Kansas Administrative Regulations

Department of Health and Environment

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

28-4-350. Definitions.

The following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

(a) "Center" means a detention center or a secure care center. It may be owned and operated by public or private entities and includes the staff and services as well as the buildings and grounds.

(b) "Corporal punishment" means any method of physical discipline which inflicts pain.

(c) "Detention" means the temporary care of alleged or adjudicated children in need of care or alleged or adjudicated juvenile offenders who require secure custody pursuant to the Kansas code for the care of children, K.S.A. 38-1501 et seq. and amendments thereto, or the Kansas juvenile offender code, K.S.A. 38-1601 et seq. and amendments thereto.

(d) "Detention center" means a juvenile detention facility as defined in K.S.A. 38-1502(i) and K.S.A 38-1602(f) and which requires a license pursuant to K.S.A. 65-501 et seq. Detention centers shall meet the requirements for licensure included in K.A.R. 28-4-351 through 360, unless specifically exempted.

(e) "Director" means the person responsible for the overall planning, organization, operation and fiscal management of the center. This person is directly responsible to the governing body.

(f) "Direct supervision" means physical presence of youth care staff in close proximity to allow for interaction and direct eye contact with juveniles.

(g) "Discipline" means the on-going process of helping children develop inner control so that they can manage their own behavior in a socially-approved manner.

(h) "Facility manager" means the person responsible for overseeing the daily operation of the center, including staff scheduling, food service, purchasing, housekeeping and maintenance.

(i) "Governing body" means the governing board of a private corporation or the designated policy-making committee of a public agency.

(j) "Intervention" means the use of certain skills or techniques for problem or conflict resolution or diffusion of anger.

(k) "Isolation" means removal of a juvenile from other juveniles to a separate locked room or quarters.

(l) "Juvenile" means a child or youth who is accepted for care in a detention or secure care center.

(m) "License" means a document issued by the Kansas department of health and environment which authorizes a public agency, person, corporation, firm, association or other organization to operate and maintain a detention center or a secure care center.

(n) "Non-secure facility" means a facility not characterized by the use of physically restricting construction, hardware and procedures and which provides the juveniles access to the surrounding community with minimal supervision.

(o) "Placing agent" means the person, social agency or court possessing the legal right to place a child.

(p) "Program" means the comprehensive and coordinated set of activities and social services providing for care, protection and development of juveniles while in the care of the center.

(q) "Program manager" means the person who is responsible for the overall development and implementation of the program and staff development.

(r) "Program personnel" means all persons directly involved with the development and implementation of the program.

(s) "Residential care" means 24 hour care.

(t) "Secure care center" means a secure youth residential facility, other than a juvenile detention center, used to provide care and treatment for alleged or adjudicated children in need of care pursuant to the Kansas code for the care of children. Secure

care centers shall meet the requirements for licensure included in K.A.R. 28-4-351 through 360, unless specifically exempted.

(u) "Secure facility" means a facility which is operated or structured to ensure that all entrances and exits from such facility are under the exclusive control of the staff, whether or not the juveniles have freedom of movement within the perimeters of the facility, or which relies on locked rooms and buildings, fences or physical restraint in order to control the behavior of the residents. No secure facility, other than a juvenile detention center, shall be attached to or on the grounds of an adult jail or lockup.

(v) "Staffing" means a special client-centered meeting regarding specific issues.

(w) "Temporary care" means residential care not to exceed 90 days.

(x) "Volunteer" means a person or community group that has an interest in providing supportive services to juveniles and offers to provide specific services without remuneration.

(y) "Youth care staff" means the program personnel whose primary responsibility is to implement the program on a daily basis, including direct supervision, interaction and protection of the juveniles.

(Authorized by K.S.A. 65-508; implementing K.S.A. 65-503; effective May 1, 1979; amended Feb. 26, 1990; amended Aug. 23, 1993.)

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