

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-900. Definitions.

For the purposes of this section, the following definitions shall apply:

(a) "Administrative program director" means the individual designated by the licensee to oversee all provisions of services of the child-placement agency for children and families.

(b) "Adopted adult" means an individual 18 years of age or older who was legally adopted by a family during the individual's childhood or after the individual was 18 years of age or older.

(c) "Adopted child" means a child who is not yet 18 years of age and was legally adopted by a family.

(d) "Adoptive family" means an individual or individuals who identify themselves as a family, live in a private home, and have been approved by a child-placement agency to receive one or more children for the purpose of legal adoption.

(e) "Adoption agency" means a child-placement agency, as defined in K.S.A. 65-503 and amendments thereto.

(f) "Adoption search" means the activities of an adopted child or adopted adult, an adoptive family, or the birth family of an adopted child or adopted adult to obtain identifying or nonidentifying information about the adoption or to initiate contact between the adopted child or adopted adult and the birth family.

(g) "Advertise" means to communicate by newspaper, radio, television, handbills, placards, or other print, broadcast, telephone directory, or electronic medium.

(h) "Agency-approved family" means a person or persons who identify themselves as a family, live in a private home, and meet the following requirements:

(1) Do not require a child care license as specified in K.S.A. 65-503, and amendments thereto; and

(2) have been assessed by a child-placement agency for placement of a child.

(i) "Applicant" means a person who has applied for a license but has not yet been granted a license to operate a child-placement agency. This term shall include an applicant who has been granted a temporary permit to operate a child-placement agency.

(j) "Case plan" means the comprehensive written plan of care developed for a child in placement.

(k) "Child in foster care" or "foster child" means either of the following:

(1) Any individual under 16 years of age who is placed for care in a family foster home; or

(2) any individual who is at least 16 years of age but not yet 21 years of age and who is in the custody of the state of Kansas or is privately placed in a family foster home.

(l) "Child-placement agency" means a business or service conducted, maintained, or operated by a person engaged in finding homes for children by placing or arranging for the placement of the children for adoption or foster care, as defined in K.S.A. 65-503 and amendments thereto.

(m) "Child-placing agent" means a person or agency that possesses the legal authority to place a child in an out-of-home placement or in an adoptive home. This term shall include the child's parent, legal guardian, child-placement agency, and the court.

(n) "Child welfare supervisor" means a staff member who is designated by the licensee to provide supervision of those individuals who provide services or coordinate the services provided by other resources to children and families.

(o) "Child welfare worker" means a staff member who is designated by the licensee to provide services or coordinate the services provided by other resources to children and families.

(p) "Department" means Kansas department for children and families.

(q) "Exception" means an alternative manner of compliance with a specific child-placement agency regulation that is granted by the secretary to an applicant or a licensee.

(r) "Family foster home" means a type of child care facility as defined in K.A.R. 30-47-800.

(s) "Foster care for children" means the provision of substitute care for children who are alleged or adjudicated to be in need of care, as defined in K.S.A. 38-2202 and amendments thereto, as the result of neglect or abuse by or the inability or refusal of a child's parent, guardian, or custodian to care for the children. The substitute care during placement shall include the provision of food, shelter, security and safety, guidance, and comfort on 24-hour basis to one or more children placed who are 21 years or younger to safeguard their safety, growth, and development.

(t) "Foster family" means all individuals living in a family foster home other than any children in foster care.

(u) "Independent living services" means the counseling and services provided by the child-placement agency to a child in an out-of-home placement with a focus on preparing the child for eventual self-sufficiency.

(v) "Intercountry adoption" means the adoption of a child with legal residence in one country by a family with legal residence in a different country.

(w) "Legal-risk adoption" means placement of a child who is not yet legally free for adoption in a family foster home with a plan for adoption of the child by that family.

(x) "Legalization or finalization" means the legal process by which a final order or decree of adoption is filed with the applicable court for the adoption of a child.

(y) "License" means a document issued by the secretary granting authority to an association, organization, or corporation to operate and maintain a child-placement agency.

(z) "Licensee" means a person who has been granted a license to operate a private child-placement agency.

(aa) "Nonrelated kin" means an adult who is not related to a child or to a child's family by blood, marriage, or legal adoption, but is identified by the child or the child's family as an adult with whom the child or the child's parent already has close emotional ties and is a resource for an out-of-home placement for the child.

(bb) "Out-of-home placement" means the living arrangement for a child in a location away from the child's parent or guardian.

(cc) "Person" has the meaning specified in K.S.A. 65-503, and amendments thereto.

(dd) "Physical restraint" means the bodily holding of a child as a means to help the child regain self-control when the child is behaving in a manner that presents a danger to self or others.

(ee) "Placement agreement" means the document signed by the child's child-placing agent to authorize an out-of-home placement or an adoptive placement.

(ff) "Premises" means the location, including each building and any adjoining grounds, of the child-placement agency.

(gg) "Regularly" means on a reoccurring basis of three or more occasions in a 12-month period.

(hh) "Relative" means a person related by blood, marriage, or adoption.

(ii) "Residential care" means a licensed facility providing 24-hour out-of-home care for children unrelated to the caregivers.

(jj) "Renewal date" means 12 months after a license has been issued.

(kk) "Secretary" means secretary of the department for children and families.

(ll) "Secretary's designee" means a staff member who has been designated by the secretary to perform specific regulatory tasks on behalf of the department.

(mm) "Social service staff" means a staff member who is designated by the licensee to provide services or coordinate the services provided by other resources to children and families under the direct supervision of a child welfare worker or child welfare supervisor.

(nn) "Sponsoring child-placement agency" means the public or private child-placement agency responsible for providing sponsorship services to a family providing out-of-home placement services or to an adoptive family before legalization or finalization of the adoption of a child.

(oo) "Volunteer" means an individual 18 years of age or older who provides an unpaid service.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-503 and 65-508; effective June 7, 2024.)