety procedures.

(a) Disaster plans are developed for emergencies such as fire, tornadoes, storms, serious injury and floods (covers disasters likely to affect the facility due to its location, as identified). **C NC R**

K.A.R. 28-4-128

(b) Disaster plans are posted in a conspicuous place and reviewed with parents. **C NC R**

K.A.R. 28-4-128

(c) ***All persons caring for children are informed and follow emergency plans. **C NC R**

K.A.R. 28-4-128

(d) Fire drills are conducted monthly, to allow participation of all children, and are recorded. **C NC R**

K.A.R. 28-4-128

(e) Tornado drills are conducted monthly, to allow participation of all children, and are recorded. **C NC R**

K.A.R. 28-4-129 Swimming and wading activities.

At the time of the survey, there is not a swimming pool, wading pool, or a hot tub on the premises. Licensee understands that he/she is responsible for compliance with the applicable regulations if a swimming pool, wading pool or hot tub is added to the premises. **C NC R**

K.A.R. 28-4-129

Swimming and Wading

K.A.R. 28-4-129

(a) Swimming and wading pools on premises.

K.A.R. 28-4-129

(a)(1) Swimming/wading pools and hot tubs are constructed, maintained and used to safeguard children. **C NC R**

K.A.R. 28-4-129

(a)(2) Appropriate supervision provided by an adult for swimming/wading activities. **C NC R**

K.A.R. 28-4-129

(a)(3) Staff/child ratios maintained at all times for swimming/wading activities. **C NC R**

K.A.R. 28-4-129

(a)(4) Safety rules for swimming activities posted and reviewed by persons caring for children (during months of pool use). **C NC R**

K.A.R. 28-4-129

(b) Swimming pools on the premises (water over 24 inches)

K.A.R. 28-4-129

(b)(1) ***Below ground pools are enclosed by at least a 5 foot fence. **C NC R**

K.A.R. 28-4-129

(b)(2) ***Above ground pools are 4 feet high or enclosed by a 5 foot fence. Steps are removed when not in use. **C NC R**

K.A.R. 28-4-129

(b)(3) Sensors not used in lieu of fence around pools. **C NC R**

K.A.R. 28-4-129

(b)(4) Swimming pool is cleaned daily. Swimming pool water has pH of 7.2-8.2. Free chlorine content is between 0.4 and 3.0 parts/million. Tests are recorded and available. **C NC R**

K.A.R. 28-4-129

(b)(5) A person with a life saving certificate or CPR training who can swim is in attendance when swimming pool is in use. **C NC R**

K.A.R. 28-4-129

(b)(6) If swimming pool is more than 6 ft. across, has a ring buoy, rope or shepherd's hook of adequate length. **C NC R**

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K.A.R. 28-4-129 Swimming and wading activities.

(c) Wading pools on premises

K.A.R. 28-4-129

(c)(1) ***If water is in the wading pool, children are only allowed to play in the area with supervision.

C NC R

K.A.R. 28-4-129

(c)(2) ***Water in wading pools is emptied daily.

C NC R

K.A.R. 28-4-129

(d) Hot Tubs on premises.

K.A.R. 28-4-129

(d)(1) Hot tub or spa is covered and secured by straps or locks.

C NC R

K.A.R. 28-4-129

(d)(2) Children prohibited from using hot tub or spa.

C NC R

K.A.R. 28-4-129

(e) Ponds and lakes only used for children over 6, swimming areas are approved, a certified life guard is on duty, required staff/child ratios maintained.

C NC R

K.A.R. 28-4-130 Transportation.

(a) Facility owned or leased vehicles.

K.A.R. 28-4-130

At the time of the survey, provider does not transport or plan to transport children. Licensee understands he/she is responsible for compliance with the applicable regulations if children are transported.

C NC R

K.A.R. 28-4-130

(a)(1) For facility owned or leased vehicles, driver 18 years or older with a driver's license of type appropriate for the vehicle being used. Trailers pulled by another vehicle, camper shells or truck beds not used to transport children.

C NC R

K.A.R. 28-4-130

(a)(2)(A) For facility owned or leased vehicles, vehicles maintained in safe condition.

C NC R

K.A.R. 28-4-130

(a)(2)(B) For facility owned or leased vehicles, yearly mechanical safety check and corrections recorded and on file.

C NC R

K.A.R. 28-4-130

(a)(3) For facility owned or leased vehicles, accident and liability insurance is current. Coverage is as follows: \$100,000 for personal injury or death in any one accident, \$300,000 for injury or death of 2 or more persons in one accident and \$50,000 for loss of property.

C NC R

K.A.R. 28-4-130

(a)(4)(A) For facility owned or leased vehicles, health assessments, and emergency release forms are in the vehicle when children are transported.

C NC R

K.A.R. 28-4-130

(a)(4)(B) For facility owned or leased vehicles, first-aid kit is in the vehicle when transporting children.

C NC R

K.A.R. 28-4-130

(a)(5)(A) For facility owned or leased vehicles, appropriate individual restraint is used.

C NC R

K.A.R. 28-4-130

(a)(5)(D) For facility owned or leased vehicles, only one child is restrained per seat belt.

C NC R

K.A.R. 28-4-130

(a)(5)(E) For facility owned or leased vehicles, school type buses are used for school age children only without restraints.

C NC R

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<u>K.A.R. 28-4-130</u> <u>(a)(6)</u>	<u>Transportation.</u> Safety of children protected as follows:		<u>K.A.R. 28-4-130</u> <u>(b)(1)</u>	Vehicles owned by staff or volunteers have personal insurance for accident and liability. (No minimum)	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(A)</u>	For facility owned or leased vehicles, doors are locked (driver's door exempt) when vehicle is in motion.	C NC R	<u>K.A.R. 28-4-130</u> <u>(b)(2)</u>	Each vehicle owned by staff or volunteers complies with the requirements of K.A.R. 28-4-130(a)(1); (a)(2)(A); (a)(4)(A); (a)(5); and (a)(6)(A) through (H).	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(B)</u>	For facility owned or leased vehicles, discipline maintained at all times.	C NC R	<u>K.A.R. 28-4-130</u> <u>(c)(1)</u>	(1) and (2) Each driver is informed of the transportation regs.	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(C)</u>	For facility owned or leased vehicles, all parts of child's body in vehicle at all times.	C NC R	<u>K.A.R. 28-4-130</u> <u>(c)(2)</u>	For vehicles owned by staff or volunteers, K.A.R. 28-4-130(a)(6)(A) through (H) are posted in the vehicle or given to the driver.	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(D)</u>	For facility owned or leased vehicles, children enter and exit the vehicle away from traffic.	C NC R	<u>K.A.R. 28-4-131</u> <u>Animals, birds, or fish.</u>	At the time of the survey, there are no pets on the premises. Licensee understands that he/she is responsible for compliance with the applicable regulations if pets are acquired.	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(E)</u>	For facility owned or leased vehicles, children under 10 years are not left in vehicle unattended; no child is left in the vehicle when vacated.	C NC R	<u>K.A.R. 28-4-131</u> <u>(a)</u>	Pet area maintained in a sanitary manner. No animal or bird in kitchen during food preparation. Parents informed of children's access to pets.	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(F)</u>	For facility owned or leased vehicles, no smoking when transporting.	C NC R	<u>K.A.R. 28-4-131</u> <u>(b)</u>	Dogs and cats have current immunizations and records kept on file.	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(G)(i)</u>	For facility owned or leased vehicles, child/staff ratio maintained at all times.	C NC R	<u>K.A.R. 28-4-131</u> <u>(c)</u>	Children protected from hazardous animals on the premises. Pit Bull Dogs not on premises. Animal exhibits are supervised by appropriate animal care personnel.	C NC R
<u>K.A.R. 28-4-130</u> <u>(a)(6)(H)</u>	For facility owned or leased vehicles, driver transports to authorized destination only.	C NC R	<u>K.A.R. 28-4-132</u> <u>Child care practices.</u>	Children supervised by a person 16 years of age and older who is responsible for the children's health, safety and well-being.	C NC R
<u>K.A.R. 28-4-130</u> <u>(b)</u>	Vehicles owned by staff or volunteers				

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K.A.R. 28-4-132 Child care practices.

K.A.R. 28-4-132

(b) Discipline. C NC R

(c) Diapering and toileting. C NC R

K.A.R. 28-4-132
(b)(1) Written discipline policy indicating methods of guidance appropriate to the age of children in care. Parents informed of discipline policy. C NC R

K.A.R. 28-4-132
(c)(1) Child's clothing or bedding changed when wet or soiled. C NC R

K.A.R. 28-4-132
(b)(2) Punishment which is humiliating, frightening, physically or mentally harmful is not used. C NC R

K.A.R. 28-4-132
(c)(2) Children 3 years and under have an extra change of clothes C NC R

K.A.R. 28-4-132
(b)(2) Prohibited punishment: C NC R

K.A.R. 28-4-132
(c)(3)(A) Handwashing facilities are in or readily accessible to diaper changing area. C NC R

K.A.R. 28-4-132
(b)(2)(A) Corporal punishment such as spanking with the hand or any implement, slapping, swatting, pulling hair, yanking the arm, or any similar activity is not used. C NC R

K.A.R. 28-4-132
(c)(3)(B) Person's hands are washed with soap and water after changing diapers or soiled clothes. C NC R

K.A.R. 28-4-132
(b)(2)(B) Verbal abuse, threats, or derogatory remarks about the child or the child's family is not used. C NC R

K.A.R. 28-4-132
(c)(4) Children are diapered on a changing table. C NC R

K.A.R. 28-4-132
(b)(2)(C) Binding or tying to restrict movement, or enclosing in a confined space such as a closet, locked room, box, or similar cubicle is not used. C NC R

K.A.R. 28-4-132
(c)(5) Changing tables and pads have waterproof, undamaged surface, are sturdy and have railings/safety straps, children are not left unattended on the table. C NC R

K.A.R. 28-4-132
(b)(2)(D) Withholding or forcing foods as punishment is not used. C NC R

K.A.R. 28-4-132
(c)(6) Changing tables/pads are sanitized after each use. C NC R

K.A.R. 28-4-132
(b)(2)(E) Placing substances which sting or burn on the child's mouth or tongue or other parts of the body as punishment is not used. C NC R

K.A.R. 28-4-132
(c)(7)(A) Washable diapers/training pants are not rinsed out and are stored in labeled covered container or plastic bag and returned home. C NC R

K.A.R. 28-4-132
(b)(4) All child care providers and substitutes comply with discipline practices outlined in K.A.R. 28-4-132. C NC R

K.A.R. 28-4-132
(c)(8) Disposable diapers are placed in covered container or plastic bag which is emptied daily or more frequently for odor control. C NC R

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K.A.R. 28-4-132 Child care practices.

(c)(9)(A) Potty chairs if used are left in the toilet room, wastes are disposed of immediately in a flushed toilet, containers are sanitized after each use and washed daily C NC R

K.A.R. 28-4-132

(c)(9)(B) One potty chair or child-sized toilet is available for every 5 toddlers. C NC R

K.A.R. 28-4-132

(c)(10) ***Proper diaper procedures are followed. C NC R

K.A.R. 28-4-421 Terms of license.

(a)(1) Capacity of each unit, age of children enrolled in each unit, and number of units is maintained according to license. Also K.S.A. 65-504 C NC R

K.A.R. 28-4-421

(a)(3) If permission was granted by KDHE for a capacity overlap at lunch, the written document is posted. C NC R

K.A.R. 28-4-421

(a)(2) Changes to the license capacity, age of children enrolled or number of units are not made unless permission is granted in writing by KDHE. Written permission for changes is posted. C NC R

K.A.R. 28-4-421

(a)(4) Children enrolled on irregular basis do not cause the facility to exceed license capacity. C NC R

K.A.R. 28-4-421

(a)(5) License is valid only for the licensee and the address appearing on the license. C NC R

K.A.R. 28-4-421

(b) Copy of regulations for licensing child care centers and preschools is on the premises at all times. C NC R

K.A.R. 28-4-422 Procedures.

(a)(6)(B) Licensee provides financial resources necessary to maintain compliance and licensing regulations. C NC R

K.A.R. 28-4-422

(b) Licensing agency is notified of any change in the position of program director or any change in program which effects licensure. C NC R

K.A.R. 28-4-422

(c)(1)(C) When additional space in an existing building is to be used, prior approval is obtained from KDHE. C NC R

K.A.R. 28-4-422

(d)(1) Licensee has applied for renewal of the license before existing license expires. C NC R

K.A.R. 28-4-422

(d)(3) Licensee understands that a new application and fee is to be submitted for each change of ownership or location. C NC R

K.A.R. 28-4-422

(f)(2) Any exception granted by KDHE is posted with the license. C NC R

K.A.R. 28-4-423 Physical plant.

(a) Premises.

K.A.R. 28-4-423

(a)(1) Building meets legal requirements of the community as to fire protection, water supply and sewage disposal. C NC R

K.A.R. 28-4-423

(a)(2) Minimum of 35 square feet of floor space per child is available. C NC R

K.A.R. 28-4-423

(a)(3) Building has two exits approved by a fire inspector. One exit leads directly to the outside. Exits are not blocked. C NC R

K.A.R. 28-4-423

(a)(4) Second floors approved by a fire inspector may be used for children 2 1/2 yrs of age or over. Second floor windows are guarded. C NC R

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<u>K.A.R. 28-4-423</u> <u>Physical plant.</u> (a)(5)	Finished basements approved by a fire inspector may be used for children 2 1/2 yrs of age or older. Basements are dry, well-ventilated, heated and cooled and lighted.	C NC R
<u>K.A.R. 28-4-423</u> (a)(6)	When mobile classroom units are used, they are securely anchored and meet all requirements for permanent structures	C NC R
<u>K.A.R. 28-4-423</u> (a)(7)	ALL stairs with more than two steps have sturdy hand rails	C NC R
<u>K.A.R. 28-4-423</u> (a)(7)	When balusters are more than 4" apart, provisions are made to prevent a child's head or body from falling through	C NC R
<u>K.A.R. 28-4-423</u> (a)(8)	Landings or gates are provided beyond each exterior door and any door opening onto a full-length stairway.	C NC R
<u>K.A.R. 28-4-423</u> (a)(9)	Ceiling height is not less than 7'6".	C NC R
<u>K.A.R. 28-4-423</u> (a)(10)(A)	Each window and glass door is screened or guarded.	C NC R
<u>K.A.R. 28-4-423</u> (a)(10)(B)	Each window and door opened for ventilation is screened.	C NC R
<u>K.A.R. 28-4-423</u> (a)(11)	Floors are smooth and not slippery, free from cracks, clean and in good condition. Floor covering is required over concrete.	C NC R
<u>K.A.R. 28-4-423</u> (a)(12)	Carpeting is clean and in good repair. New carpet meets fire safety.	C NC R
<u>K.A.R. 28-4-423</u> (a)(13)	Walls are clean and free of cracks.	C NC R
<u>K.A.R. 28-4-423</u> (a)(14)	Surfaces are free of toxic materials.	C NC R
<u>K.A.R. 28-4-423</u> (a)(15)	Electrical outlets within reach of children under five years of age are covered when not in use	C NC R
<u>K.A.R. 28-4-423</u> (a)(16)	Extension cords are not used.	C NC R
<u>K.A.R. 28-4-423</u> (a)(17)	Each room occupied by children has minimum 20 foot candles of light in all parts of the room. Each sleeping room is lighted to allow freedom of movement.	C NC R
<u>K.A.R. 28-4-423</u> (a)(18)	***Premises is maintained in good condition and clean at all times, free from accumulated dirt and trash and any evidence of vermin or rodent infestation. Outdoor trash and garbage container is covered and contents are removed at least weekly.	C NC R
<u>K.A.R. 28-4-423</u> (a)(19)	Each room occupied by children is heated, ventilated and cooled. Temperature is not less than 65 degrees and not more than 90 degrees. Each area occupied by children is free of drafts.	C NC R
<u>K.A.R. 28-4-423</u> (a)(20)	If used, each electrical fan is mounted high on the wall or guarded.	C NC R
<u>K.A.R. 28-4-423</u> (a)(21)	If used, a gas heater is approved by a fire inspector. Open-faced heaters are prohibited.	C NC R

C = Compliance
NC = Noncompliance
R = Reviewed

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K.A.R. 28-4-423 **Physical plant.**
(a)(22) ALL heating elements, including hot water pipes, are insulated or installed in a way that children cannot come in contact with them. Asbestos insulation is not used. Fireplaces are not used when children are present. C NC R

K.A.R. 28-4-423
(a)(23) ***Medicines, household poisons, and other dangerous substances and instruments are in locked storage. C NC R

K.A.R. 28-4-423
(a)(24) No firearms are stored in any area used for children's activities. Firearms stored in any other area are in locked storage or equipped with trigger locks. C NC R

K.A.R. 28-4-423
(b) Water supply.

K.A.R. 28-4-423
(b)(1) Water supply is from a source approved by the health department or KDHE. C NC R

K.A.R. 28-4-423
(b)(2) Sanitary drinking facilities are available to children while indoors or outdoors. C NC R

One of the following is used: Individual disposal cups and water dispenser; Individually-marked glasses or cups which are washed daily; or Fountain designed so that a child can get a drink without assistance.

K.A.R. 28-4-423
(b)(3) Drinking fountains are not plumbed to sinks. C NC R

K.A.R. 28-4-423
(b)(4) Water from drinking fountains is under pressure with a stream not less than 3" high. C NC R

K.A.R. 28-4-423
(b)(5) Cold water and hot water not exceeding 110 degrees is supplied to lavatory fixtures accessible to children. C NC R

K.A.R. 28-4-423
(c) Toilet and lavatory facilities.

K.A.R. 28-4-423
(c)(1) All plumbing fixtures and building sewers are connected to public sewers where available. C NC R

K.A.R. 28-4-423
(c)(2) When public sewer is not available, a private sewage disposal system meeting requirement of the county HD or KDHE is installed and connected to all plumbing fixtures C NC R

K.A.R. 28-4-423
(c)(3) Plumbing is installed and maintained according to local and state plumbing codes. C NC R

K.A.R. 28-4-423
(c)(4) Bathroom facilities are readily accessible to children and placed low or provided with safety steps. C NC R

K.A.R. 28-4-423
(c)(5) There is one toilet and one washbasin for every 15 children. C NC R

K.A.R. 28-4-423
(c)(6) Bathroom facilities are planned to assure privacy for staff. C NC R

K.A.R. 28-4-423
(c)(7) Soap, individual cloth towels or paper towels, and toilet paper are provided. Use of common towels and wash cloths is prohibited. When cloth towels and wash cloths are used, they are labeled with the child's name and laundered at least weekly. C NC R

K.A.R. 28-4-426 **Administration.**
(a) Written delegation of administrative authority designating the person in charge of the facility for all hours of operation is available. C NC R

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R = Reviewed

K.A.R. 28-4-426 Administration.

(b) Admission Policy.

K.A.R. 28-4-426

(b)(1) Arrangements for admission of children are made prior to the admission date to the facility.

C NC R

K.A.R. 28-4-426

(b)(2) Admission policy is non-discriminatory in regard to race, color, religion, national origin, ancestry, physical handicap, or sex. A copy of the admission policy is available for review.

C NC R

K.A.R. 28-4-426

(b)(3) Each parent is informed of services offered.

C NC R

K.A.R. 28-4-426

(b)(4) Each parent is informed when religious training is included in the program.

C NC R

K.A.R. 28-4-426

(c) Insurance.

K.A.R. 28-4-426

(c)(1) Accident insurance is carried on children.

C NC R

K.A.R. 28-4-426

(c)(2) Liability insurance is carried to provide recourse to parents or children in the event of negligence.

C NC R

K.A.R. 28-4-426

(c)(3) Documentation of accident and liability insurance coverage is on file and includes the name of the insurance company or companies, policy number(s) and dates of coverage.

C NC R

K.A.R. 28-4-426

(e)(4) Children's records are confidential. Staff does not disclose or discuss personal information about children and their relatives with any unauthorized person.

C NC R

K.A.R. 28-4-426

(e)(5) Each child's records and reports are made available to the child's parents on request and are returned to parents when children are no longer enrolled.

C NC R

K.A.R. 28-4-427 Program.

(a) Programs are conducted in self-contained units with staff and children designated for each unit.

C NC R

K.A.R. 28-4-427

(b)(1) Equipment. Low, open shelves are provided for play equipment and materials so they are readily accessible to the children.

C NC R

K.A.R. 28-4-427

(b)(2) Equipment is scaled to the size of the children.

C NC R

K.A.R. 28-4-427

(b)(3) Equipment is of sound construction with no sharp, rough, loose nor pointed edges, and in good operating condition.

C NC R

K.A.R. 28-4-427

(b)(4) Equipment is placed to avoid danger of accident or collision and to permit freedom of movement.

C NC R

K.A.R. 28-4-427

(b)(5) Equipment is of sufficient quantity so that each child has a choice of at least three activities when all children are using equipment at the same time.

C NC R

K.A.R. 28-4-427

(b)(6) Storage space located conveniently for staff is provided for supplies and equipment not in use.

C NC R

K.A.R. 28-4-427

(b)(7) Each child has individual space for the child's garments, clothing and possessions during the session attended.

C NC R

K.A.R. 28-4-427

(c)(1) Learning Experiences. Written program plan includes daily learning experiences, appropriate to the developmental level of the children.

C NC R

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K.A.R. 28-4-427 Program.

(c)(1)(A) Program includes experiences designed to develop self-esteem and positive self-image.

C NC R

K.A.R. 28-4-427

(c)(1)(B) Program includes experiences designed to develop social interaction skills.

C NC R

K.A.R. 28-4-427

(c)(1)(C) Program includes experiences designed to develop self-expression and communication skills.

C NC R

K.A.R. 28-4-427

(c)(1)(D) Program includes experiences designed to develop creative expression.

C NC R

K.A.R. 28-4-427

(c)(1)(E) Program includes experiences designed to develop large and small muscle skills.

C NC R

K.A.R. 28-4-427

(c)(1)(F) Program includes experiences designed to develop intellectual growth.

C NC R

K.A.R. 28-4-427

(c)(2) Program schedule is planned to provide a balance of active, quiet, individual and group activities.

C NC R

K.A.R. 28-4-427

(c)(3) Written program plan is posted in each unit.

C NC R

K.A.R. 28-4-427

(d)(1) Written discipline policy is made available to staff and parents.

C NC R

K.A.R. 28-4-428 Staff requirements.

(a) Minimum staff-child ratio.

K.A.R. 28-4-428

(a)(1) The ratio between staff members and children shall be determined by the ages of the children and the type of care provided.

K.A.R. 28-4-428

(a)(2) ***The minimum staff-child ratio and the maximum number of children per unit shall not fall below the minimum level at all times.

C NC R

K.A.R. 28-4-428

(a)(3) ***No child shall be left unsupervised.

C NC R

K.A.R. 28-4-428

(b) Substitutes. Two additional adults are available to work in case of illness or emergency. Names and phone numbers are posted and health certificates shall be on file.

C NC R

K.A.R. 28-4-428

(c) Volunteers. Volunteers are at least 14 years of age. Volunteers counted in the staff-child ratio are at least 16 years of age, completes the education and training requirements for a volunteer specified in K.A.R. 28-4-428a, and are supervised by a staff member who is not a volunteer.

C NC R

K.A.R. 28-4-428

(d)(1) Program Director is employed full time.

C NC R

K.A.R. 28-4-428

(d)(2) If licensed for more than 60 children, program director has no other assigned responsibilities.

C NC R

K.A.R. 28-4-428

(d)(3) If licensed for more than 60 children, the facility has an administrator (may also be the program director).

C NC R

K.A.R. 28-4-428

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

C NC R

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K.A.R. 28-4-428a Education and training requirements.

Education and training requirements.

K.A.R. 28-4-428a

(a)(4)(D) Orientation includes care and supervision of children in care, including any special needs and known allergies.

C NC R

K.A.R. 28-4-428a

(a) Orientation.

K.A.R. 28-4-428a

(a)(4)(E) Orientation includes health and safety practices.

C NC R

K.A.R. 28-4-428a

(a)(1) Each licensee or designee attended a KDHE-approved orientation program for operating a preschool or child care center in their county before applying for a license.

C NC R

K.A.R. 28-4-428a

(a)(4)(F) Orientation includes confidentiality.

C NC R

K.A.R. 28-4-428a

(a)(2) Each licensee provides orientation to each program director not later than 7 calendar days after the date of employment and before the program director is given sole responsibility for implementing and supervising the program.

C NC R

K.A.R. 28-4-428a

(b) Health and safety training.

K.A.R. 28-4-428a

(a)(3) ***Orientation is completed by each staff member and each volunteer counted in staff-child ratio within 7 calendar days after the date of employment or volunteering and before the staff member is given sole responsibility for the care and supervision of children.

C NC R

K.A.R. 28-4-428a

(b)(1) Each staff member or each volunteer counted in the staff-child ratio and each program director has completed 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.

C NC R

K.A.R. 28-4-428a

(a)(4) Orientation for each program director, staff member, and volunteer is related to work duties and responsibilities and:

K.A.R. 28-4-428a

(b)(2) Health and safety training is approved by the secretary.

C NC R

K.A.R. 28-4-428a

(a)(4)(A) Orientation includes licensing regulations.

C NC R

K.A.R. 28-4-428a

(b)(2)(A) Health and safety training includes recognizing the signs of child abuse or neglect, including prevention of shaken baby syndrome and abusive head trauma, and the reporting of suspected child abuse or neglect.

C NC R

K.A.R. 28-4-428a

(a)(4)(B) Orientation includes policies and practices of the child care center, including emergency procedures, behavior management, and discipline.

C NC R

K.A.R. 28-4-428a

(b)(2)(B) Health and safety training includes basic child development, including supervision of children.

C NC R

K.A.R. 28-4-428a

(a)(4)(C) Orientation includes schedule of daily activities.

C NC R

K.A.R. 28-4-428a

(b)(2)(C) Health and safety training includes safe sleep practices and sudden infant death syndrome if the individual will be caring for children under 12 months of age.

C NC R

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K.A.R. 28-4-428a Education and training requirements.

(b)(2)(D) Health and safety training includes prevention and control of infectious diseases, including immunizations. **C NC R**

K.A.R. 28-4-428a

(b)(2)(E) Health and safety training includes prevention of and response to emergencies due to food and allergic reactions. **C NC R**

K.A.R. 28-4-428a

(b)(2)(F) Health and safety training includes building and 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. 28-4-428a

(b)(2)(G) Health and safety training includes emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event, including violence at a facility. **C NC R**

K.A.R. 28-4-428a

(b)(2)(H) Health and safety training includes 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. 28-4-428a

(b)(2)(I) Health and safety training includes precautions when transporting children, if transportation is provided. **C NC R**

K.A.R. 28-4-428a

(c) Pediatric first aid and pediatric CPR certifications.

K.A.R. 28-4-428a

(c)(1) ***Each staff member and each volunteer counted in the staff-child ratio and each program director has obtained certification in pediatric first aid and pediatric CPR as specified either before employment or volunteering or not later than 30 days after the date of employment or volunteering. **C NC R**

K.A.R. 28-4-428a

(c)(2) Each individual's certifications in pediatric first aid and pediatric CPR are current. **C NC R**

K.A.R. 28-4-428a

(c)(3) At all times in each unit in the child care center, at least one staff member or volunteer is present and counted in the staff-child ratio who has current certification in pediatric first aid and pediatric CPR. **C NC R**

K.A.R. 28-4-428a

(d) Medication administration training.

K.A.R. 28-4-428a

(d)(1) Medication administration training is approved by the secretary. **C NC R**

K.A.R. 28-4-428a

(d)(2) Each program director and each staff member designated to administer medications who was employed at the facility before July 1, 2017 shall complete the training not later than December 31, 2017. The program director or the staff member designated to administer medications shall not administer medications after December 31, 2017 unless the individual has completed the training. **C NC R**

K.A.R. 28-4-428a

(d)(3) Each program director and each staff member designated to administer medications who is employed at the facility on or after July 1, 2017 shall complete the training before administering medication to any child. **C NC R**

K.A.R. 28-4-428a

(e) Education requirements. The program director is a high school graduate or equivalent. **C NC R**

K.A.R. 28-4-428a

(f) Annual in-service training requirements.

K.A.R. 28-4-428a

(f)(1) 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.

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K.A.R. 28-4-428a **Education and training requirements.**
(f)(2) 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.

C NC R

K.A.R. 28-4-428a
(f)(3)(A) For licensure year ending during the 2017 calendar year, the program director shall complete five clock-hours of annual in-service training.

C NC R

K.A.R. 28-4-428a
(f)(4)(A) For each licensure year ending during the 2017 calendar year, each staff member and each volunteer counted in the staff-child ratio will complete 10 clock-hours of in-service training.

C NC R

K.A.R. 28-4-428a
(f)(5) Annual in-service training shall be approved by the secretary.

C NC R

K.A.R. 28-4-428a
(g) Documentation: There is documentation of all orientation, training, certifications and education requirements in each individual's file in the child care center.

C NC R

K.A.R. 28-4-429 **Staff qualifications.**
(a) ***Program Director is 18 years of age or older. Documentation is on file indicating that the Program Director meets the training requirements for the license capacity of the facility.
(NOTE: If no KDHE Letter of Approval is on file, KDHE recommends Program Director submit an application and related documentation to KDHE.)

C NC R

K.A.R. 28-4-429
(f) Facilities licensed for more than 100 children have an assistant program director who meets the requirements for the program director for up to 100 children. (NOTE: If no KDHE Letter of Approval or other documentation is on file to determine qualifications, KDHE recommends the Assistant Program Director is to submit an application and related documentation to KDHE.)

C NC R

K.A.R. 28-4-429
(g) Facilities licensed for more than 160 children have an assistant program director who meets the requirements for the program director up to 100 children AND has no other assigned responsibilities .

C NC R

K.A.R. 28-4-429
(h) ***Each unit has one staff person who is at least 18 years of age and who has a high school diploma or its equivalent. Each unit has one staff person who meets the training requirements for the maximum capacity of the unit as stated on the license.

C NC R

Infant/toddler units-refer to K.A.R. 28-4-440(n) School age units- refer to K.A.R. 28-4-441(b)(1) Special purpose units or units with more than 1/3 of the children enrolled with handicapping conditions- refer to K.A.R. 28-4-435(d).

K.A.R. 28-4-429
(i) Assistant teachers are at least 16 years of age and participate in staff orientation at time of employment.

C NC R

K.A.R. 28-4-430 **Health practices; illness and abuse; general health requirements for staff.**

(b) Health practices.

K.A.R. 28-4-430
(b)(1) ***Each child's hands are washed with soap and water before and after eating and after toileting.

C NC R

K.A.R. 28-4-430
(b)(2) Children are allowed to go to the bathroom individually as needed.

C NC R

K.A.R. 28-4-430
(c) Illness and abuse.

K.A.R. 28-4-430
(c)(1) When a child is absent due to a communicable disease, staff inform other parents of the nature of the illness.

C NC R

K.A.R. 28-4-430
(c)(2) Communicable diseases are reported to the health department.

C NC R

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K.A.R. 28-4-430 Health practices; illness and abuse; general health requirements for staff.

(c)(3) ***Each staff member is trained to observe symptoms of illness, neglect and child abuse. Staff members observe each child's physical condition daily. C NC R

K.A.R. 28-4-430
(c)(4) Symptoms of illness are reported upon discovery to parents. C NC R

K.A.R. 28-4-430
(c)(5) Any evidence of neglect or unusual injuries, including bruises, contusions, lacerations, and burns, are noted on the child's record and reported upon discovery to the program director or in the absence of the program director the person designated in charge of the child care facility. C NC R

K.A.R. 28-4-430
(c)(6) Program director or designated person in charge of the facility reports within 24 hours to DCF any evidence of suspected child abuse or neglect. When DCF offices are not open reports are made to local law enforcement. C NC R

K.A.R. 28-4-430
(c)(7) If care of sick children is provided, written plans about the needs of a sick child and the care of a sick child are prepared in consultation with the public health nurse and presented to parents at the time of enrollment. Requirements for isolation and quarantine of specific infectious and contagious diseases are met. C NC R

K.A.R. 28-4-430
(c)(8) A quiet area is provided for sick children. Sick children are supervised by an adult. C NC R

K.A.R. 28-4-430
(c)(9) Non-prescription medication is administered to any child only with written order of the parent or guardian. Orders are to be renewed yearly. Medication is administered by a designated staff member. C NC R

K.A.R. 28-4-430
(c)(10) Prescription medication is administered by a designated staff member, from a pharmacy container labeled with the child's name, name of the medication, dosage, dosage intervals, name of the physician and date the prescription was filled. C NC R

K.A.R. 28-4-430
(c)(11) A record of the designated staff who administered the medication and the date and time the medication was given to the child is kept in the child's file. C NC R

K.A.R. 28-4-430
(d) Staff. C NC R

K.A.R. 28-4-430
(d)(1) Smoking is prohibited. C NC R

K.A.R. 28-4-430
(d)(2) Alcohol or non-prescribed controlled substances are not consumed on the premises during hours of operation nor while children are present. C NC R

K.A.R. 28-4-435 Programs serving children with handicapping conditions.
(a) Written parental permission is on file for evaluation and placement of children. C NC R

K.A.R. 28-4-435
(b) Physical Plant C NC R

K.A.R. 28-4-435
(b)(1) Programs which include non-ambulatory children are conducted on the ground floor. Exits and steps have ramps approved by a fire inspector. C NC R

K.A.R. 28-4-435
(b)(2) Facilities enrolling children who use walkers or wheelchairs have 50 square feet of space for each physically handicapped child. C NC R

K.A.R. 28-4-435
(b)(3) When physically handicapped children are enrolled, toilets and washbasins are designed to accommodate their needs. C NC R

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NC = Noncompliance
R = Reviewed

K.A.R. 28-4-435 Programs serving children with handicapping conditions.

(c) Transportation. A second adult rides in the rear seat of the vehicle when there or more handicapped children are being transported. C NC R

K.A.R. 28-4-435

(d) Staff meet requirements of K.A.R. 28-4-429 and the following additional requirements:

K.A.R. 28-4-435

(d)(1) The parent of a child with special needs enrolled in the unit is not a teacher in that unit. C NC R

K.A.R. 28-4-435

(d)(2) Each special purpose unit or unit with 1/3 or more of the children enrolled with special needs has a staff person who has a minimum of six hours of academic credits or equivalent clock hours in understanding the needs of handicapped children and in developing individual program plans. C NC R

K.A.R. 28-4-435

(d)(3) Special needs consultants meet the educational requirements of their profession. C NC R

K.A.R. 28-4-435

(e) If 1/3 or more of the children enrolled in a unit have handicapping conditions, the appropriate staff/child ratio is maintained. (Refer to K.A.R. 28-4-428) C NC R

K.A.R. 28-4-435

(f) All staff in special purpose units or units with 1/3 or more of the children enrolled with special needs have 10 clock hours of in-service training specific to handicapped conditions. C NC R

K.A.R. 28-4-435

(g) A written individual program plan is on file for each handicapped child enrolled. The written plan is reviewed and revised annually in consultation with the parents. The plan assigns responsibility for the delivery of services, indicates the anticipated change in the child's behavior, how changes will be measured. C NC R

K.A.R. 28-4-436 Child care centers: physical plant.

(a) Inside area. Building used as a residence is licensed only if there is a room or rooms designated EXCLUSIVELY for child care use. C NC R

K.A.R. 28-4-436

(b)(1) Napping and Sleeping. Children at the center more than four hours are encouraged to nap or rest according to their individual needs. Children who do not sleep are permitted to have a quiet time through use of activities or equipment that do not disturb other children. C NC R

K.A.R. 28-4-436

(b)(2) Crib, cot or pad is available for each child. Pads are enclosed in washable covers and used only over carpet. When pads are used, they are long enough so that the child's head does not rest on the carpet. Bunk beds are prohibited. C NC R

K.A.R. 28-4-436

(b)(3) Each crib or cot has an individually-labeled bottom sheet. Each child has a cover. Children do not share bedding. C NC R

K.A.R. 28-4-436

(b)(4) Bedding is changed after each five uses, immediately when soiled or wet and always upon change in occupancy. Blankets are laundered monthly. C NC R

K.A.R. 28-4-436

(b)(5) Cribs, cots or pads, when in use, are separated from each other by at least two feet in all directions except when bordering on a wall. When not in use, cribs, cots, or pads are stored in a clean and sanitary manner. C NC R

K.A.R. 28-4-436

(b)(6)(A) Nighttime care. Movable screens are available to insure privacy as needed. C NC R

K.A.R. 28-4-436

(b)(6)(B) Nighttime care. Separate sleeping areas are provided for boys and girls over six years of age. C NC R

K.A.R. 28-4-436

(b)(6)(C) Nighttime care. In a center in which children sleep for more than three consecutive hours, the center is provided with a smoke detector installed in consultation with a fire inspector. C NC R

K.A.R. 28-4-436

(c) Laundry facilities

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K.A.R. 28-4-436 Child care centers: physical plant.

(c)(1) If laundry is done at the center, laundry fixtures are located in an area separate from food preparation areas and installed in a used in manner to safeguard the health and safety of children. C NC R

K.A.R. 28-4-436

(c)(2) Separate areas are provided for soiled and clean laundry items. C NC R

K.A.R. 28-4-437 Child care centers: outside area.

(a) There is at least 75 square feet of outdoor play space on the premises for each child using the space at a given time. The total outdoor space accommodates not less than one-half the licensed capacity or includes a minimum of 750 square feet, whichever is greater. C NC R

K.A.R. 28-4-437

(b) Boundaries of the outdoor play area are enclosed with a fence not less than 4' high. C NC R

K.A.R. 28-4-437

(c) Outdoor play space is located to provide both sunshine and shade. Hard-surfaced area or gravel is not used under anchored equipment. C NC R

K.A.R. 28-4-437

(d) ***Outdoor play space is well drained and free of hazards. C NC R

K.A.R. 28-4-437

(e) Outdoor play equipment is safely constructed and in good repair. Climbing equipment and swings are anchored with metal straps or pins or set in cement. Swings are safely located and have canvas or soft rubber seats. Teeter totters and merry go rounds designed for school age children are not used for children under six years. C NC R

K.A.R. 28-4-437

(f) Sand boxes are maintained in a safe and sanitary condition. C NC R

K.A.R. 28-4-437

(g) Rooftops used as a play area are enclosed with a flat board fence or a chain link fence angled toward the play area. The fence is a least 6 feet high. An approved fire escape leads from the roof to the ground. C NC R

K.A.R. 28-4-437

(h) ***The play area is arranged so that staff can provide close supervision at all times. C NC R

K.A.R. 28-4-437

(i) Outdoor equipment is provided in sufficient quantity so that each child has access to at least one activity appropriate to the child's age level. C NC R

K.A.R. 28-4-437

(j) Bathroom facilities are accessible to outdoor play area. C NC R

K.A.R. 28-4-438 Child care centers: program.

(a) Program provides regularity in routines such as eating and napping, and protection from excess fatigue and over stimulation. C NC R

K.A.R. 28-4-438

(b) Unless extreme weather conditions, children have a period of daily outdoor play under the supervision of an adult. Children spending more than four consecutive hours are to play outdoors for at least one hour daily. C NC R

K.A.R. 28-4-438

(c) Routines such as toileting and eating and intervals between activities are planned so that children do not have to wait in lines or assemble in large groups. C NC R

K.A.R. 28-4-438

(d) If television is on the premises, use is limited to the children's programs. C NC R

K.A.R. 28-4-438

(e) Activities are available for children during the entire time they are in attendance, including early morning and late afternoon. C NC R

C = Compliance
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K.A.R. 28-4-439 Child care centers: food service.

(a) Single or multi-unit centers serving a meal prepared at the center for 13 or more children:

K.A.R. 28-4-439

(a)(1) Centers serving a meal employ a staff person who has knowledge of nutritional needs of children.

C NC R

K.A.R. 28-4-439

(a)(2) Centers serving a meal employ a staff person who understands quantity food preparation and service.

C NC R

K.A.R. 28-4-439

(a)(3) Centers serving a meal employ a staff person who practices sanitary methods of food handling and storage.

C NC R

K.A.R. 28-4-439

(a)(4) Centers serving a meal employ a staff person who is sensitive to the individual and cultural food tastes of children.

C NC R

K.A.R. 28-4-439

(a)(5) Centers serving a meal employ a staff person who is willing to work with the program director in planning learning experiences for children relative to nutrition.

C NC R

K.A.R. 28-4-439

(b) "Centers serve meals and snacks as Follows:

Length of Time at Center	Food Served
2 1/2 to 4 hours	1 Snack
4 to 8 hours	1 Snack & 1 Meal
8 to 10 hours	2 snacks & 2 Meals
10 hours or more	1 snack & 2 Meals"
2 Meals"	2 or 3 snacks &

C NC R

K.A.R. 28-4-439

(c) Meals and Snacks:

K.A.R. 28-4-439

(c)(1) Breakfasts:

K.A.R. 28-4-439

(c)(1)(A) Breakfasts include a fruit, vegetable, or full-strength fruit or vegetable juice.

C NC R

K.A.R. 28-4-439

(c)(1)(B) Breakfasts include bread, a bread product or cereal.

C NC R

K.A.R. 28-4-439

(c)(1)(C) Breakfasts include milk.

C NC R

K.A.R. 28-4-439

(c)(2) Noon or evening meals:

K.A.R. 28-4-439

(c)(2)(A) Noon or evening meals include one item from the following: Meat, poultry, fish, egg, cheese, cooked, dried peas or beans, or peanut butter.

C NC R

K.A.R. 28-4-439

(c)(2)(B) Noon or evening meals include one item from the following: Two vegetables, two fruits, or one vegetable and one fruit.

C NC R

K.A.R. 28-4-439

(c)(2)(C) Noon or evening meals include one item from the following: Bread, bread product or cereal.

C NC R

K.A.R. 28-4-439

(c)(2)(D) Noon or evening meals include milk.

C NC R

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K.A.R. 28-4-439 Child care centers: food service.

(c)(3) Mid-morning and mid- afternoon snacks include at least two of the following: Milk, milk product or food made with milk; Fruit, vegetable or full-strength fruit or vegetable juice; Meat or meat alternate; or Bread, bread product or cereal. **C NC R**

K.A.R. 28-4-439

(d) Sufficient quantity of food is prepared for each meal to allow children second portions of vegetables or fruit, bread and milk. **C NC R**

K.A.R. 28-4-439

(e) Food allergies or special dietary needs of children are known to cooks, staff, child care workers and substitutes. **C NC R**

K.A.R. 28-4-439

(f) Menus are posted where parents can see them. Copies of the menus served the previous month are kept on file. **C NC R**

K.A.R. 28-4-439

(g) Staff sits at the table with the child and socialization is encouraged. Children are encouraged to serve themselves. Spoons and forks are provided for each child's use. Appropriate service is used for meals and snacks. **C NC R**

K.A.R. 28-4-439

(h) Children's food is not placed on a bare table. **C NC R**

K.A.R. 28-4-439

(i) Toothbrushes are provided for each child's use and are used daily after meals. Toothbrushes are stored in a sanitary manner out of children's reach. **C NC R**

K.A.R. 28-4-439

(j) When meals are prepared on premises, the kitchen is separate from the eating, play and bathroom areas. Kitchen is not used as a passageway while food is being prepared. **C NC R**

K.A.R. 28-4-439

(k)(1) Food is stored: Poisonous or toxic materials are not stored with food. Medications requiring refrigeration are labeled and kept in locked storage in the refrigerator. **C NC R**

K.A.R. 28-4-439

(k)(2) Perishables and potentially hazardous foods are continuously maintained at 45 degrees or lower in the refrigerator or 10 degrees or lower in the freezer with 0 degrees recommended. Each cold storage facility is provided with a clearly visible thermometer. **C NC R**

K.A.R. 28-4-439

(k)(3) All foods stored in the refrigerator are covered. **C NC R**

K.A.R. 28-4-439

(k)(4) Foods not requiring refrigeration are stored at least 6" above the floor in clean, dry, well-ventilated storerooms or other areas. **C NC R**

K.A.R. 28-4-439

(k)(5) Dry, bulk foods not in their original, unopened containers are stored in metal, glass, or food-grade plastic containers with tight fitting covers and are labeled. **C NC R**

K.A.R. 28-4-439

(l)(1) Table service is maintained in sanitary condition using disposable plates and cups, plastic utensils of food grade, medium weight. **C NC R**

K.A.R. 28-4-439

(l)(2) Table service is maintained in sanitary condition using a three-compartment sink supplied with hot and cold running water and drain board for washing, rinsing, sanitizing and air drying. **C NC R**

K.A.R. 28-4-439

(l)(3) Table service is maintained in sanitary condition using a mechanical dishwasher. **C NC R**

K.A.R. 28-4-439

(m) Dishes are smooth, hard-glazed surfaces and free from cracks or chips. **C NC R**

K.A.R. 28-4-439

(n) Tables are washed before and after meals and floors are swept after meals. **C NC R**

C = Compliance
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K.A.R. 28-4-439 Child care centers: food service.

(o) If meals are catered:

K.A.R. 28-4-439

(o)(1) Food for catered meals is obtained from sources licensed by KDHE.

C NC R

K.A.R. 28-4-439

(o)(2) Food for catered meals is transported in covered and temperature-controlled containers and not allowed to stand. Hot foods are maintained at not less than 140 degrees and cold foods are maintained at 45 degrees or less.

C NC R

K.A.R. 28-4-439

(p) Fluid dairy products are Grade A pasteurized. Solid dairy products are pasteurized. Dry milk is used only for cooking.

C NC R

K.A.R. 28-4-439

(q) Meat is from government-inspected sources.

C NC R

K.A.R. 28-4-439

(r) Home canned food, food from dented, rusted, bulging or leaking cans or food from cans without labels is not used.

C NC R

K.A.R. 28-4-439

(s) Garbage is placed in covered containers inaccessible to children and removed from the kitchen daily.

C NC R

K.A.R. 28-4-440 Infant and toddler programs.

(a) Infant/toddler programs are conducted on the ground floor only.

C NC R

K.A.R. 28-4-440

(b) Each unit of infants and each unit of toddlers is separate from each unit of older children. (refer to CCL 306 for more detailed information).

C NC R

K.A.R. 28-4-440

(c) Floor furnaces are not used in infant or toddler units.

C NC R

K.A.R. 28-4-440

(d) Sleeping area is separated from the play area for infants.

C NC R

K.A.R. 28-4-440

(e) Crib or playpen is provided for each infant in care at any one time. Cribs and playpens are maintained in good condition. Clean individual bedding is provided.

C NC R

K.A.R. 28-4-440

(f) The following requirements are met by the licensee:

K.A.R. 28-4-440

(f)(1) Use of stacking cribs, cribs with water mattresses, or bassinets is prohibited.

C NC R

K.A.R. 28-4-440

(f)(2) Cribs and playpens have slats not more than 2 3/8 inches apart.

C NC R

K.A.R. 28-4-440

(f)(3) All sides of each crib or playpen are up while the crib or playpen is in use.

C NC R

K.A.R. 28-4-440

(f)(4) No crib purchased before June 28, 2011 is in use on or after December 28, 2012.

C NC R

K.A.R. 28-4-440

(g) The licensee makes any necessary changes to follow the recommendations of any consumer warning or recall of a crib or playpen as soon as the warning or recall is known.

C NC R

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K.A.R. 28-4-440 Infant and toddler programs.

(h) Safe sleep policies and practices for infants and toddlers are developed and implemented by the licensee and they are discussed with the parent or legal guardian of each child before the first day of care. **C NC R**

K.A.R. 28-4-440

(h) Safe sleep policies and practices include the following requirements: **C NC R**

K.A.R. 28-4-440

(h)(1) The safe sleep policies and practices of the child care center are followed by each staff member and volunteer who care for children. **C NC R**

K.A.R. 28-4-440

(h)(2) All of the following requirements are met for infants:

K.A.R. 28-4-440

(h)(2)(A) ***Each infant naps or sleeps in a crib or playpen. **C NC R**

K.A.R. 28-4-440

(h)(2)(B) An infant does not nap or sleep in the same crib or playpen as that occupied by another infant or child at the same time. **C NC R**

K.A.R. 28-4-440

(h)(2)(C) If an infant falls asleep on a surface other than a crib or playpen, the infant is moved to a crib or playpen. **C NC R**

K.A.R. 28-4-440

(h)(2)(D) Each infant is placed on the infant's back to nap or sleep. **C NC R**

K.A.R. 28-4-440

(h)(2)(E) When an infant is able to turn over independently, the infant is placed on the infant's back, but is allowed to remain in a position preferred by the infant. Wedges or infant positioners are prohibited. **C NC R**

K.A.R. 28-4-440

(h)(2)(F) Each infant sleeps in a crib or playpen that is free of any soft items, which may include pillows, quilts, heavy blankets, bumpers, and toys. **C NC R**

K.A.R. 28-4-440

(h)(2)(G) If a lightweight blanket is used, the blanket is tucked along the sides and foot of the mattress. It is not placed higher than the infant's chest. The infant's head remains uncovered. Sleep clothing, including sleepers and sleep sacks may be provided in place of a lightweight blanket for infants. **C NC R**

K.A.R. 28-4-440

(i) Children that are awake are not left unattended in cribs or other confinement for more than 30 minutes. **C NC R**

K.A.R. 28-4-440

(j) Adult-size rocking chair is provided for each unit of infants. **C NC R**

K.A.R. 28-4-440

(k) Children not held for feeding have low chairs and tables, infant seats with trays or high chairs with a wide base and safety strap. **C NC R**

K.A.R. 28-4-440

(l) Either individually labeled towels and wash cloths or disposable products are used in infant and toddler units. **C NC R**

K.A.R. 28-4-440

(m) Items in infant and toddler units that children can place in their mouths are washed and sanitized daily and washed and sanitized before being used by another child, if contaminated by saliva or other bodily fluids. **C NC R**

K.A.R. 28-4-440

(n) ***At least one staff member meets one of the following staff requirements and the staff member is present in each unit of infants and toddlers: Option 1: An individual who meets qualifications of K.A.R. 28-4-429(b) and has had at least three months' experience caring for infants and toddlers; Option 2: Licensed LPN or RN with three months' experience in pediatrics or in a licensed child care center enrolling infants and toddlers; or Option 3: Child development associate credential in infant and toddler care. **C NC R**

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K.A.R. 28-4-440 Infant and toddler programs.

(o) The following program requirements are met:

K.A.R. 28-4-440

(o)(1)(A) Daily activities in infant and toddler units contribute to gross and fine motor development.

C NC R

K.A.R. 28-4-440

(o)(1)(B) Daily activities in infant and toddler units contribute to visual-motor coordination.

C NC R

K.A.R. 28-4-440

(o)(1)(C) Daily activities in infant and toddler units contribute to language stimulation.

C NC R

K.A.R. 28-4-440

(o)(1)(D) Daily activities in infant and toddler units contribute to social and personal growth.

C NC R

K.A.R. 28-4-440

(o)(2) Infants and toddlers spend time outdoors daily unless extreme weather conditions prevail.

C NC R

K.A.R. 28-4-440

(p) The following food service requirements are met:

K.A.R. 28-4-440

(p)(1) Nitrate content of water for children under one year does not exceed 10 milligrams per liter (10 mg/l) as nitrogen.

C NC R

K.A.R. 28-4-440

(p)(2) Drinking water is available to each infant and each toddler at all times when the child is in care.

C NC R

K.A.R. 28-4-440

(p)(3) Infants are held when bottle fed until they can hold their own bottles.

C NC R

K.A.R. 28-4-440

(p)(4) Infants and toddlers are not allowed to sleep with bottles in their mouths.

C NC R

K.A.R. 28-4-440

(p)(5) Each bottle that contains prepared formula or breast milk is refrigerated with the nipple covered. The bottle is labeled with the child's name, the contents, and the date received and is used within 24 hours of the date on the label. If the child does not finish the bottle, the contents are discarded. No formula or breast milk is heated in a microwave oven.

C NC R

K.A.R. 28-4-440

(p)(6) Solid foods are offered when the program director and the parent or legal guardian of a child determine the child is ready for solid foods. Opened containers of solid foods are labeled with child's name, the contents, and the date opened. Containers are covered and refrigerated. The food is used within three calendar days of the date opened. Food in previously opened containers is reheated only once and is not served to another child.

C NC R

K.A.R. 28-4-440

(q) The following toileting requirements are met:

K.A.R. 28-4-440

(q)(1) Each infant's and each toddler's clothing is changed whenever wet or soiled.

C NC R

K.A.R. 28-4-440

(q)(2) Each infant and each toddler has at least two complete changes of clothing.

C NC R

K.A.R. 28-4-440

(q)(3) Handwashing facilities are in or adjacent to the diaper changing area.

C NC R

K.A.R. 28-4-440

(q)(4) A changing table is provided for each unit of infants and each unit of toddlers.

C NC R

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K.A.R. 28-4-440 Infant and toddler programs.

(q)(5) Each changing table has an impervious, undamaged surface. Each table is sturdy and is equipped with railings or safety straps. **C NC R**

K.A.R. 28-4-440

(q)(6) Changing tables are sanitized after each use by washing with disinfectant solution of 1/4 cup of chlorine bleach to one gallon of water or with an appropriate commercial disinfectant. **C NC R**

K.A.R. 28-4-440

(q)(7) Wet or soiled washable diapers or training pants are stored in labeled, covered container or plastic bag and returned home with the parent. **C NC R**

K.A.R. 28-4-440

(q)(8) Wet or soiled disposable diapers are placed in a covered container or plastic bag that is emptied daily. **C NC R**

K.A.R. 28-4-440

(q)(9) There is one potty chair or child-sized toilet for every five toddlers. **C NC R**

K.A.R. 28-4-440

(q)(9) The following requirements are met when a potty chair is used:

K.A.R. 28-4-440

(q)(9)(A) Potty chairs are left in the toilet room. **C NC R**

K.A.R. 28-4-440

(q)(9)(B) Potty chair wastes are disposed of immediately in a flush toilet. **C NC R**

K.A.R. 28-4-440

(q)(9)(C) The potty chair container is sanitized after each use and washed with soap and water daily. **C NC R**

K.A.R. 28-4-440

(q)(9)(D) Potty chairs are not counted as toilets. **C NC R**

K.A.R. 28-4-440

(q)(10) Each individual washes their own hands after diapering, assisting a child with toileting, or changing a child's wet or soiled clothing. **C NC R**

K.A.R. 28-4-440

(q)(11) Changing and toileting procedures are posted in infant and toddler units. **C NC R**

K.A.R. 28-4-440

(r) There is daily communication between the parent(s) or legal guardian and staff about each infant's and each toddler's behavior and development. **C NC R**

K.A.R. 28-4-441 Programs for school-age children.

At the time of the survey, the facility is not licensed to provide care for school-age children. **C NC R**

K.A.R. 28-4-441

(a) Physical Plant. Centers serving school-age children have a minimum of 35 foot candles of light in each area used for reading, study, and other close work. **C NC R**

K.A.R. 28-4-441

(b) Staffing.

K.A.R. 28-4-441

(b)(1) Centers employ teaching staff for school-age units who meet the requirements under one of the following:
Option1: As specified in K.A.R. 28-4-429 or
Option2: B.A. or B.S. degree in elementary education, physical education, child development or a related academic discipline, and three months experience with school age children. **C NC R**

K.A.R. 28-4-441

(b)(2) Each unit of school age children is separate from units for younger children except for periods not to exceed two hours before and after school. Staff/child ratios and unit size conform to the provisions of K.A.R. 28-4-428 and are based on the age of the youngest child in the group. **C NC R**

C = Compliance
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K.A.R. 28-4-441 Programs for school-age children.

(c) Program. C NC R

K.A.R. 28-4-441

(c)(1) Educational and recreational activities in programs for school-age children meet the individual needs of the children. C NC R

K.A.R. 28-4-441

(c)(2) School-age children are provided the opportunity to plan activities appropriate to their age. C NC R

K.A.R. 28-4-441

(c)(3) Activities in school-age units include arts, crafts, music, reading, table games and sports. C NC R

K.A.R. 28-4-441

(c)(4) Program plans are written and posted in school-age units. C NC R

K.A.R. 28-4-441

(c)(5) Written parental permission is obtained for school-age children to participate in activities away from the center. C NC R

K.A.R. 28-4-441

(d) Summer programs for school age children.

K.A.R. 28-4-441

(d)(2) Summer programs for school-age children are based in facilities that meet license requirements. C NC R

K.A.R. 28-4-441

(d)(3) Sack lunches may be served in summer programs for school-age children. Sack lunches and beverages are refrigerated. C NC R

K.A.R. 28-4-442 Definitions.

At the time of the survey, the program does not include any intergenerational activities. Licensee understands that he/she is responsible for compliance with the applicable regulations if intergenerational activities are added. C NC R

K.A.R. 28-4-442

(b) When adults are cared for in the same premises as children, adults shall have a space, staff and equipment separate from the children. Intergenerational activities are permitted if the facility is in compliance with K.A.R. 28-4-422. C NC R

K.A.R. 28-4-442

(c) Each adult signs a consent form indicating willingness to participate in intergenerational activities. C NC R

K.A.R. 28-4-442

(d) Written parental permission is on file for each child participating in intergenerational activities. C NC R

K.A.R. 28-4-442

(e) No infant participates in intergenerational activities. C NC R

K.A.R. 28-4-442

(f) There is an intergenerational activities program coordinator. C NC R

K.A.R. 28-4-442

(g) Written plan for intergenerational activities includes program objectives, space to be used and staffing patterns. Special needs of both adults and children are addressed. C NC R

K.A.R. 28-4-442

(h) Weekly schedule of intergenerational activities and participants is posted in both the adult and child care facilities. C NC R

K.A.R. 28-4-442

(i) Staff person from the adult care unit is in attendance when adults are with children during intergenerational activities. C NC R

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K.A.R. 28-4-442 Definitions.

(j) Adults from the intergenerational program who volunteer in the child care center are not counted in the child/staff ratio.

C NC R

K.A.R. 28-4-000 Initiative

Is your facility breastfeeding-friendly?

C NC R