

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-811. Caregiver qualifications; supervision.

(a) Caregiver qualifications. Each caregiver shall be qualified by the capacity for setting age- or developmentally-appropriate expectations for behavior, tasks and social activities necessary to maintain the health, comfort, safety, and welfare of children in foster care pursuant to K.S.A. 65-504 and 65-508, and amendments thereto.

(b) General supervision. Each licensee shall ensure that each child in foster care is supervised in accordance with the child's age, maturity, risk factors, and developmental level. Additional supervision shall be provided for any child in foster care of any age under any of the following conditions:

(1) The child has mental health issues that place the child at higher concern for risk-taking behaviors that could result in unintentional injury or death.

(2) The child is or would be a danger to self or others.

(3) The child functions below the child's chronological age level.

(4) The child is unable to provide for the child's basic physical needs due to physical, mental, emotional, medical, or developmental conditions.

(c) Substitute care and supervision. Each licensee shall ensure that substitute care and supervision are provided in the following situations:

(1) When a child in foster care is placed in substitute care during the absence of the foster parents, prior approval of the substitute care shall be given by the sponsoring child-placement agency. Prior approval shall not be required for short periods of substitute care, including a portion of one day.

(2) If the licensee is absent for more than 10 hours or for any period between the hours of midnight and six a.m., the substitute caregiver shall be at least 21 years of age and at least three years older than the oldest child in foster care.

(d) Self-care. Any child in foster care at least 12 years of age may be permitted to stay at home without adult supervision in accordance with a written self-care plan between the hours of six a.m. and midnight if all of the following requirements are met:

(1) The potential for self-care shall be identified and written approval shall be included in the child's case plan.

(2) Each licensee shall use reasonable and prudent parent standards when establishing a written self-care plan for the care and supervision of each child in foster care in the family foster home in the licensee's absence. The written self-care plan shall take into consideration the number of children in the home, the behavior, emotional stability, and maturity level of the children in the family foster home, and any neighborhood safety issues. The self-care plan shall include the frequency and duration of self-care authorized for each child. The self-care plan shall be approved by the sponsoring child-placement agency and the child's child-placing agent.

(3) Each child in self-care shall have immediate access to an operable communication device that ensures the ability to contact 911 and emergency contacts. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective June 7, 2024.)

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