Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Child Care Centers and Preschools.

28-4-436. Child care centers: napping and sleeping.

(a) Rest period. Each child attending for more than four hours shall be encouraged to nap or rest according to their individual needs. Children who do not sleep shall be permitted to have a quiet time through the use of equipment or activities.

(b) Safe sleep practices for children in care.

(1) Each applicant with a temporary permit and each licensee shall develop a written plan for safe sleep practices and implement safe sleep practices for children in care who are napping or sleeping.

(2) Each applicant with a temporary permit and each licensee shall ensure that the safe sleep practices are shared with the parent or legal guardian of each child before the first day of care.

(3) Each staff member shall follow the safe sleep policies and practices of the child care center.

(4) Each child who is 12 months of age or older shall nap or sleep on a cot or pad. Pads shall be used only over carpet.

(5) Each applicant with a temporary permit and each licensee shall ensure that all of the following requirements are met for each infant in care:

(A) The child shall nap or sleep in a crib or a playpen. Stacking cribs or bassinets shall not be used. Cribs with water-bed mattresses shall not be used.

(B) A crib or playpen shall be provided and used for each child in attendance. The child shall not nap or sleep in the same crib or playpen occupied by another child at the same time.

(C) If the child falls asleep on a surface other than a crib or playpen, the child shall be moved to a crib or playpen.

(D) The child shall be placed on the child's back to nap or sleep.

(E) When the child is able to turn over independently from front to back and back to front, the child shall be placed on the child's back but then shall be allowed to remain in a position preferred by the child. Wedges or infant positioners shall not be used.

(F) The child shall sleep in a crib or a playpen that is free of any soft items, including pillows, quilts, blankets, bumpers, comforters, sheepskins, flat sheets, cloth diapers, bibs, stuffed animals, and toys.

(G) The child may nap or sleep in sleep clothing, including sleepers and sleep sacks. Swaddling shall not be permitted.

(c) Napping and sleeping surfaces. Each applicant with a temporary permit and each licensee shall ensure that the following requirements are met for all napping and sleeping surfaces:

(1) Clean, individual bedding shall be provided for each child. There shall be a complete change of bedding after each five uses, immediately when wet or soiled, and always upon a change in the child utilizing the sleeping surface. Blankets shall be laundered monthly.

(2) Each surface used for napping and sleeping shall be kept clean, of safe construction, and maintained in good repair.

(3) Each crib, playpen, cot, and pad shall be used only for children who meet the manufacturer's recommendations for use, including any age, height, or weight limitations. The manufacturer's instructions for use, including any recommendations for use, shall be kept on file at the facility.

(4) Cribs, playpens, cots, or pads, when in use for napping or sleeping, shall be separated from each other by at least 24 inches in all directions except when bordering on the wall.

(5) When not in use, cribs, playpens, cots, pads, and bedding shall be stored in a clean and sanitary manner.

(6) Each crib and each playpen shall have a firm, tightfitting mattress and a fitted sheet. The mattress shall be set at its lowest point when any child using the crib or playpen becomes able to either sit up or to pull up to a standing position inside the crib or playpen, whichever occurs first, to ensure that the child cannot climb out of the crib or playpen.

(7) If a crib or playpen is slatted, the slats shall be spaced not more than 2.375 inches apart.

(8) All sides of each crib or playpen shall be up while the crib or playpen is in use.

(9) Each applicant, each applicant with a temporary permit, and each licensee shall ensure that no crib purchased before June 28, 2011 is in use in the facility.

(10) Each pad used for napping and sleeping shall be at least 0.5 inch thick, washable or enclosed in a washable cover, and long enough so that the child's head and feet rest on the pad. Clean, individual bedding, including a bottom and a top cover, shall be provided for each child.

(11) Each piece of sleeping equipment shall be labeled and designated for use by a single child.

(d) Consumer warning or recall. Each applicant with a temporary permit and each licensee shall make any necessary changes to follow the recommendations of any consumer warning or recall of a crib or a playpen as soon as the warning or recall is known.

(e) Evening and overnight care. Staff-child ratios shall be met during all hours of care.

(Authorized by and implementing K.S.A. 65-508; effective May 1, 1983; amended Aug. 2, 2024.)

***** Authenticated Kansas Administrative Regulation *****