Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Detention Centers and Secure Care Centers for Children and Youth.

28-4-355. Program and services.

(a) A written plan and daily routine shall be maintained for all juveniles which shall include: meals, rest and sleep, personal hygiene, physical exercise, recreation, counseling, education and social services.

(b) Classroom instruction shall be provided on-site by teachers holding appropriate certification from the Kansas board of education.

(1) Education services shall be coordinated with the local school district. During the local school year, each juvenile shall receive a minimum of six hours of instruction per day, excluding weekends and holidays.

(2) For each juvenile currently enrolled in a Kansas public school, contact shall be maintained with the juvenile's home school district to ensure the continuity of each juvenile's education.

(3) A regular schedule of instruction and related educational services appropriate to the needs of each juvenile shall be provided.

(4) Youth care staff shall be stationed in proximity to the classroom, with frequent, direct, physical observation of the classroom activity at least every 15 minutes, to provide immediate support to the teacher.

(c) Library services.

(1) Each center shall have written policies and procedures which govern the center's library program, including acquisition of materials, hours of availability and staffing.

(2) Library services shall be available to all juveniles.

(A) Reading and other library materials may be provided for use during non-library hours.

(B) Library materials shall be appropriate for various levels of competency.

(C) Reading material shall reflect racial and ethnic interests.

(d) Recreation.

(1) All centers shall provide indoor and outdoor recreational areas and equipment where security and visual supervision can be easily maintained, and unless restricted for health reasons, all juveniles shall be allowed to engage in supervised indoor and outdoor recreation on a daily basis.

(2) Art and craft supplies, books, current magazines, games and other indoor recreational materials shall be provided for leisure time activities.

(e) Work.

(1) Work assignments shall not be used as a substitute for recreation.

(2) Juveniles shall be prohibited from performing such duties as:

(A) Personal services for the staff;

(B) cleaning or maintaining areas away from the center;

(C) replacing employed staff;

(D) any work experience defined as hazardous by the Kansas department of human resources regulations governing child labor.

(3) After receiving the required youth care staff orientation and training, auxiliary staff may supervise work activities. Youth care staff shall be within visual and auditory distance to provide immediate support, if necessary.

(f) Visitation and communication.

(1) All facilities shall provide telephone and contact visitation rights for parents, legal guardians, legal representatives and other visitors approved by personnel designated by the director or the governing body. Private telephone conversation and visitation shall be allowed, except when a documented need to protect the juvenile or the security of the facility dictates otherwise.

(2) Written telephone and contact visitation policies and procedures shall be made available to all juveniles, parents, legal guardians and legal representatives.

(3) A juvenile shall not be denied the right to contact his or her attorney or court counselor. No court counselor or attorney shall be refused visitation of a juvenile to whom the counselor or attorney has been assigned.

(4) There shall be no censorship of mail or written communication, except to check for contraband, unless there is sufficient reason to believe that the security of the center

is at risk. Suspect mail shall be opened by center staff in the presence of the addressee. If mail is to be read, the juvenile is to be informed in advance and present when the mail is opened. The reason for each occasion of censorship shall be documented and kept in the juvenile's record.

(5) Writing materials and postage for the purposes of correspondence shall be available to juveniles. Materials and postage for at least two letters per week shall be provided for each juvenile.

(6) Juveniles shall be provided access to the telephone to make and receive personal calls.

(7) First class letters and packages shall be forwarded after transfer or release of each juvenile.

(g) Transportation. Written policies and procedures shall govern the transportation of juveniles outside the center and from one jurisdiction to another.

(1) Transportation procedures and practice shall include, but not be limited to:

(A) Precautions to prevent escape during transfer; and

(B) documentation of current, appropriate licensure for each center driver.

(2) When the center is transporting juveniles, each transporting vehicle shall be center owned or leased and shall have a yearly safety check. A record of the yearly safety check and all repairs or improvements made shall be kept on file at the center.

(3) Each transporting vehicle operated by the center shall be equipped with an individual seat belt for the driver, each juvenile passenger and each additional passenger. The driver, each juvenile passenger and each additional passenger shall use the seat belts at all times.

(4) Smoking in the transporting vehicle shall be prohibited while juveniles are being transported.

(5) Juveniles shall be delivered to the designated destination by the most direct route.

(Authorized by and implementing K.S.A. 65-508; effective May 1, 1979; amended Aug. 23, 1993.)

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