Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—School-Age Programs.

28-4-589. Behavior management.

(a) Behavior management practices.

(1) Behavior management practices shall be consistent with the goals and purposes of the program and appropriate to the age and developmental level of the child.

(2) Each staff member shall use behavior management practices that are designed to help each child develop inner controls and manage the child's own behavior in a socially acceptable manner.

(b) Time-out. If time-out is used to manage behavior, the child shall remain in time-out only long enough to regain self-control. Each child in time-out shall be kept under visual staff supervision. If a separate room is used, the door shall remain open, or the staff member responsible for providing supervision shall remain in the room with the child.

(c) Prohibited punishment. Punishment that is humiliating, frightening, or physically harmful to the child shall be prohibited.

(1) Prohibited methods of punishment. No applicant with a temporary permit, licensee,or any staff member shall use any of the following methods of punishment:

(A) Corporal punishment, including hitting with the hand or any object, shaking, pulling hair, yanking the arm, excessive exercise, exposure to extreme temperatures, and any other measure that produces physical pain or threatens the child's health or safety;

(B) mental and emotional cruelty, including verbal abuse, threats, derogatory remarks about the child or the child's family, or statements which tend to shame, humiliate, or frighten the child;

(C) confining the child in a play yard, a closet, a locked room or area, a box, or a similar enclosure;

(D) withholding or forcing foods or liquids, toilet use, or rest; and

(E) placing soap, or other substance that stings, burns, or has a bitter taste, in the child's mouth or on the tongue, or on any other parts of the child's body.

(2) Each applicant with a temporary permit, each licensee,and each staff member shall be prohibited from giving medications, herbal or folk remedies, or drugs to control or manage behavior except as prescribed by a licensed physician, physician assistant, or licensed nurse practitioner.

(3) Each applicant with a temporary permit, each licensee,and each staff member shall be prohibited from using physical restraint to manage behavior unless all of the requirements of subsection (d) are met.

(d) Emergency safety interventions.

(1) De-escalation methods shall be used when a child presents reasonably foreseeable danger of physical harm to that child or others. An emergency safety intervention shall be used only when a child presents immediate danger of physical harm to that child or others and when de-escalation methods are deemed inappropriate or ineffective. If an emergency safety intervention is used, two staff members shall be present and shall remain with the child until the immediate danger of physical harm ceases to exist.

(2) The following methods of emergency safety interventions shall be prohibited:

(A) The use of bonds, ties, or straps; and

(B) any positional restraint that restricts the airway or primary mode of communication, including prone and supine restraint.

(3) Each staff member using emergency safety interventions shall have a current certificate on file documenting training in de-escalation methods and specific intervention procedures or techniques. The training curriculum shall be approved by the secretary before the curriculum is used to train the staff members.

(4) Each child whose behavior cannot be managed by other less intrusive methods and whose behavior requires the use of ongoing physical restraint for the

child's own protection or the protection of others shall have on file an individualized program plan authorizing the use of physical restraint.

(5) Each applicant with a temporary permit and each licensee shall develop, implement, and review annually a written policy that governs the use of de-escalation methods and emergency safety interventions.

(Authorized by and implementing K.S.A. 2025 Supp. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended Sept. 4, 2026.)

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