

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-118. Behavior management.

(a) Each applicant, each permittee, and each licensee shall establish and implement written policies providing for a behavior management system that assists juveniles to develop inner control and manage their own behavior in a socially acceptable manner. The policy shall include expectations that are age-appropriate and allow for special abilities and limitations and positive and negative consequences related to each expectation.

(b) Each applicant shall establish written rules of juvenile conduct that define expected behaviors and related consequences.

(c) A rule book containing expected behaviors, ranges of consequences, and disciplinary procedures shall be given to each juvenile and staff member. An acknowledgment of receipt of the rule book shall be signed by each juvenile and kept in each juvenile's record.

(d) If a literacy or language problem prevents a juvenile from understanding the rule book, a staff member or translator shall assist the juvenile in understanding the rules.

(e) Each staff member shall be familiar with the rules of juvenile conduct, the rationale for the rules, and the intervention options available.

(f) Each permittee and each licensee shall ensure that each juvenile is protected against all forms of neglect, exploitation, and degrading forms of discipline.

(1) No staff member or volunteer shall use any of the following means or methods of punishment of a juvenile:

(A) Punishment that is humiliating, frightening, or physically harmful to the juvenile;

(B) corporal punishment, including hitting with the hand or any object, yanking arms or pulling hair, excessive exercise, exposure to extreme temperatures, and any other measure that produces physical pain or threatens the juvenile's health or safety;

(C) restricting movement by tying or binding;

(D) confining a juvenile in a closet, box, or locked area;

(E) forcing or withholding food, rest, or toilet use;

(F) mental and emotional cruelty, including verbal abuse, derogatory remarks about a juvenile or the juvenile's family, statements intended to shame, threaten, humiliate, or frighten the juvenile, and threats to expel a juvenile from the center; or

(G) placing any substance that stings, burns, or has a bitter or unpleasant taste in the juvenile's mouth or on the tongue or any other part of the juvenile's body as discipline.

(2) No staff member or volunteer shall make sexual remarks or advances toward, or engage in physical intimacies or sexual activities with, any juvenile.

(3) No staff member or volunteer shall exercise undue influence or duress over any juvenile, including promoting sales of services or goods, in a manner that would exploit the juvenile for the purpose of financial gain, personal gratification, or advantage of the juvenile, staff member, volunteer, or a third party.

(g) Each staff member and each volunteer shall be prohibited from using medications, herbal or folk remedies, and drugs to control or manage any juvenile's behavior, except as prescribed by a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or an advanced practice registered nurse.

(h) No juvenile shall be forced to participate in any publicity or promotional activities.
(Authorized by K.S.A. 65-536, 75-3084, and 75-3085; implementing K.S.A. 65-504, 65-508, and 65-536; effective June 7, 2024.)

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