

Filed 9-20-76

## M I N U T E S

Special Committee on Ways and MeansJune 24-25, 1976Members Present

Representative Wendell Lady, Chairman  
 Senator Wint Winter, Vice Chairman  
 Senator Billy Q. McCray  
 Senator T.D. Saar  
 Senator Robert Talkington  
 Representative Bill Bunten  
 Representative Keith Farrar  
 Representative Roy H. Garrett  
 Representative Richard L. Harper  
 Representative Mike Hayden  
 Representative John T. Ivy  
 Representative Irving Niles

Staff Present

Marlin Rein, Legislative Research Department  
 Louis Chabira, Legislative Research Department  
 Robert Epps, Legislative Research Department  
 Carl Tramel, Legislative Research Department  
 Mary Torrence, Revisor of Statutes Office  
 Jim Wilson, Revisor of Statutes Office  
 Bill Edds, Revisor of Statutes Office

June 24, 1976Morning Session

The Special Committee on Ways and Means was called to order June 24, 1976, at 10:00 a.m. by Chairman Lady.

Proposal No. 40 - Retirement Matters

Chairman Lady introduced Dr. John Mackin of Martin E. Segal Co., consulting actuary to the Kansas Public Employees Retirement System (KPERS). Dr. Mackin outlined three issues contained in a letter (attached) which he felt were essential to an overview of KPERS:

1. Funding on an actuarial basis;
2. Method by which its funding status could be improved; and
3. The relationship between employer and employee contributions.

In the discussion which followed, Dr. Mackin emphasized that different treatment for school and non-school retirants is an additional issue which the Committee needs to consider.

John Corkhill, Executive Secretary of KPERS, was then introduced by Chairman Lady. Mr. Corkhill brought to the Committee's attention an issue that was raised in the House Committee on Ways and Means during the 1976 session, i.e. participating employers. Specifically, several legal aid societies (in Wichita, Topeka, and possibly Kansas City) have expressed interest in becoming participating employers in KPERS. Other quasi-governmental entities may also wish to affiliate with KPERS if Legal Aid Societies were permitted to become participating employees. By merit of their being statutorily designated as instrumentalities of their member cities and counties respectively,

the League of Kansas Municipalities and the Kansas Association of Counties are presently participating employers under KPERS. Mr. Corkhill stated that in some states even unions have been accepted as participating employers. Thus the question posed is whether the definition of "participating employers" ought to be expanded and, if so, to what extent.

Another issue raised by Mr. Corkhill was the matter of the commencement date of benefits for school retirants. Some leave the payroll at the end of the academic year in May or early June and consequently do not begin to receive benefits or or about October. Chairman Lady pointed out that this problem exists primarily for administrators and non-certificated employees whose contracts expire prior to September 1. He suggested that an adjustment in the commencement date, from September 1 to June 1, would remedy the situation.

Finally, Mr. Corkhill asked that the Committee give consideration to adjusting the "three month rule" which stipulates that an employee must give three months' notice before commencing retirement. He stated that three months was not needed to process requests for retirement. Representative Niles proposed adding a proviso to the existing procedures whereby the employer and employee -- by mutual consent -- might agree on a retirement date.

The Committee recessed at 12:15 p.m.

#### Afternoon Session

The Committee reconvened at 1:45 p.m.

#### Proposal No. 41 - State Aid Programs to Local Facilities for the Care of the Mentally Ill, Retarded, and Alcoholic

Staff briefed the Committee on issues that might be considered in studying these programs, such as community autonomy, discrimination against "poorer" community facilities, and deinstitutionalization. Representative Hayden stated that a decline in population in the institutions, as a measure of success for the deinstitutionalization program, ought to be matched by a corresponding decline in funds needed. Chairman Lady responded by indicating that some costs, such as overhead, were relatively fixed and were unrelated to the number of those in the institutions. Moreover, there are approximately as many entering as leaving the institutions.

#### Proposal No. 42 - Review of Comprehensive Corrections Plan

Staff briefed the Committee on several issues that might be examined and distributed a report of findings and recommendations by Touche Ross and Co. The Committee decided to ask representatives of the Department of Corrections to appear before the Committee at the next meeting to explain the report and present its views. It was further agreed that a representative of the Governor's office would be asked to attend for the purpose of obtaining the Governor's recommendations on the matter.

#### Proposal No. 43 - Conservation of Energy at State Institutions

Staff distributed a study by Stone and Webster Management Consultants, Inc., of the energy resources at three state institutions; Kansas State University, Osawatomie State Hospital, and Wichita State University. It was agreed that Lou Krueger, State Architect, and Representative Vogel, who proposed this interim study, would be invited to appear at the next meeting to present their views.

#### Proposal No. 44 - Arson Detection

The Committee was advised that discussion of this proposal was scheduled for the June 25 meeting.

Proposal No. 45 - Survey of State Computer Capability

Staff described the survey instrument that is being mailed to state institutions operating or using computer facilities, including the colleges and universities, the Employment Security Division of the Department of Labor, and the Computer Services Division of the Department of Administration. An initial report will be provided to the Committee of the staff findings at the August meeting.

Proposal No. 46 - State Reimbursement for Day Care

The Committee was advised that discussion of this proposal was also scheduled for the June 25 meeting.

At 3:45 p.m. the Committee adjourned until 9:00 a.m., Friday, June 25, 1976.

June 25, 1976

The Special Committee on Ways and Means was called to order June 25, 1976, at 9:00 a.m. by Chairman Lady.

Proposal No. 44 - Arson Detection

Chairman Lady introduced L.M. "Bud" Cornish, Kansas Association of Property and Casualty Insurance Companies. Many of the insurance companies in the association, for whom Mr. Cornish spoke, also had representatives present. Mr. Cornish read from a prepared statement (see Attachment 3). Floyd Dibbern, State Fire Marshal, who was introduced after Mr. Cornish, also read from a prepared statement. (See Attachment 4.) Each statement was intended to demonstrate the need for improving the detection of arson and ultimately reducing its occurrence.

Representative Hayden commented on a statement made in Mr. Cornish's remarks to the effect that a portion of the fee fund for the Fire Marshal's office is transferred to the University of Kansas for the purpose of training firefighters and suggested that those funds would be better spent on additional inspectors skilled in arson detection. Representative Hayden questioned whether the transfer of funds is statutorily authorized.

Mr. Dibbern mentioned one problem his office was experiencing with local fire authorities is their failure, and in some cases refusal, to report fires to the State Fire Marshal's office as required by law. Representative Farrar mentioned the possible need for a punitive provision to ensure enforcement. Representative Hayden suggested this might be accomplished by regulation, rather than a change in the statutes.

Representative Farrar made inquiries into the possible use of insurance inspectors as arson detectors in order to supplement the limited number of such personnel in the Fire Marshal's office. Mr. Cornish responded by indicating that inspectors lack the technical expertise necessary to perform that function.

Proposal No. 46 - State Reimbursement for Day Care

After a few introductory remarks by Dwight Metzler, Secretary of the Department of Health and Environment, Dr. Patricia Schloesser, Director of the Bureau of Maternal and Child Health within the same department, explained the difference between day care centers and day care homes. The day care center generally cares for seven or more children; is usually a free-standing facility apart from a typical home; possesses substantially more equipment; and operates at a higher cost.

Discussion centered on the policy of limiting the number of children to four if a day care home cares for children below age two. Copies of the regulations governing day care centers and homes were distributed to members of the Committee. (See Attachments 5 and 6.) Representative Farrar expressed his opinion that some discretion should be given to parents in determining what constitutes satisfactory service. However, Dr. Schloesser and Shirley Norris, Day Care Licensing Supervisor of the Department of Health and Environment, agreed that the regulation was based on actual experience and ought to be left unchanged. Mrs. Norris assured the Committee that much flexibility in the regulations already exists. For example, she stated that not all day care homes are licensed for the maximum number and the number of children allowed in a home depends on the individual facility and the training and size of its staff.

Dr. Robert Harder, Secretary of Social and Rehabilitation Services, was introduced next, along with Barbara Sabol, Director of the Division of Services to Children and Youth within the same department. Dr. Harder read from a prepared statement (see Attachment 7) to explain social welfare's commitment to the day care program. The Department of Social and Rehabilitation Services, for example, requires that day care centers and homes be licensed in order to make them eligible for payments from SRS.

Representative Hayden expressed interest in removing those who can be self-supporting from the welfare rolls, requesting at the same time the specific number of those who would fall in this category. Chairman Lady stated his opinion that the problem was unresolved largely because of a lack of work skills by mothers on welfare.

Dr. Harder gave a brief accounting of the extent to which SRS funds the day care program, mentioning \$150,000 invested in the effort to keep as many as possible off public assistance. Frankie Gibson of the Wichita Child Day Care Association urged the Committee to undertake a comprehensive review of the program, believing that public day care support funds are totally inadequate. Dr. Harder replied that SRS would increase its rates if the Legislature so desired and would fund the necessary increases.

The meeting was adjourned at 12:20 p.m. with approval by the Committee to meet again on July 15, 1976, at 10:00 a.m.

Prepared by Louis Chabira

Approved by the Committee on:

Sept. 4, 1976  
(Date)  
Wendell Lady  
(Chairman)

OTHERS PRESENT AT MEETING

June 24, 1976

John Corkhill, Executive Secretary, Kansas Public Employees Retirement System  
Marshall Crowther, Attorney, Kansas Public Employees Retirement System  
Jack Hawn, Chief of Benefit Section, Kansas Public Employees Retirement System  
Dr. John Mackin, Martin E. Segal Co.

June 25, 1976

L.M. "Bud Cornish, Kansas Association of Property and Casualty Insurance Companies  
Floyd Dibbern, State Fire Marshal  
Frankie Gibson, Wichita Child Day Care Association  
Dr. Robert Harder, Secretary of Social and Rehabilitation Services  
Dwight Metzler, Secretary of the Department of Health and Environment  
Shirley Norris, Bureau of Maternal and Child Health, Department of Health and  
Environment  
Barbara Sabol, Director of Services to Children and Youth, Social and Rehabilitation  
Services  
Dr. Patricia Schloesser, Director of the Bureau of Maternal and Child Health,  
Department of Health and Environment

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JUN 17 1976

Mr. John K. Corkhill  
 Executive Secretary  
 Kansas Public Employees Retirement System  
 400 First National Bank Tower  
 One Townsite Plaza  
 Topeka, Kansas 66603

Dear John:

This letter describes the method of funding KPERS on an actuarial reserve basis, reviews the consistent improvement in the funded status of KPERS, and comments on the distribution of the normal cost between employers and employees.

#### Funding Method

KPERS is being funded on a sound actuarial basis by employee contributions of 4% of salary and actuarially-determined employer contributions. The employer contribution rates to be applied to the compensation of non-school and school employees are certified by the Board of Trustees each year based on actuarial valuations.

Separate actuarial valuations of the non-school and school groups are prepared annually to determine the employer contribution rates required to "pay all liabilities which shall exist or accrue under the system, including amortization of the past service cost over a period of not to exceed forty (40) years from the entry date and the cost of administration" (K.S.A. 74-4920). The total contribution rates for participating employers -- comprised of the normal cost, the amortization payment, the cost of administration, and the group insurance rate (presently .6%) -- have varied as follows in recent years:

<u>Fiscal Years Commencing in</u>	<u>Non- School*</u>	<u>School</u>
1973	6.4%	4.7%
1974	7.1	5.6
1975	7.4	5.8
1976	7.3	7.9
1977	6.7	7.3

\* In this letter, all references to non-school members exclude TIAA members.

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The unfunded accrued liabilities attributable to non-school and school members are being amortized over 40 years from each employer's entry date (for example, January 1, 1962 for the State with respect to non-school employees and January 1, 1971 for all employers of school employees). At a participating employer's entry date, calculations are made based on the entry age normal cost method to determine the past service liability attributable to employees who have prior service. Under the funding method used for KPERS - entry age normal cost method with frozen initial liability - the total past service or unfunded liability represents the value of all future benefits less the value of: (a) expected future normal cost contributions plus (b) assets on hand.

Each year the total unfunded liability of both the non-school and school groups are: (1) decreased by employer contributions received toward amortization of the liability, and (2) increased by the past service liability attributable to employees of new participating employers. The unfunded liability is also adjusted to take account of: (1) improvements in prior service benefits, and (2) changes in the interest assumption.

Because the unfunded liability is essentially frozen, actuarial gains and losses are reflected in the employer normal cost rate. If KPERS experiences a net actuarial loss during a year, the employer normal cost rate will increase; this rate will decline in the event of a net actuarial gain.

From 1971 to 1975 the total unfunded liabilities attributable to the non-school and school groups have declined as shown below:

<u>Valuation as of June 30</u>	<u>Unfunded Accrued Liabilities</u>	
	<u>Non-School</u>	<u>School</u>
1971	\$53,663,900	\$195,170,500
1972	53,115,300	193,295,600
1973	52,875,200	191,340,500
1974	43,223,400	181,631,300
1975	43,723,200	179,790,900

Funded Status

As compared with other large state retirement systems, KPERS is well funded and is paying off its liabilities on a sound, systematic basis. For the non-school group, the 1975 funded ratio of 80% is higher than the funded ratios of most other state retirement systems. For the school group the funded ratio is lower because a program of actuarial reserve funding has been in effect for only five years (the Kansas School Retirement System under which school employees were covered before 1971 was financed on a pay-as-you-go basis).

The schedule below shows that as of June 30, 1975 approximately 80% of the accrued benefit liabilities for non-school employees were funded; the comparable ratio for school employees was 46%. More importantly, the schedule also shows that the funded ratios for both coverage groups have increased in each of the past five years.

<u>Valuation as of June 30</u>	<u>Funded Ratios (assets over assets plus unfunded liability)</u>	
	<u>Non-School</u>	<u>School</u>
1971	64%	29%
1972	69	32
1973	72	37
1974	78	42
1975	80	46

The funded status of KPERS can also be evaluated by comparing assets to total liabilities in the unlikely event that KPERS was terminated. Although such ratios have less significance for large state retirement systems than for private pension plans, we have developed the following schedule which shows the "funded ratio on a termination basis" for the non-school and school groups as of June 30, 1975:

	<u>Non-School</u>	<u>School</u>
Assets	\$175,825,400	\$155,337,200
Present value of all vested benefits	232,338,600	324,300,200
Funded ratio on termin- ation basis (assets over present value of all vested benefits)	76%	48%



### Distribution of Normal Cost

When KPERS was first established in 1961, we understand that the basic concept with respect to the financing of the Retirement System was:

1. The liability for prior service would be paid for by participating employers; and
2. The normal cost (or the on-going cost for participating service) would, in general, be equally shared by employees and employers.

This original concept of sound actuarial funding has been consistently maintained during the first 15 years of KPERS operations. The State Legislature has improved benefits on several occasions and, at the same time, has acted very responsibly in maintaining the original concept of funding the Retirement System on a sound actuarial basis.

Prior to 1968 the employee contributions of 4% of salary represented more than 50% of the total normal cost. During this period the employer normal cost averaged less than 2% of payroll. Primarily as a result of the distribution of costs between employees and employers, benefits were improved substantially in 1965 and again in 1968.

- In 1965 the prior service benefit was increased from 1/2% to 3/4% of prior service annual salary for each year of prior service.
- In 1968 both prior and participating service benefits were increased -- from 3/4% to 1% of prior service annual salary for each year of prior service, and from 1% to 1-1/4% of final average salary for each year of participating service.

The legislation enacted in both 1965 and 1968 provided that the benefits being paid to members already retired would be recalculated by applying the improved benefit formulas to their prior and participating service credits. The 1965 Legislature also passed legislation which authorized the KPERS Board of Trustees to establish a program of insured death and disability benefits. Since it began operations on January 1, 1966, the KPERS Group Insurance Program has been financed solely by employer contributions, which on July 1, 1975 were increased from 0.5% to 0.6% of payroll.

To compensate retirees for the erosion in the purchasing power of retirement benefits caused by rising prices, legislation was enacted in both 1972 and 1973 to provide one-time post-retirement benefit increases. The 1972 legislation provided a 5% increase in benefits, effective July 1, 1972, to all KPERS retirants who retired before July 1, 1971. Effective July 1, 1973 the benefits being paid to KPERS non-school retirants who retired before 1971 were increased by graduated cost-of-living percentages ranging from 2% for those who retired in 1970 to 32% for those who retired before 1964.

Both the 1972 and 1973 post-retirement increases were financed by employer normal cost contributions, i.e., the cost was reflected in the employer normal cost rate rather than adding the liability for post-retirement increases to the System's unfunded accrued liability. These two post-retirement increases have jointly resulted in an increase in the employer normal cost rate of about 0.4% of payroll.

The schedule below shows the employer normal cost rate and the total employer contribution rate for KPERS non-school employees for each of the past 10 years.

<u>Actuarial Valuation</u> <u>as of June 30</u>	<u>Employer Normal</u> <u>Cost Rate</u>	<u>Total Employer</u> <u>Contribution Rate*</u>
1966	1.634%	4.5%
1967	1.806	5.8
1968	3.508	6.1
1969	3.613	6.1
1970	3.732	6.0
1971	4.334	6.4
1972	4.982	7.1
1973	5.299	7.4
1974	5.548	7.3
1975	4.959	6.7

\* Rate applies to fiscal years commencing in the calendar year which begins 18 months after the valuation date -- for example, the 1975 valuation is the basis for Board certification of the employer contribution rate for fiscal years commencing in 1977.

*Should be 3.75*

1975 - 3.75

Based on the last five annual actuarial valuations, the employer normal cost rate for KPERS non-school employees has ranged from 4.3% to 5.5% of payroll. Although the employer normal cost has exceeded the 4% employee contribution rate in recent years, it was roughly half of the employee contribution rate during the first six years of KPERS operations. Over the full 15-year history of KPERS, the distribution of the total normal cost between employees and employers has generally conformed with the original concept of equal sharing.

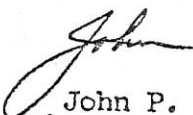
It should be noted, however, that the enactment of one-time post-retirement benefit increases on a regular or periodic basis will result in higher employer normal cost rates (assuming that future post-retirement increases are funded solely by employer normal cost contributions as in 1972 and 1973). The Legislature would then need to decide if the increases in the employer normal cost resulting from post-retirement benefit increases had the long-term effect of disproportionately shifting the normal cost to employers. Similarly, if the Retirement System experiences net actuarial losses during the next few years (because actual experience is less favorable than anticipated for purposes of actuarial valuations), the employer normal cost rate will increase -- such a development may prompt the Legislature to consider increasing the employee contribution rate so as to maintain a "reasonable" distribution of the total normal cost between employers and employees.

\* \* \*

If it is desired by the Special Committee on Ways and Means, I will be pleased to review this letter at the June 24th meeting of the Committee. At that time, we could also discuss the implications of reducing the employee contribution rate - bearing in mind that such a change would modify the original concept of equal sharing.

I look forward to seeing you on the 24th.

Sincerely,

  
John P. Mackin

## STUDY PROPOSAL NO. 44

## ARSON DETECTION

Presentation by

Kansas Insurance Industry Arson Study Committee

June 25, 1976

We appear as the representative of the Kansas fire insurance industry. A number of months ago Kansas insurance companies, noting an alarming increase in the arson incidence in this state, formed an arson detection study committee. Many of its members are present here this morning. Preliminary studies reveal that Kansas, like other states, has a serious arson problem.

Statistics indicate that criminal arson has reached epidemic proportions nationwide and in the state of Kansas. The magnitude of incendiary fire losses make this a major property crime with the dollar loss exceeding that of all robberies and of losses from all automobile thefts. Available statistics indicate that arson accounts for between 20% and 30% of all building fire losses.

During recent years arson has become the fastest growing - and most costly crime in this country. The number of known arson fires rose from 30,000 in 1964 to over 100,000 in 1974. The number of arson fires more than tripled during this period. In addition the property losses caused by these fires rose from \$68 million dollars in 1964 to \$350 million dollars in 1974, an increase of 500% (note Exhibit A attached). Although these are nationwide figures there is nothing to indicate that Kansas is any exception to this rapid increase in arson fire loss.

The National Fire Protection Association reports that 1974 arson losses increased 12% over 1973. This same organization also reports that 27% of all fires in the year 1971, causing at least \$250,000 in damages, were set by arsonists.

Last year the State Fire Marshal of Missouri stated that of the approximately 10,000 fires in that state during the year that 26.5% were caused by arson. He further stated that approximately 50% of the fires designated as "unknown origin" were actually arson.

In its report entitled "America Burning" a Presidential Advisory Commission estimated that in 1974 as a result of all fires in the United States there occurred an annual loss of \$12 billion dollars in resources, 12,000 lives, and thousands injured.

These figures, when placed along side of current estimates that 30% of all fires are arson, indicate arson is causing 3.5 billion dollars in losses and killing 3,500 persons each year.

Arson is a violent and costly crime and the arsonist is not being apprehended and convicted.

The Presidential Advisory Commission, after two years of study, found that the public seems largely indifferent to the problem. According to its findings about 4.5% of the persons believed to have committed arson during the last five years were arrested, and of this number less than one percent were convicted.

Attached as Exhibit B is a statistical break down prepared by the office of the State Fire Marshal which sets out the number of fires of suspicious origin investigated

by the State Fire Marshal during the years 1971 thru 1975. Less than 50% of these investigations resulted in findings of arson. Even more significant, however, it will be noted that in 1975 only 11% of the persons involved in a known set fire were charged with the crime of arson. In 89% of the cases, even though these fires were found to be set, there were no charges filed because of lack of sufficient evidence.

It is the view of the insurance industry study committee that this low rate of arrests and even lower rate of convictions results from a critical shortage of trained arson investigators within the office of the State Fire Marshal, which is the agency charged with the detection and apprehension of criminal arsonists. Not only is the State Fire Marshal understaffed in the investigating field, we believe he is also operating without adequate legal personnel and law enforcement authority.

When there is a bank robbery in a Kansas community and \$10,000 is taken, the law enforcement mechanism is quickly called into action and KBI, FBI and local and county law enforcement officials quickly cordon off and road block the area and no stone is left unturned to apprehend these criminals. Newspaper headlines, radio and TV publize this notorious act.

Conversely, however, when there is a quarter of million dollar criminal arson fire, local law enforcement officials very often shrug their shoulders, the law enforcement officials and fire fighters are frequently at odds, there is a small "2" squib on the back page of the local newspaper, and soon the matter is forgotten.

Our purpose in appearing before this committee is to present the arson detection problem as we see it, together with several suggested solutions. We recognize that further

study must be had of this serious problem.

Because of its lack of arson investigators the office of the State Fire Marshal has been unable to conduct an adequate investigation of reported arson or suspicious fires and respond effectively to reports of criminal arson. The result is that the hurried investigator arrives at the scene too late at a time when it is difficult, if not impossible, to uncover evidence. Because of the press of other calls he can give the investigation only "a lick and a promise" before hurrying on to investigate other reported incidents.

We wish the record to be clear that we do not intend that our statements be critical of Floyd Dibbern, the current State Fire Marshal. We believe he is doing the best job he can with the limited manpower and authority available.

In addition to an increase in the trained arson investigators we believe the office of fire marshal also should have the service of a full time attorney to assist and work with these arson investigators in assembling the evidence necessary to prove criminal arson. This would be of great aid to the respective sheriffs and county attorneys. Needless to say, arson investigation and prosecution is a highly specialized area. It has been our experience in this area that because of the lack of expert background local law enforcement officials are often hesitant to become involved in the investigation and prosecution of arson cases. The difficulty is that very seldom does one catch the arsonist with torch in hand. Criminal arson convictions must be obtained through circumstantial evidence which requires a careful, slow and methodical investigation, putting together fact after fact and point after point.

Our third suggestion is that the State Fire Marshal be given statewide law enforcement authority with the power of arrest and the statutorily required cooperation of all law enforcement officials. To this end we suggest an amendment to K.S.A. 31-137 requiring all incidents of suspicious fires to be reported to him promptly. A suggested amendment is attached as Exhibit C.

#### NEED FOR KANSAS IMMUNITY STATUTE

We believe there is a need for more credible Kansas fire and arson statistics. Insurance companies have been hesitant in recent years to furnish statistics and names suggesting "suspicious" or arson fires for fear of being sued for libel or slander. Several other states have enacted an immunity statute and we attach our suggestion as Exhibit D.

#### CURRENT FINANCING OF OFFICE OF STATE FIRE MARSHAL

The members of this committee are aware that the fire insurance companies doing business in Kansas pay a gross tax on premium income and a privilege or income tax. In addition fire insurance companies also pay 2% of their fire premiums into a Firemen's Relief Fund and up to .75% of 1% of fire insurance premiums for the support of the office of the State Fire Marshal. This tax is the entire support of the office of the state fire marshal and the statutory authority is found in K.S.A. 75-1508 and 75-1509. K.S.A. 75-1508 provides that each fire insurance company doing business in this state shall pay annually in addition to all other taxes and fees, an amount of not more than 3/4ths of 1% of its gross cash premiums on business during the preceeding year. During the past six years this has amounted to the following:



YEAR	LEVY	TOTAL TAX	80% TO FIRE MARSHAL	20% TO GENERAL FUND
1975	.65	\$505,161.75	\$404,129.40	\$101,032.35
1974	.65	\$405,827.35	\$325,661.86	\$ 81,165.49
1973	.65	\$386,138.44	\$308,910.57	\$ 77,227.69
1972	.65	\$357,761.57	\$286,209.26	\$ 71,552.31
1971	.65	\$286,749.25	\$229,399.40	\$ 57,349.85
1970	.65	\$283,618.76	\$226,895.02	\$ 56,723.74

K.S.A. 75-1509 provides that all expenditures from the fire marshal fee fund shall be pursuant to vouchers approved by the state fire marshal.

It is our understanding that there is a surplus balance of approximately \$350,000 in the fire marshal's fee fund at this time.

ALLOCATION TO KANSAS UNIVERSITY FROM THE  
STATE FIRE MARSHAL FEE FUND

Beginning in 1971 (with \$25,000) the legislature has appropriated each year from the fire marshal fee fund and allocated to the University of Kansas the following sums:

1974	\$52,020	(the allocations for years 1972 and 1973 were not available at writing.)
1975	\$57,220	
1976	\$63,959	
1977	\$75,290	

This money is being used to finance a firemens training course sponsored by the University Extension Service. This allocation we understand was at the outset intended to be of a temporary nature.

We believe a more proper method of funding this educational institution would be by line item in its budget, not in a manner contrary to the purpose of the tax from which the money is raised. We believe the current surplus on hand and all future funds of the fire marshal fee fund should be used to finance seriously needed improvements in the office of the state fire marshal.

K.S.A. 75-1508 provides:

"For the purpose of maintaining the department of state fire marshal and the payment of the expenses incident thereto each fire insurance company doing business in this state shall pay (a) . . . levy as . . . made by the state fire marshal (of) . . . not . . . more than 3/4ths of one percent of . . . premiums . . . on all fire business transacted by it in the state of Kansas. . ."

K.S.A. 75-1509 provides:

"All expenditures from such fund shall be made . . . pursuant to vouchers approved by the state fire marshal . . ."

Certainly the annual appropriation is contrary to the taxing statutes.

#### CONCLUSION

We believe additional effective law enforcement is urgently needed in the field of arson detection. Arson causes loss to everyone except the arsonist. Policyholders must pay higher premiums as insurance companies attempt to recoup their losses in order to remain solvent. Taxpayers lose too. They must assume a greater tax burden when the taxes paid by damaged or destroyed buildings are transferred to other property in the community.

Respectfully submitted,

KANSAS INSURANCE INDUSTRY ARSON  
STUDY COMMITTEE

C. L. CHRISTIAN  
General Manager  
Great Plains Mutual Insurance Company  
Salina, Kansas 67401  
Chairman

HILDING ANDERSON  
Vice-President and General Manager  
Farm Bureau Mutual Ins. Co.  
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WALLACE LIBBY  
Secretary - Manager  
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Secretary-Legal Department  
The Western Companies  
Ft. Scott, Kansas 66701

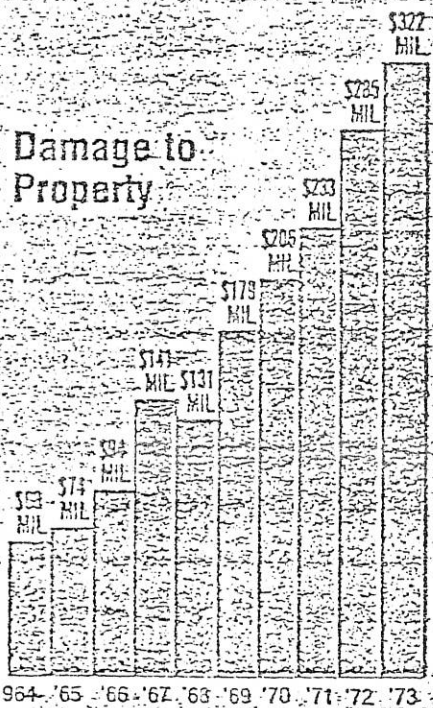
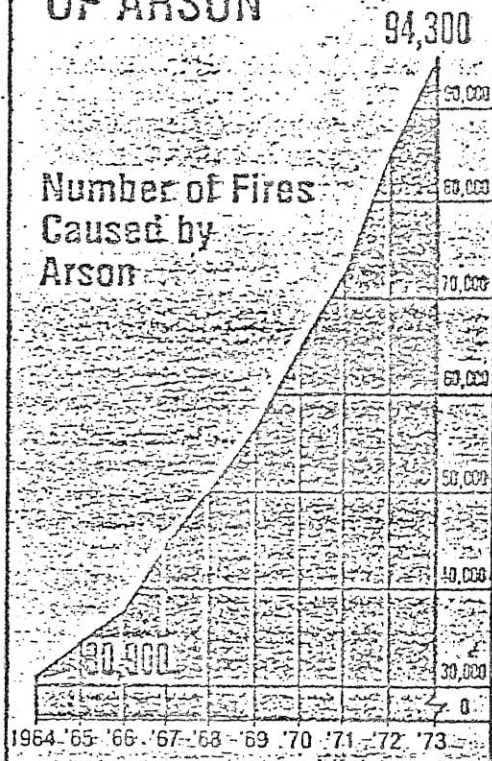
LEIGH WARNER  
Chairman  
Cimarron Insurance Company  
Cimarron, Kansas 67835

RUSSELL L. REINICKER  
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# THE RAPID SPREAD OF ARSON



In 1974, insurance experts estimate that more than 100,000 fires were set by arsonists and caused at least 350 million dollars in property losses.

Source: Through 1973, National Fire Protection Association.  
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	<u>1975</u>	<u>1974</u>	<u>1973</u>	<u>1972</u>	<u>1971</u>
Total number of fires investigated by Fire/ Arson Investigators	272	237	269	306	23
Number of fires found to have been set by some person or persons:	114	99	116	127	11
Persons involved in the above fires	154	129	131	140	12

The fires which were set by some person or persons are as follows:

Cases in which arson charges were filed	18	27	28	17	2
No charges filed for lack of evidence	96	72	88	110	87
Mental cases	4	6	3	8	5
Juvenile cases	22	35	28	15	12
Charged with malicious destruction of property	1	0	4	2	5

1975

Damage to buildings	4,077,780
Damage to contents	1,561,565
Damage to vehicles	97,840
	<u>5,737,185</u>

It is suggested that the following be added to K.S.A. 31-137:

Provided, however, that in the event there is reason to believe that any fire or explosion was of an incendiary origin or was an attempt to defraud an insurance company such incident shall be immediately reported to the State Fire Marshal.

EXHIBIT "C"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF  
KANSAS:

a. In the absence of fraud or malice, no fire insurance company, statistical and reporting organization or person who furnishes information in accordance with the provisions of K.S.A. 40-903 and K.S.A. 40-904, shall be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken that is necessary to supply such information.

b. The State Fire Marshal may request any fire insurance company investigating a fire loss of real or personal property in this state to release any information in its possession relative to such loss. Such company shall release the information and cooperate with any official of the office of State Fire Marshal authorized to request such information and such company, or any one acting in its behalf, shall not, in the absence of malice or bad faith, be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken that is necessary to supply such information.

REPORT TO THE SPECIAL COMMITTEE  
ON WAYS AND MEANS

(The contents of this report have been presented to Governor Robert F. Bennett

Gentlemen:

Arson has become a nationwide problem. Kansas is no exception. Record reporting and filing procedures in the Fire Marshal office in the past have been very inadequate. Record reporting and filing is being upgraded so that our records will become more accurate for decision making.

The State Fire Marshal arson unit has not changed since it started with four (4) men in 1948.

K.S.A. 31-137 requires the state arson investigators "To make any investigations deemed necessary of any fire or investigation of any fire or explosion occurring within this state, or an attempt to cause any fire or explosion within this state, if there is reason to believe that the fire was of an incendiary origin or was an attempt to defraud an insurance company."

Using the information that we have available we recommend the following: The State to be divided into six (6) territories with one investigator in each territory with an additional investigator in two of the territories which are more populace, these being the



territories of the Wichita area and the Topeka-Kansas City area. One man should be assigned to be in charge to coordinate all investigations and check on the quality of investigations. As it stands now each man is on his own only reporting to the office of his location and stating what case he is working on. When we read their final reports we are not sure that all leads have been followed through properly. An arson unit needs direct supervision.

We find that with four men covering the state they spend the greatest share of their time traveling, not only traveling for the investigation but if a person is charged in District Court in their home county it means our men have to travel to that county to testify which consumes a lot of time.

To put this program into effect, it would require five (5) additional men. We recommend that the Chief Arson Investigator live in the Topeka area to be close to and work out of the office. We recommend that the salary range be changed from Range 17 to Range 22 which would be in line with our neighboring states. We have made inquiries of the neighboring states. This salary range would also allow us to ask for better qualified people and to relocate if necessary. To list the cities where we recommend placement of investigators are as follows: 1 man in Hays, 1 man in Garden City, 1 man in Salina,

1 man in Wichita, 1 man in Augusta, 1 man in Yates Center; 2 men in Topeka and 1 man in Kansas City. (map enclosed marked with territories and asterisk for personnel placement).

We recommend a mobile laboratory utilizing one of the Topeka investigators to operate same. We find that the agencies which have laboratories are so crowded with their own work there is too long of a delay to get our specimens processed.

We recommend a continual training program for the investigators where each man would attend at least one school or seminar per year.

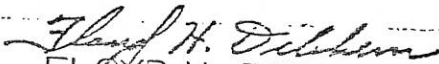
The estimated added operational cost for this program is as follows:

Maximum travel and lodging expense	\$ 446.00 per mo
12 months	\$ 5,352.00
Starting salary \$969.00 per mo.	
12 months	\$ 11,628.00
Total wages and expenses for new men	\$ 16,980.00 per yr.
Five new men total	\$ 84,900.00 per yr.
Four existing men change from range 17 to range 22 at present step would total \$13,560.00 per year.	
9 men @ \$600.00 per year for continued education	\$ 5,400.00
Total additional operating expense	\$ 103,860.00
Estimated mobile laboratory	\$ 30,000.00

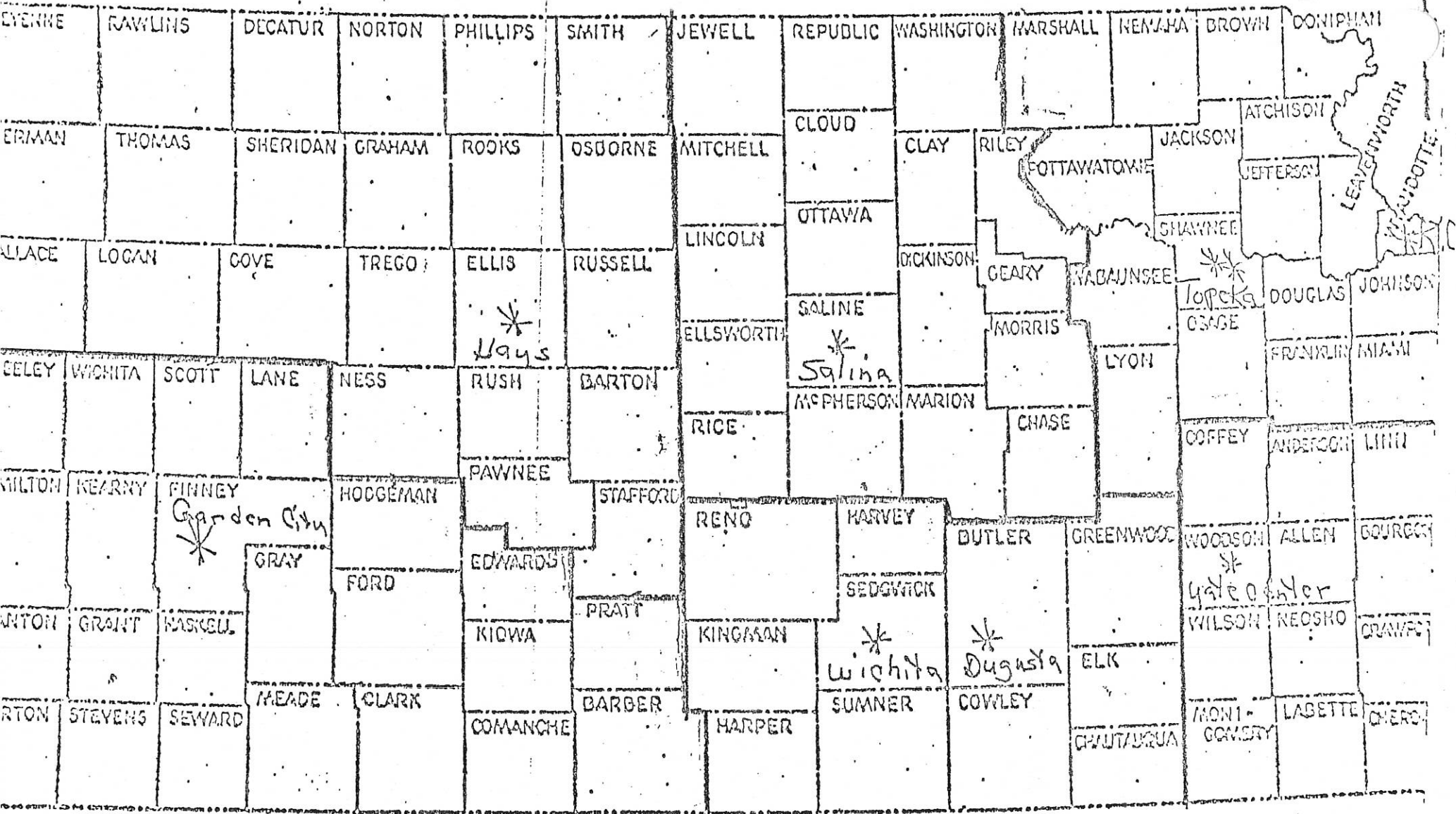
Ways and Means  
Page 4

We feel that an effective arson program should benefit the policy holders as well as the insurance companies. The solving of more cases with more persons being charged and a higher conviction rate should reduce arson fires.

Sincerely,

  
FLOYD H. DIBBERN  
State Fire Marshal

fhd:eb  
enclosure



Six proposed arson territories  
 Asterisk denotes home base for each investigator

IOWA

Fire Marshal Wilbur Johnson

8 arson investigators  
16 building inspectors

Arson investigators starting salary  
Top salary

935.00 per mo  
\$1,550.00 per mo

OKLAHOMA

Fire Marshal Jack Sanders  
Asst. Fire Marshal John Guest

12 field men—all work arson as much as needed.

Beginning salary  
Top Salary  
With Longevity

935.00 per mo  
1,245.00 per mo  
1,430.00 per mo

NEBRASKA

Acting Fire Marshal Charles Herbst

12 Deputy State Fire Marshals—work arson as much as needed.

Beginning salary  
Top Salary

839.00 per mo  
1,149.00 per mo

MISSOURI

Just started two years ago  
4 Arson Investigators—asking for more

Starting salary  
Top salary

1,050.00 per mo  
unknown

## ESTIMATE OF MOBILE LABORATORY

Information was obtained from the State of Ohio Arson unit as to the cost of putting together a mobile laboratory. The basic equipment is listed below:

Vehicle to house Lab	open	
Gas Chromatograph with flame ionization detector (min)		\$5,500.00
Graphic Recorder	"	1,500.00
Electrical pump type combustible gas meter	"	1,000.00
Chemical supplies	"	1,000.00
Helium tanks & Hydrogen tanks		leased
Syringes @ \$35.00		350.00
Camera equipment		open

Range No.	Step D			Step C			Step D			Step E			Step F	
	MO. Rate	Annual Salary	Mo. Rate	Annual Salary	Mo. Rate	Annual Salary	Mo. Rate	Annual Salary	Mo. Rate	Annual Salary	Mo. Rate	Annual Salary	Mo. Rate	Annual Salary
3	\$ 2.42	\$ 420		\$ 5,040		\$ 455	\$ 5,460	\$ 475	\$ 5,700	\$ 495	\$ 5,940	\$ 539	\$ 6,204	\$ 539
4	2.52	436		5,232		475	5,700	495	5,940	517	6,204	539	6,468	563
5	2.63	455		5,460		495	5,940	517	6,204	539	6,468	563	6,756	588
6	2.74	475		5,700		517	6,204	539	6,468	563	6,756	588	7,056	613
7	2.86	495		5,940		539	6,468	563	6,756	588	7,056	613	7,356	640
8	2.98	517		6,204		563	6,756	588	7,056	613	7,356	640	7,680	668
9	3.11	539		6,468		588	7,056	613	7,356	640	7,680	668	8,016	701
10	3.25	563		6,756		613	7,356	640	7,680	668	8,016	701	8,412	733
11	3.39	588		7,056		640	7,680	668	8,016	701	8,412	733	8,796	767
12	3.54	613		7,356		668	8,016	701	8,412	733	8,796	767	9,204	803
13	3.69	640		7,680		701	8,412	733	8,796	767	9,204	803	9,636	843
14	3.85	668		8,016		733	8,796	767	9,204	803	9,636	843	10,116	883
15	4.04	701		8,412		767	9,204	803	9,636	843	10,116	883	10,596	925
16	4.23	733		8,796		803	9,636	843	10,116	883	10,596	925	11,100	969
17	4.43	767		9,204		843	10,116	883	10,596	925	11,100	969	11,628	1,015
18	4.63	803		9,636		883	10,596	925	11,100	969	11,628	1,015	12,180	1,064
19	4.86	843		10,116		925	11,100	969	11,628	1,015	12,180	1,064	12,768	1,116
20	5.09	883		10,596		969	11,628	1,015	12,180	1,064	12,768	1,116	13,392	1,170
21	5.34	925		11,100		1,015	12,180	1,064	12,768	1,116	13,392	1,170	14,040	1,227
22	5.59	969		11,628		1,064	12,768	1,116	13,392	1,170	14,040	1,227	14,724	1,287
23	5.86	1,015		12,180		1,116	13,392	1,170	14,040	1,227	14,724	1,287	15,444	1,349
24	6.14	1,064		12,768		1,170	14,040	1,227	14,724	1,287	15,444	1,349	16,188	1,414
25	6.44	1,116		13,392		1,227	14,724	1,287	15,444	1,349	16,188	1,414	16,968	1,483
26	6.75	1,170		14,040		1,287	15,444	1,349	16,188	1,414	16,968	1,483	17,796	1,554
27	7.08	1,227		14,724		1,349	16,188	1,414	16,968	1,483	17,796	1,554	18,648	1,630
28	7.43	1,287		15,444		1,414	16,968	1,483	17,796	1,554	18,648	1,630	19,560	1,709
29	7.78	1,349		16,188		1,483	17,796	1,554	18,648	1,630	19,560	1,709	20,508	1,792
30	8.16	1,414		16,968		1,554	18,648	1,630	19,560	1,709	20,508	1,792	21,504	1,880
31	8.56	1,483		17,796		1,630	19,560	1,709	20,508	1,792	21,504	1,880	22,560	1,971
32	8.97	1,554		18,648		1,709	20,508	1,792	21,504	1,880	22,560	1,971	23,652	2,069
33	9.40	1,630		19,560		1,792	21,504	1,880	22,560	1,971	23,652	2,069	24,828	2,171
34	9.86	1,709		20,508		1,880	22,560	1,971	23,652	2,069	24,828	2,171	26,052	2,278
35	10.34	1,792		21,504		1,971	23,652	2,069	24,828	2,171	26,052	2,278	27,336	2,389
36	10.85	1,880		22,560		2,069	24,828	2,171	26,052	2,278	27,336	2,389	28,668	2,506
37	11.37	1,971		23,652		2,171	26,052	2,278	27,336	2,389	28,668	2,506	30,072	2,629
38	11.94	2,069		24,828		2,278	27,336	2,389	28,668	2,506	30,072	2,629	31,548	2,759
39	12.53	2,171		26,052		2,389	28,668	2,506	30,072	2,629	31,548	2,759	33,108	2,894
40	13.14	2,278		27,336		2,506	30,072	2,629	31,548	2,759	33,108	2,894	34,728	3,037
41	13.78	2,389		28,668		2,629	31,548	2,759	33,108	2,894	34,728	3,037	36,444	3,187
42	14.46	2,506		30,072		2,759	33,108	2,894	34,728	3,037	36,444	3,187	38,268	3,347
43	15.17	2,629		31,548		2,894	34,728	3,037	36,444	3,347	38,268	3,347	40,212	3,517
44	15.92	2,759		33,108		3,037	36,444	3,347	38,268	3,517	40,212	3,517	42,288	3,697

ing within any building, mobile home, tent or other structure, or any motor vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony or theft therein.

Burglary is a class D felony. [L. 1969, ch. 180, § 21-3715; July 1, 1970.]

Revisor's Note:

For Source or Prior Law and Judicial Council comment, see 21-3716.

CASE ANNOTATIONS

Annotation to K. S. A. 21-520:

1. Alleged trial court errors discussed; conviction upheld. State v. Hamrick, 206 K. 543, 544, 479 P.2d 854.

Annotations to 21-3715:

2. Mentioned on interlocutory appeal questioning order suppressing evidence. State v. Boyle, 207 K. 833, 836, 486 P.2d 849.

3. Error to fail to give instruction limiting scope of evidence of prior conviction. State v. Rambo, 208 K. 929, 495 P.2d 101.

4. Conviction upheld; illegal arrest will not invalidate conviction without prejudice; evidence sufficient to sustain conviction. State v. Larkin, 209 K. 660, 498 P.2d 37.

5. Numerous assignments of error disposed of; conviction hereunder upheld. State v. Scott, 210 K. 426, 427, 430, 502 P.2d 753.

6. Element "without authority" proved by circumstantial evidence; attempted burglary conviction affirmed. State v. Cory, 211 K. 528, 532, 506 P.2d 1115.

7. Conviction hereunder upheld; motion for new trial on ground of newly discovered evidence denied. State v. Larkin, 212 K. 158, 510 P.2d 123.

8. Cited in appeal on question reserved; patterned jury instruction disapproved. State v. McClanahan, 212 K. 208, 510 P.2d 153.

9. Failure to specify ulterior felony in information not reversible error where made clear at preliminary hearing or by context of other charges in information. State v. Lora, 213 K. 184, 187, 515 P.2d 1086.

10. Contention that intoxication destroyed capacity to form necessary intent was issue for jury; not disturbed on appeal. State v. Miles, 213 K. 245, 515 P.2d 742.

**21-3716. Aggravated burglary.** Aggravated burglary is knowingly and without authority entering into or remaining within any building, mobile home, tent or other structure, or any motor vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property in which there is some human being, with intent to commit a felony or theft therein.

Aggravated burglary is a class C felony. [L. 1969, ch. 180, § 21-3716; July 1, 1970.]

Source or prior law: 21-513, 21-514, 21-515, 21-516, 21-517, 21-518, 21-519, 21-520, 21-521, 21-522, 21-525.

Judicial Council, 1968: The elements of burglary, under the new sections consist of a known entry

without authority and with intent to commit a felony or theft. A breaking is not required. The technical requirement of breaking in the former law was an historical anomaly and serves no useful purpose. The distinction between burglary and aggravated burglary lies in the presence or absence of some person in the place entered.

The sections are similar to Illinois Criminal Code, 19-1.

CASE ANNOTATIONS

1. Conviction upheld; lineup procedure not violative of due process; counsel present during viewing. State v. Kelly, 210 K. 192, 499 P.2d 1040.

2. Conviction hereunder affirmed; need not be another person in building at time defendant enters it to convict hereunder. State v. Lora, 213 K. 184, 187, 195, 515 P.2d 1086.

**21-3717. Possession of burglary tools.** Possession of burglary tools is the knowing possession of any key, tool, instrument, device or any explosive, suitable for use in entering an enclosed structure or a vehicle or means of conveyance of persons or property, with intent to commit burglary.

Possession of burglary tools is a class E felony. [L. 1969, ch. 180, § 21-3717; July 1, 1970.]

Source or prior law: 21-2437.

Judicial Council, 1968: Possession of burglary tools was probably prohibited by former K. S. A. 21-2437 along with explosives and other devices "designed or commonly used for breaking into" certain structures. This section is intended to clarify the conduct prohibited.

The section is similar to Illinois Criminal Code, 19-2.

CASE ANNOTATIONS

1. Possession of burglary tools and attempted burglary separate and distinct offenses; conviction hereunder affirmed. State v. Cory, 211 K. 528, 506 P.2d 1115.

**21-3718. Arson.** (1) Arson is knowingly, by means of fire or explosive:

(a) Damaging any building or property in which another person has any interest without the consent of such other person; or

(b) Damaging any building or property with intent to injure or defraud an insurer or lienholder.

(2) Arson is a class C felony. [L. 1969, ch. 180, § 21-3718; July 1, 1970.]

Source or prior law: 21-581, 21-582, 21-583, 21-584, 21-585, 21-586.

Judicial Council, 1968: The scope of this section includes the conduct formerly prohibited by the several sections which defined the four degrees of arson and the burning of insured property.

The section is drawn from Illinois Criminal Code, 20-1.

CASE ANNOTATIONS

1. Conviction affirmed; motion for new trial on



ground of newly discovered evidence properly denied. *State v. Rincones*, 200 K. 176, 495 P.2d 1019.

2. Conviction of aggravated arson upheld; court did not err in refusing requested instruction on damage. *State v. McVeigh*, 213 K. 432, 439, 516 P.2d 918.

**21-3719. Aggravated arson.** Aggravated arson is arson, as defined in section 21-3718, and committed upon a building or property in which there is some human being.

Aggravated arson is a class B felony. [L. 1969, ch. 180, § 21-3719; July 1, 1970.]

Revisor's Note:

Section not included in proposed criminal code by judicial council.

#### CASE ANNOTATIONS

1. Conviction hereunder upheld; court did not err in refusing requested instruction on damage. *State v. McVeigh*, 213 K. 432, 439, 516 P.2d 918.

**21-3720. Criminal damage to property.** (1) Criminal damage to property is by means other than by fire or explosive:

(a) Willfully injuring, damaging, mutilating, defacing, destroying, or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

(b) Injuring, damaging, mutilating, defacing, destroying, or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(2) Criminal damage to property is a class E felony if the property is damaged to the extent of fifty dollars (\$50) or more. Criminal damage to property is a class A misdemeanor if the property damaged by such acts is of the value of less than fifty dollars (\$50) or is of the value of fifty dollars (\$50) or more and is damaged to the extent of less than fifty dollars (\$50). [L. 1969, ch. 180, § 21-3720; July 1, 1970.]

Source or prior law: 21-563, 21-566, 21-567, 21-568, 21-570, 21-571, 21-572, 21-576, 21-578, 21-579, 21-1401, 21-1407, 21-1408, 21-2305, 21-2308, 21-2310, 21-2423, 21-2431, 21-2453, 21-2454.

Judicial Council, 1968: Many former sections of the Kansas statutes provided penalties for malicious injuries to property, real and personal, public and private. This section attempts to prohibit all such acts by a single statute.

The idea of a consolidated offense is found in Illinois Criminal Code, 21-1.

Cross References to Related Sections:

Placing glass or other injurious material on highway prohibited under uniform act regulating traffic on highways, see 8-1583.

#### CASE ANNOTATIONS

1. Criminal damage to property not lesser in-

cluded offense under aggravated assault; withdrawal of testimony relating thereto did not cure error. *State v. Mans*, 213 K. 36, 38, 515 P.2d 810.

**21-3721. Criminal trespass.** Criminal trespass is entering or remaining upon or in any land, structure, vehicle, aircraft or watercraft by one who knows he is not authorized or privileged to do so, and,

(a) He enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to him by the owner thereof or other authorized person; or

(b) Such premises or property are posted in a manner reasonably likely to come to the attention of intruders, or are fenced or otherwise enclosed.

Criminal trespass is a class C misdemeanor. [L. 1969, ch. 180, § 21-3721; July 1, 1970.]

Source or prior law: 21-2435, 21-2436, 32-139, 32-142.

Judicial Council, 1968: These sections go beyond former Kansas statutes which required proof of trespass coupled with injury. It should be noted that the treble damage provisions of former K. S. A. 21-2435 are not carried forward into this code.

The section is similar to Illinois Criminal Code, 21-2 and 21-3.

Cross References to Related Sections:

Section referred to in defining abandonment of vehicles on private property as criminal trespass, see 8-1102 (b).

**21-3722. Littering.** Littering is dumping, throwing, placing, depositing or leaving, or causing to be dumped, thrown, deposited or left any refuse of any kind or any object or substance which tends to pollute, mar or deface, into, upon or about:

(a) Any public street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, except by direction of some public officer or employee authorized by law to direct or permit such acts; or

(b) Any private property without the consent of the owner or occupant of such property.

Littering is a class C misdemeanor. [L. 1969, ch. 180, § 21-3722; July 1, 1970.]

Source or prior law: 21-578, 21-592, 68-546.

Cross References to Related Sections:

Public highways, see K. S. A. 68-545.

Definition of "highway" in uniform act regulating traffic on highways, see 8-1424.

Definition of "street" in uniform act regulating traffic on highways, see 8-1473.

Placing glass or other injurious material on highway prohibited under uniform act regulating traffic on highways, see 8-1583.

and after May 1, 1975, such company shall comply with the paid-up capital stock and surplus requirements provided by this act. [L. 1927, ch. 231, 40-901; L. 1951, ch. 294, § 1; L. 1965, ch. 300, § 3; L. 1967, ch. 261, § 1; L. 1969, ch. 237, § 3; L. 1970, ch. 179, § 1; L. 1971, ch. 167, § 1; L. 1972, ch. 184, § 1; July 1.]

• "This act" refers to 1969 act, *see, also*, 40-401, 40-402, 40-902, 40-1027, 40-1102 to 40-1104, 40-1204, 40-1605.

• "This act" refers to 1971 act, *see, also*, 40-901, 40-1103.

Source or prior law: L. 1871, ch. 93, § 31; L. 1886, ch. 112, § 1; L. 1911, ch. 207, § 1; L. 1917, ch. 210, § 1; L. 1919, ch. 213, § 1; L. 1923, ch. 150, § 1; R. S. 1923, 40-203, 40-208, 40-401, 40-417.

Revisor's Note:

Referred to in 40-246b.

Research and Practice Aids:

Insurance ◊ 33.

Hatcher's Digest, Insurance §§ 1, 3, 28.

C. J. S. Insurance §§ 96, 103.

CASE ANNOTATIONS

Annotation to L. 1871, ch. 93, § 31:

1. Business of insurance within control of state. *The State, ex rel., v. Ins. Co.*, 30 K. 585, 588, 2 P. 840.

**40-902.** Deposit of securities by stock insurance company. Every stock fire insurance company organized under the laws of this state, shall deliver to the commissioner of insurance cash or securities of the kinds in which such a company is permitted to invest its funds under the provisions of this code, in an amount equal to not less than the minimum capital stock required of such a company by the preceding section, and such cash or securities shall be deposited with the state treasurer for the benefit of its policyholders and/or creditors. [L. 1927, ch. 231, 40-902; L. 1969, ch. 237, § 4; July 1.]

Source or prior law: L. 1919, ch. 212, § 1; L. 1919, ch. 213, § 1; R. S. 1923, 40-202, 40-203.

Cross References to Related Sections:

Deposit of proceeds of sale of stock during organization, *see* 40-230a.

Research and Practice Aids:

Insurance ◊ 8.

Hatcher's Digest, Insurance § 11.

C. J. S. Insurance §§ 72, 96.

**40-903.** Monthly record of losses; annual report to state fire marshal. Every fire insurance company transacting business in this state is hereby required to file with the state fire marshal, through the statistical and reporting organization with which they are affiliated, as provided by K. S. A. 40-937, or

through the secretary or other officer of the insurance company, a monthly record of fire losses showing the name of the insured, location of the property burned, and the probable cause of fire, and in addition, an annual report of all fires on which losses have been paid in the preceding calendar year, designating the class of occupancy divided by construction and protection and by cause of fire for each class, giving the total insurance, loss paid and sound value on the property destroyed for all classes and by each cause. Such annual report shall be made to the state fire marshal on or before the first day of March of each year. [L. 1927, ch. 231, 40-903; L. 1967, ch. 262, § 1; July 1.]

Source or prior law: L. 1915, ch. 230, § 1; L. 1917, ch. 214, § 1; R. S. 1923, 40-411.

**40-904.** Preliminary fire reports. In the case of a fire of suspicious origin a preliminary report shall be made immediately to the state fire marshal through the statistical and reporting organization with which carrier is affiliated, as provided by K. S. A. 40-937, or through some officer of the insurance company, showing the name of the insured, the date of the fire, location, occupancy, and such facts and circumstances as shall come to their knowledge tending to establish the cause or origin of the fire. [L. 1927, ch. 231, 40-904; L. 1967, ch. 263, § 1; July 1.]

Source or prior law: L. 1915, ch. 230, § 2; L. 1917, ch. 214, § 2; R. S. 1923, 40-412.

**40-905.** Statement of value in policy; evidence of ownership of property; fraud in obtaining policy. Whenever any policy of insurance shall be written to insure any improvements upon real property in this state against loss by fire, tornado or lightning, and the property insured shall be wholly destroyed, without criminal fault on the part of the insured or his assigns, the amount of insurance written in such policy shall be taken conclusively to be the true value of the property insured, and the true amount of loss and measure of damages, and the payment of money as a premium for insurance shall be prima facie evidence that the party paying such insurance is the owner of the property insured: *Provided*, That any insurance company may set up fraud in obtaining the policy as a defense to a suit thereon. [L. 1927, ch. 231, 40-905; June 1.]

Source or prior law: L. 1893, ch. 102, § 1; L. 1897, ch. 142, § 1; R. S. 1923, 40-413.

taining the department of the state fire marshal and the payment of the expenses incident thereto, each fire insurance company doing business in this state shall pay to the state commissioner of insurance, on or before the fifteenth day of March of each year, beginning with the year 1958, and each year thereafter, in addition to the taxes, fees and charges now required by law to be paid by it, such levy as may be made by the state fire marshal: *Provided*, That said levy shall not be more than three-fourths of one percent (.75%) of a sum equal to the gross cash receipts as premiums of such company on all fire business transacted by it in the state of Kansas during the year next preceding, as shown by its annual statement under oath to the state insurance department. [K. S. A. 75-1508; L. 1973, ch. 309, § 41; July 1.]

**75-1509.** Disposition of moneys received; fire marshal fee fund. The commissioner of insurance shall remit all moneys received by or for him under K. S. A. 75-1508, as amended, to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury. Twenty percent (20%) of each such deposit shall be credited to the state general fund and the balance shall be credited to the fire marshal fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state fire marshal or by a person or persons designated by him. [K. S. A. 75-1509; L. 1973, ch. 309, § 42; July 1.]

**Cross References to Related Sections:**

Purpose and limitation on moneys credited to state general fund, see 75-3170a.

**75-1513.** Acceptance of gifts, grants and donations; disposition. The state fire marshal may make application for and accept gifts, grants and donations of property from private persons or from any agency of the state or federal government granted or given for a purpose consistent with performing his duties as authorized or directed by law. The state fire marshal shall remit all moneys received by or for him under this section to the state treasurer. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and it shall be credited to the fire marshal's gratuities fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and

K.S.A. 31-137 Sec. 6. The state fire marshal, his deputies, the chief of any organized fire department of any municipality, whether such fire department is regular or volunteer, or any member of any such fire department who has been duly authorized by the chief thereof, shall enforce the provisions of this act and any rules and regulations adopted pursuant thereto. Said persons are authorized to make any investigations deemed necessary of any fire or explosion occurring within this state; and they shall make an investigation of any fire or explosion occurring within this state, or an attempt to cause any fire or explosion within this state, if there is reason to believe that the fire was of an incendiary origin or was an attempt to defraud an insurance company. In order to carry out such investigations, the state fire marshal and those persons herein designated shall have the right and authority at all times of day or night to enter upon or examine, in accordance with existing laws and regulations, any building or premise where any fire or explosion or attempt to cause a fire or explosion shall have occurred. Every person designated herein shall make a written report of the findings of any investigation conducted by him pursuant to this section which shall be filed in the office of the state fire marshal.

FIRE LOSSES IN KANSAS - 1975

BY MONTH

MONTH	NO. FIRES	LOSS
JANUARY . . . . .	242	\$1,261,920
FEBRUARY . . . . .	223	1,696,334
MARCH . . . . .	265	1,403,863
APRIL . . . . .	230	1,014,330
MAY . . . . .	255	863,465
JUNE . . . . .	215	555,337
JULY . . . . .	332	1,284,085
AUGUST . . . . .	254	863,760
SEPTEMBER . . . . .	221	626,753
OCTOBER . . . . .	291	1,071,248
NOVEMBER . . . . .	227	738,696
DECEMBER . . . . .	256	1,287,203
<b>TOTAL . . . . .</b>	<b>3,011</b>	<b>\$12,666,999</b>

33 deaths from fires in Kansas in 1975

Late Reports	120	822,146
Fires - \$ 50 & Less	931	24,758
	<u>1,051</u>	<u>846,904</u>
<b>TOTAL.....</b>	<b>4,062</b>	<b>\$ 13,513,903</b>

	<u>1975</u>	<u>1974</u>	<u>1973</u>	<u>1972</u>	<u>1971</u>
Total number of fires investigated by Fire/ Arson Investigators	272	237	269	306	291
Number of fires found to have been set by some person or persons	114	99	116	127	114
Persons involved in the above fires	154	129	131	140	140
The fires which were set by some person or persons are as follows:					
Cases in which arson charges were filed	18	27	28	17	21
No charges filed for lack of evidence	96	72	88	110	87
Mental cases	4	6	3	8	5
Juvenile cases	22	35	28	15	12
Charged with malicious destruction of property	1	0	4	2	5

1975

Damage to buildings	4,077,780
Damage to contents	1,561,565
Damage to vehicles	97,840
	<u>5,737,185</u>

1975 - 1976

FISCAL YEAR

STATISTICAL REPORT  
ON EXPENDITURES FOR DAY CARE  
BY THE KANSAS STATE DEPARTMENT  
OF SOCIAL AND REHABILITATION SERVICES

Prepared By

Division of Services to Children and Youth  
STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
State Office Building  
Topeka, Kansas

June 20, 1976

1975 - 1976  
Fiscal Year

Statistical Report  
On Expenditures for Day Care  
By Kansas State Dept. SRS

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## DEFINITION OF DAY CARE

Day Care is the care, supervision, guidance, and education of a child or children, unaccompanied by parent or guardian, on a regular basis, for periods of less than 24 hours in a place other than the child's own home. Care is provided in both licensed child care centers and day care homes in the state. Where the Division of Social and Rehabilitation Services is authorizing payment, day care shall be provided in only child care centers and day care or relative homes whose home and program meet State and Federal standards. The age for day care is from infancy to sixteen years. The hours of care usually range from three hours for school age children to ten hours for full-day care.

## PURPOSE OF DAY CARE

Quality day care has three major functions: it serves as an extension of the family; it aids children's development; and it is a way for society to intervene constructively when families and children need help.

Day Care should provide the positive experiences that most families try to give their children. It extends and supplements the parents' care in a way consistent with the values and goals of the child's family and culture. Quality day care strengthens the child's basic attachment to his parents and sustains them as the major force in his development. Parent involvement is vital in any child care setting. When parents are involved, not only their children but the entire family benefits.

The years from six months to six years are an optimal period for mastering certain developmental tasks. Developmental or quality day care presents many opportunities to help a child master such tasks as:

- \*developing a sense of self and a sense of autonomy
- \*developing a healthy personal identity
- \*developing concepts of morals and personal rights
- \*dealing with certain psychological impulses and with guilt, anxiety and shame
- \*learning how to get along with others
- \*mastering language and using it to produce desired results
- \*learning more about the symbols and concepts of culture (numbers, letters, etc.)
- \*acquiring concepts of space, time and objects

The intervention function of day care is particularly important for three groups of children: children whose development is at risk, those who are handicapped or disabled, and those from low and marginal income families. These children have special needs for continuity of care, stimulation, affection, stability and thoughtfulness because of special circumstances of birth, physical environment, or difficult life experiences. Handicapped children include those who suffer from such afflictions as mental retardation, physical handicaps or a child psychosis. Children from low and marginal income families are the third and by far the largest group for whom intervention may be important. Not all low income families need day care, but many children from low income families do need the healthy and developmentally sound environment that day care can provide. Day care can be only one of many important influences. The child lives in the context of a family and a community and what happens to the child in those spheres will in the long run be more important than what happens in day care. What day care can accomplish, according to Cohen, is "to help the child and his family find ways to cope with the circumstances of their lives".

A quality day care program can identify the children of a community and assess their needs, can help make services available to them and can involve the parents and help to strengthen the family.

GOALS TO BE ACHIEVED BY PROVIDING DAY CARE SERVICES  
FOR ELIGIBLE FAMILIES

1. To allow parents to achieve or maintain economic self-support through participation in employment or training programs while assuring quality care for their children.
  - (1) AFDC
  - (2) WIN
  - (3) SSI
  - (4) Income Eligible
  
2. To allow young children with special needs to ultimately achieve self-sufficiency through providing appropriate developmental experiences and care in a child care program. Special needs may include maintaining family stability in emergencies through short-term 24-hour care in a day care home (hospitalization of parent.) Day Care may be authorized for eligible children with special needs where the local school district offers no program to meet their needs.
  
3. To prevent or remedy the neglect, abuse, or exploitation of the children, and to help rehabilitate or re-unite families by removing children from potentially harmful home situations for a part of a 24 hour day and allowing parents respite and counseling time.

GOALS FOR DAY CARE ACCORDING TO ELIGIBILITY  
CATEGORY

<u>GOAL I SELF SUPPORT</u>	<u>GOAL II SELF SUFFICIENCY</u>	<u>GOAL III CHILD PROTECTION</u>
Eligible Clients	Eligible Clients	Eligible Clients
1. <u>AFDC</u> working or training parent.	1. <u>AFDC</u> children with special needs. May include F.C.	1. <u>AFDC</u> protective service cases.
2. <u>WIN</u> working or training parent by WIN labor.	2. <u>WIN</u> children with special needs.	2. <u>SSI</u> Protective Services Cases.
3. <u>SSI</u> working or training parent.	3. <u>SSI</u> children with special needs.	3. <u>INCOME ELIGIBLES</u> : protective service cases.
4. <u>INCOME ELIGIBLES</u> : working or training parents.	4. <u>INCOME ELIGIBLES</u> : children with <u>special needs</u>	4. Children in protective services <u>regardless of financial eligibility</u> .

PRIORITIES FOR DETERMINING NEED FOR DAY CARE:

The need for day care services for children of families determined eligible by local social service worker is documented in the case record according to the above goals and priorities in order as follows:

- 1) Employment
- 2) Training leading to employment
- 3) Seeking employment
- 4) Special needs of child

DAY CARE SERVICES BEGINS WHEN THERE HAS BEEN:

- 1) A request or referral for day care services for child by parent or responsible adult.
- 2) Determination of Eligibility.
- 3) Determination of service goal to overcome barrier.
- 4) Determination of available funds.
- 5) A licensed and certified facility or approved relative under contract with S.R.S. selected by parent or responsible adult.

DAY CARE SERVICES ENDS WHEN:

- 1) Financial eligibility of parent or responsible adult terminates. (Eligibility re-determined every 6 months or earlier if a change is made.)
- 2) Service is no longer needed.
- 3) Provider is no longer licensed, certified or approved and under contract with S.R.S.
- 4) Funds are no longer available.

## POPULATION TO BE SERVED

Women are entering the labor force at an increasing rate. Seventy percent of the increase is among women under 35 years of age. One out of three of these mothers in Kansas have children under age six. In 1970, 28 percent of children had a mother in the labor force. By 1980, it is projected that 38 percent of the pre-school age children will have employed mothers (see Graph I in Appendix).

Thirty-eight percent of the married women in Kansas (with husbands in the home) presently work. Forty-eight percent of this number have children under 18 years and 29 percent of these women have children under six (see Table I in Appendix).

Seventy-three percent of all employed women with children under six years of age and 51 percent of the women with children six to 17 are located in the urban areas of the State. However, except in eight urban counties and 14 rural counties, more than 35 percent of the women 25 to 34 are employed.

Labor force participation rate of women with children under three years of age has increased approximately 4.2 percent in the three year period from 1970 to 1973, which indicates the trend for women to return to work when children are young.

The percent of AFDC mothers working part or full-time has also been increasing in recent years. In 1971, 13.9 percent of mothers in the U.S. worked, compared with 16.1 percent in 1973. Another 11.5 percent in 1973 were actively seeking work.

A report from International Labor Organization released in January, 1974 stated that in the last quarter of 1973 unemployment rates for women exceeded those for men. During that period, 5.5 percent of all potential working women in the U.S. were without jobs, in contrast to a male jobless rate of 3.3 percent. Current unemployment rates for women are not available for Kansas.

An increase in the divorce rate and the number of single parents with young children in the labor force has further increased the need for day care. Especially in this true for the families headed by women in Kansas, since the income level of families headed by women is approximately 42% less than the income of all other families. (See Graph II in Appendix.)

The percentage of Black and Spanish Families with female head of households in the labor force is approximately 15% greater than white families with female heads. (See Graph III in Appendix.)

The State of Nebraska completed a study in 1973 of 1,000 employed mothers. The result of this study indicated a need for day care. In 31 percent of the cases, mothers claim that child care problems actually interfere with all aspects of employment.

For several reasons, supplementary child care can be as much a problem for the middle-class working mother as for the lower-class one. Ruderman's study

in 1968 states, "The middle-class mother is less likely to be willing to be a regular child care agent. A higher proportion of middle and upper class families are mobile and a higher proportion live in suburbs where there are few close neighbors and where transportation can be difficult. Child care facilities are few in number, limited to particular age groups, and often tend to exclude the middle-class family. In most parts of the country, maids and housekeepers are increasingly rare. Finally, the middle-class mother often expects or wants more in a child care arrangement than does the lower-class mother; and this too, adds to the likelihood of dissatisfaction".

PROJECTED NUMBER OF CHILDREN UNDER AGE 5  
IN KANSAS WITH WORKING MOTHERS  
BY NUMBER, REGION AND YEAR

GRAPH I

X1000

45

40

35

30

25

20

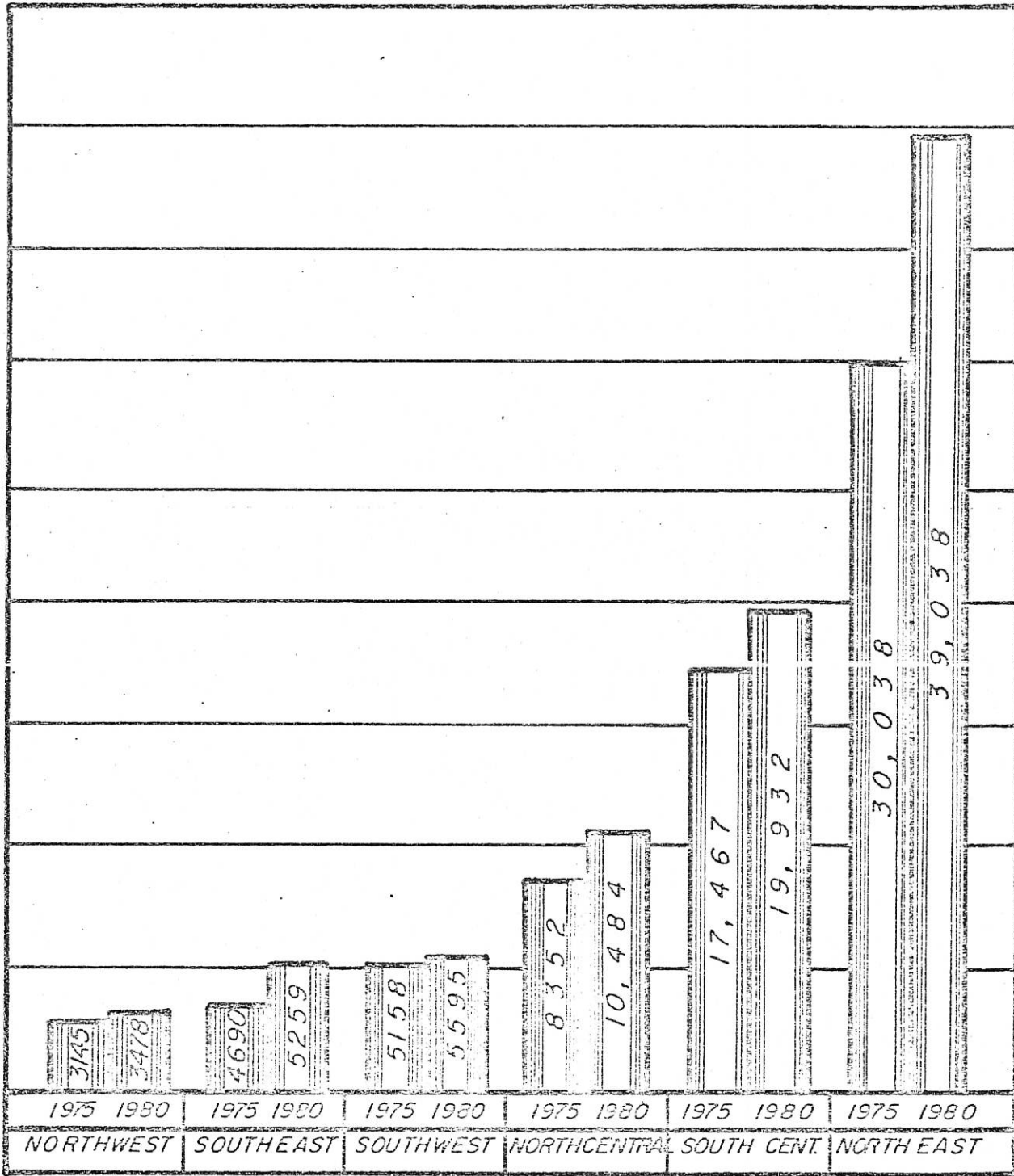
15

10

5

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REGION



Source: Dr. Cornelia Flora  
Kansas State University

TABLE I

Marital and Employment Status of Kansas Women\*

		Percent In Labor Force
Total number of women, 16 years old & over	820,099	
With own children under 6 years	144,672	
In labor force	45,323	31.3%
With own children 6-17 years old	163,626	
In labor force	82,544	50.4%
 Married women, 16 years old & over, husband present	 518,955	
With own children under 6 years	131,635	
In labor force	38,365	29.1%
With own children 6-17 years old	146,122	
In labor force	69,955	47.9%
 Other women, 16 years old & over	 301,144	
With own children under 6 years	13,037	
In labor force	6,958	53.4
With own children 6-17 years old	17,504	
In labor force	12,589	71.9

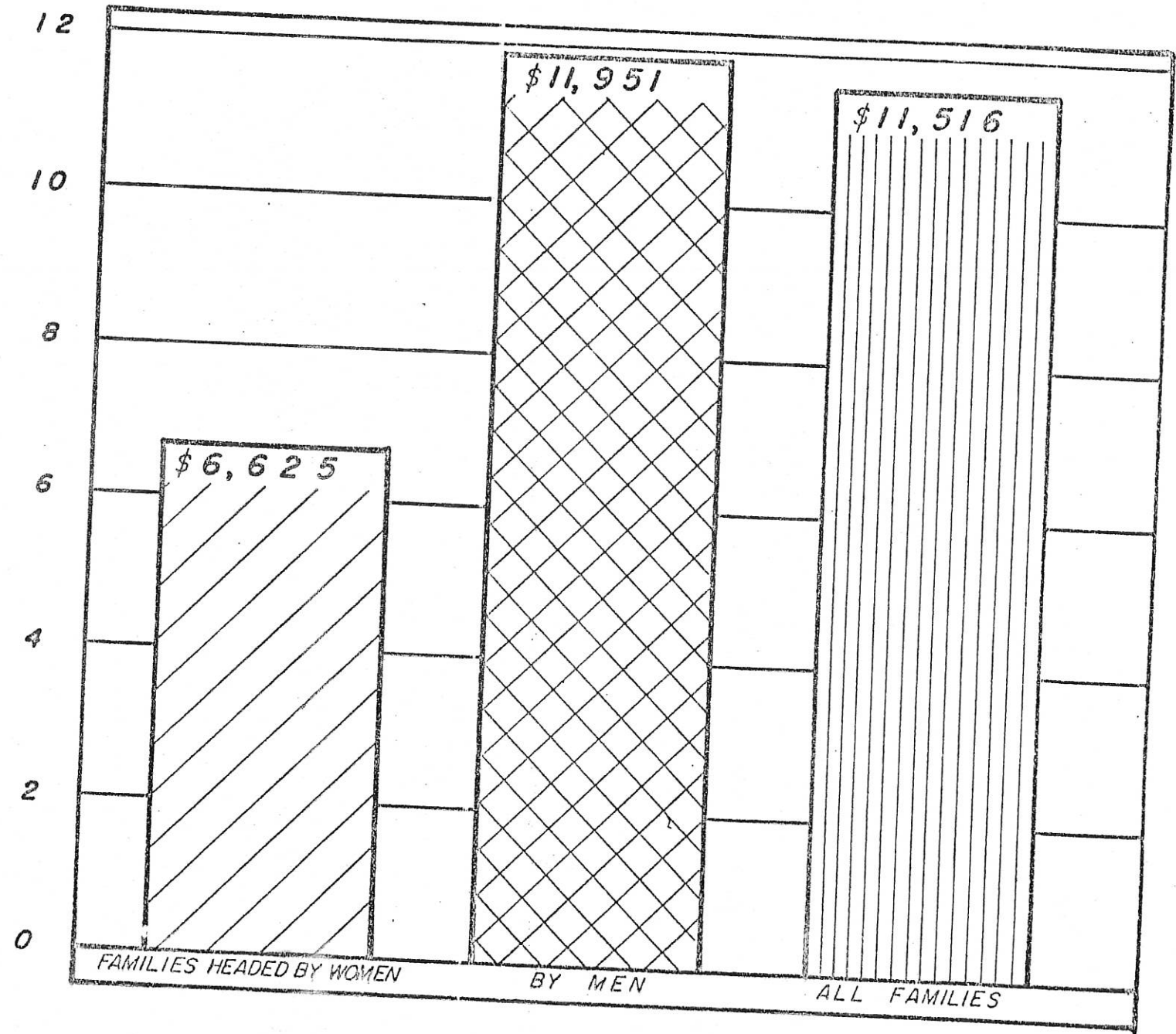
Source

\*U.S. Census 1970



### AVERAGE ANNUAL KANSAS INCOME BY INCOME LEVEL AND FAMILY TYPE

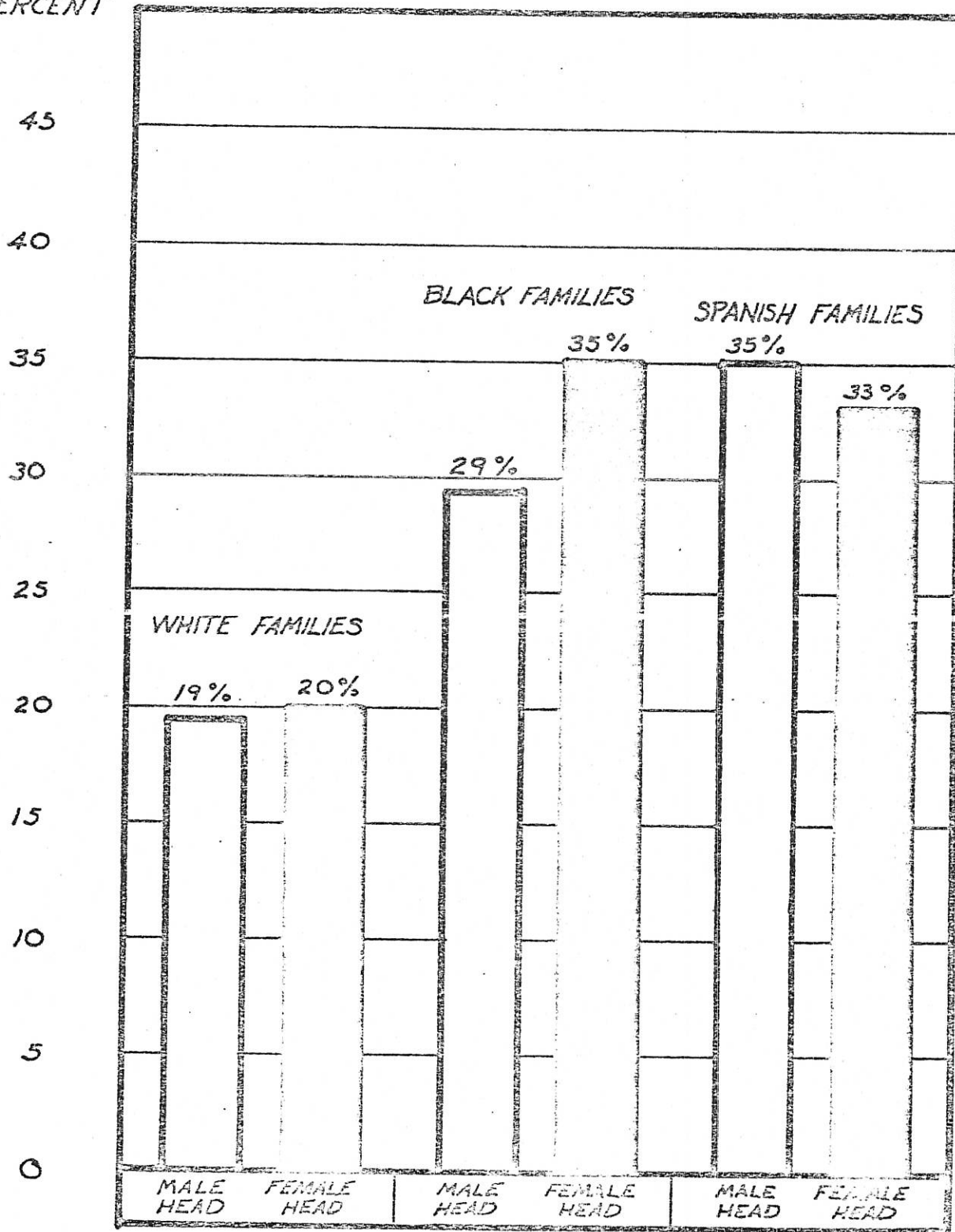
x \$1,000



Source: U.S. Census, 1970

HEADS OF FAMILIES IN LABOR FORCE  
 WITH CHILDREN UNDER 5 YEARS  
 BY PERCENT AND RACE  
 GRAPH III

PERCENT



Source: U.S. Census, 1970.

PURPOSE & OBJECTIVES OF LICENSING  
AND FEDERAL INTERAGENCY STANDARDS

PURPOSE:

The purpose for the state and federal regulations of child care facilities is to assure that children receiving such care be provided food, shelter, security and safety, guidance and direction, nurture and comfort, and a learning experience commensurate to their age and capabilities, so as to safeguard their growth and development, thereby facilitating their proper physical and emotional maturation.

OBJECTIVE OF RULES:

By Kansas Law the State Department of Health and Environment, Bureau of Maternal and Child Health is empowered to prescribe and promulgate such rules and regulations as are necessary to carry out the provisions of the licensing law. While the State Department of Social and Rehabilitation Services is responsible for the approval and supervision of the program and staff in child care facilities. A license is not issued by the State Department of Health and Environment without approval of the State Department of Social and Rehabilitation Services.

Since the State Department of Social and Rehabilitation Services is the state agency responsible for Federal funds used for payment for day care services, federal legislation, specify that S.R.S. is empowered to enforce and monitor Federal Inter-Agency Requirements.

Federal Interagency Standards and Kansas State Licensing regulations are very near the same. (See Table II ). Federal Standards are designed to assure that programs serving eligible children provide a more comprehensive day care program than minimum licensing standards in most states' requirements.

Licensing and Federal Interagency Regulations are the outward expression of society's concern that each child who must be cared for outside his own home is afforded the basic opportunities to develop to his maximum capacity as is true for police, fire, and health protection, child care licensing and is a most appropriate protective function of state government.

Obtaining a license and FIDC certificate to care for other people's children in Kansas is a privilege, and entails the assumption of responsibility for the welfare of children entrusted in care. The quality of care a child receives when he is away from his parents is vitally important to the child, to his parents, and to the community.

REQUIREMENTS TO BE MET  
BY PROVIDER  
UNDER CONTRACT WITH S.R.S.

TABLE II

TYPE OF DAY CARE PROVIDER	STATE LICENSE	+FIDC FEDERAL COMPLIANCE	STATE STANDARDS	CONTRACT WITH SRS	STAFF-CHILD RATIO	
					Age of Child	Staff-Child Ratio FIDC
Day Care Home	Yes	Yes	---	Yes	0 to 3 3 to 14	1 to 4 1 to 6
Child Care Center	Yes	Yes	---	Yes	0 to 6 wks 6 wks - 3 yrs 3 to 4 yrs 4 to 6 yrs 6 to 10 yrs 10 to 16 yrs	1 to 1 1 to 4 1 to 5 1 to 7 1 to 15 1 to 20
Home of Relative			Yes	Yes	0 to 3 yrs 3 to 14 yrs	1 to 4 1 to 6

+ FIDC Requirements that exceed state licensing regulations are:

- 1) In-Service training for Day Care and Relative Home Providers.
- 2) Annual Dental assessments for all children.
- 3) Available consultation from qualified nutritionist and physician.
- 4) Staff-Child ratio as follows:

Homes	0 to 3 yrs.	1 to 4		
	3 to 16 yrs.	1 to 5	instead of	1 to 6
Centers	Infants (0 to 6 wks)	1 to 1	" "	1 to 3
	6 wks to 3 yrs.	1 to 4	" "	1 to 5
				or
				1 to 7
	3 to 4 yrs.	1 to 5	" "	1 to 10
	4 to 6 yrs.	1 to 7	" "	1 to 10
	6 to 10 yrs.	1 to 15	" "	1 to 16
	10 to 16 yrs.	1 to 20	" "	1 to 16

- 5) Centers serving over 40 children shall have a parent advisory committee made up of not less than 50% parents or parent representation.
- 6) Available Social Services.

Comparative Study of Daily Day Care Rates Charged by  
Full and Part-Day Licensed and Certified Centers

\*Data obtained from Directors Reports required for licensing submitted since  
October, 1975.

Type of Program	No. of Centers	Average daily rate charged
Part-Day	*60	\$2.56
Full-Day	**31	\$5.19
Before & after school	4	\$2.55

\*\*Of this number, 18 full day centers were FIDC certified.  
(Daily rate averaged \$5.85).

\*Of this number 13 part day centers were FIDC certified.  
(Daily rate averaged \$3.07).

6 part-day centers reported having an average hourly rate, option of \$.89 per hour.

3 full-day centers reported having an hourly rate option of \$.58 per hour.

COMPARISON BETWEEN PER CAPITA INCOME PER PERSONS IN  
KANSAS, CONSUMER PRICE INDEX, AND DAILY RATES PAID  
BY SRS TO HOME AND CENTER DAY CARE PROVIDERS

TABLE

YEAR	*AVERAGE INCOME PER PERSON	*CONSUMER PRICE INDEX	DAY CARE HOME RATE	CHILD CARE CENTERS
1970	\$3,341	116.3	\$3.00	\$3.00
1971	\$3,577	121.3	\$3.00	\$3.00
1972	\$3,935	125.3	\$3.00	\$3.00
1973	\$4,534	133.1	\$3.00	\$3.00
1974	\$4,720	147.7	Apr. \$3.50	** Apr. \$4.52
1975	\$5,968	161.2	July \$3.85	*** July \$5.32
1976	\$6,266			
Per Cent Increase	87%	45%	28%	77%

\* Data obtained from Kansas State Department of Labor

\*\* Average Rate paid by S.R.S. based on historical costs submitted by centers.  
(Maximum allowed \$5.00)

\*\*\* Average Rate paid by S.R.S. based on historical costs submitted by centers.  
(Maximum allowed \$5.50)

## COST VARIATION ACCORDING TO AGE OF CHILD

### SCHOOL AGE

As in the area of costs of program for the 3 to 6 year old child, there have been few comparative cost studies relative to this age group. The demand for this type of day care is increasing. In 1964, 34% of all mothers with children under 17 were employed. By 1973 that figure had exploded to 44%. Social Scientist see this as a permanent and ever-increasing trend. Even with zero population growth achieved, these figures will remain constant.

Program designs shall be consistent that are built around current programs rather than duplicate available services. A study completed of 34 full-year school age day care programs (before and after school and full-day summer) in Nebraska showed that the average cost per child per year was \$1,112 in day care center - \$1,250 in public educational programs and \$1,307 in family day care homes.

Other studies reported costs in centers as follows:

180 half day and 71 full day	\$1.33 half-day cost	\$3.28 full-day cost
Summer Program only		\$5.22
180 half day and 71 full day	\$3.30	\$6.43

In Kansas at the present time the maximum day care rate is \$5.50 for full-day and \$2.25 for part-day care.

### INFANT CARE

Because of the return of parents when the child is under 3 years of age, to the labor force at an increased rate, there is an increased need for this type of child care. Presently, few centers offer this needed service. Because the need for an intensive adult-child relationship the cost of care is great. A comparative study was made of the Castle Square Center in Pennsylvania. Average cost for infant programs were \$11.00 per day compared to \$ 8.00 per day for center's program for 3 to 5 year olds. (36% increased daily expenditures)

## CASH COSTS OF FIDC CENTER CERTIFIED DAY CARE

The average daily cost of providing full-day care in a center is \$6.32 for fiscal year 1975 - 76. (See Table 3) The average reported cost is 18% greater than the average payment made by S.R.S. This suggests that in most centers, partial costs of serving eligible S.R.S. children is absorbed by the local non-profit corporation or owner operating the facility. The local cash income to make up deficit is usually obtained from United Fund or Church contributions, private donations, or lower cash return on investment by private owners, or reduction in staff salaries. (See Table )

Another problem with understanding child care center cost is the wide gap between the real costs of child care and cash costs actually paid for that care. Many real costs are hidden and not monetized; for example: volunteers may serve as staff, space and utilities may be donated. A national survey by ABT Associates concludes that "in-kind" services account for approximately 29% of a center's income.

Mart P. Rose recently reported to the Senate Finance Committee that in the United States quality child care costs at least \$2,000 per child per year, or nearly \$8.00 per day. The Kansas average of 6 is considerably below the national average for the following reasons:

- \*1. Low staff salaries and fringe benefits.
2. Use of volunteers as staff members (Recruitment of volunteers is becoming more difficult.)
- \*3. Low expenditure for health and dental assessments for children by centers. (Most costs are absorbed by parents or S.R.S. Most children not eligible for Title IXX are not receiving annual dental assessments, health assessments and immunizations as needed.)
- \*4. Low expenditures for developmental evaluations. Few non-eligible children are being evaluated.
- \*5. Low expenditures for Social Services. (Few centers have Social Worker on staff to provide family services. (Local Agency staff is providing limited social services.)
- \*6. Low expenditures for center or area program specialist and consultants. (Most are volunteers) (physicians, nurses, psychologists, nutritionists, and curriculum, therapy services.)
- \*7. Low expenditures for supplies, educational equipment (Most centers are operating at minimum level.)
8. Low expenditures for building and utilities because donated space is utilized and utilities are often donated. Local centers are located in churches.

\*Above items also refer to day care homes.





No.	County	Homes				Centers				Religious			T
		#	Capacity	FIDCR	Sts	#	Capacity	FIDCR	# Sts	#	Capacity	Sts	
001	Allen	38	112	7	16	4	84	0	0	7	12		
002	Anderson	13	39	1	0	2	46	1	10	0	0		10
003	Atchison	7	30	3	16	4	216	2	85	6	11		112
004	Barber	4	15	2	6	3	64	0	2	0	0		5
005	Barton	18	57	6	8	7	177	1	17	9	12		37
006	Bourbon	15	68	10	31	6	72	2	20	0	0		51
007	Brown	27	106	4	8	6	106	1	0	4	8		16
008	Butler	27	110	7	29	9	190	1	17	6	12		58
009	Chase	7	24	2	2	1	15	0	0	0	0		2
010	Chautauqua	6	24	1	2	0	0	0	0	1	2		4
011	Cherokee	28	99	13	18	5	93	1	4	14	25		47
012	Cheyenne	6	23	0	0	1	30	0	0	1	1		1
013	Clark	5	16	0	0	0	0	0	1	1	1		2
014	Clay	6	23	3	5	4	76	3	25	2	4		34
015	Cloud	8	29	3	13	5	91	3	32	3	6		51
016	Coffey	1	2	0	0	2	57	0	0	0	0		0
017	Comanche	1	6	0	0	2	32	0	0	2	2		2
018	Cowley	27	106	3	3	8	216	3	48	13	24		75
019	Crawford	26	85	11	19	11	216	3	31	17	28		78
020	Decatur	5	26	1	4	2	34	0	6	1	2		12
021	Dickinson	29	97	13	21	5	63	0	1	13	24		46
022	Doniphan	0	0	0	0	2	29	1	4	2	7		11
023	Douglas	29	109	1	14	22	713	4	174	7	19		207
024	Edwards	12	45	2	0	2	36	0	1	1	2		3
025	Elk	0	0	0	0	0	10	0	0	0	0		0
026	Ellis	19	59	1	4	16	221	3	33	0	0		37
027	Ellsworth	19	65	3	3	1	30	0	0	1	1		4
028	Finney	23	88	5	13	11	296	2	14	5	8		35
029	Ford	50	182	8	18	8	154	2	34	1	1		53
030	Franklin	32	132	2	22	6	156	2	43	15	36		101
031	Geary	48	181	11	42	8	195	2	14	4	11		67
032	Gove	2	10	1	0	0	0	0	3	0	0		3
033	Graham	2	4	0	0	1	10	0	1	0	0		1
034	Grant	9	26	2	5	4	212	1	8	2	2		15
035	Gray	15	50	1	2	2	26	0	0	1	1		3
036	Greeley	1	3	0	0	0	0	0	1	0	0		1
037	Greenwood	11	42	0	0	3	32	0	6	0	0		0
038	Hamilton	0	0	0	0	2	24	0	0	0	0		0
039	Harper	6	35	0	5	4	112	2	5	1	1		11
040	Harvey	69	282	22	55	13	340	4	53	4	8		116
041	Haskell	1	4	0	0	1	20	0	0	0	0		0
042	Hodgeman	0	0	0	0	0	0	0	1	0	0		1
043	Jackson	9	30	2	3	3	62	0	0	0	0		3
044	Jefferson	11	40	1	0	4	60	0	0	0	0		0
045	Jewell	2	6	0	0	0	0	0	0	1	1		1
046	Johnson	210	832	32	104	109	3865	7	155	30	46		305
047	Kearny	8	30	0	0	1	10	0	1	0	0		1
048	Kingman	2	6	0	0	2	26	2	7	0	0		7
049	Kiowa	1	4	0	0	2	32	0	0	0	0		0
050	Labette	52	210	13	30	9	139	1	4	18	42		76
Total, page 1		936	3565	197	521	316	8598	52	855	193	360		1736

Homes

Centers

Relatives

No.	County	Homes				Centers				Relatives		Total SRS No.
		#	Capacity	FIPCR	# children 2-18 yrs	#	Capacity	FIPCR	# children SRS per pct	#	# children SRS per pct	
051	Lane	5	14	1	0	0	0	0	0	0	0	0
052	Leavenworth	42	159	11	27	21	382	4	28	14	27	82
053	Lincoln	6	19	2	3	0	0	0	0	1	3	6
054	Linn	14	57	3	3	0	0	0	0	0	0	3
055	Logan	4	18	0	4	2	36	0	2	0	0	6
056	Lyon	40	158	7	16	13	257	2	21	1	1	38
057	Marion	25	118	4	1	5	48	0	0	4	7	8
058	Marshall	16	54	7	11	2	26	1	1	2	5	17
059	McPherson	18	65	1	7	8	163	2	18	3	4	29
060	Meade	2	5	0	0	0	0	0	0	0	0	0
061	Miami	27	102	5	8	8	169	2	1	4	6	15
062	Mitchell	9	31	2	7	1	23	0	0	2	4	11
063	Montgomery	67	250	21	60	15	381	5	69	36	79	208
064	Morris	7	28	2	1	2	47	0	0	0	0	1
065	Morton	3	9	1	2	0	0	0	0	0	0	2
066	Nemaha	8	23	4	4	4	67	3	2	0	0	6
067	Neosho	17	70	5	9	4	58	0	2	3	6	17
068	Ness	1	1	0	0	1	8	0	0	0	0	0
069	Norton	8	25	1	2	2	19	0	0	0	0	2
070	Osage	12	49	2	4	2	36	0	1	0	0	5
071	Osborne	3	11	1	1	2	47	0	0	5	8	9
072	Ottawa	6	19	1	3	2	32	0	1	1	2	6
073	Pawnee	24	102	1	3	5	56	0	0	3	5	8
074	Phillips	16	58	1	4	1	22	0	0	3	3	7
075	Pettawatomie	15	45	3	10	3	73	2	10	0	0	20
076	Pratt	14	64	1	2	4	44	1	13	2	2	17
077	Rawlins	5	19	2	1	1	10	0	0	0	0	1
078	Reno	74	290	16	29	20	444	7	108	6	11	148
079	Republic	5	26	3	1	5	67	1	7	4	7	15
080	Rice	18	66	3	5	3	42	0	0	0	0	5
081	Riley	88	338	20	34	24	570	3	26	8	13	73
082	Rooks	8	23	0	0	1	10	0	1	1	5	6
083	Rush	6	25	0	0	1	32	0	0	0	0	0
084	Russell	5	19	2	7	2	41	0	2	0	0	9
085	Saline	68	261	17	27	11	286	4	153	13	23	203
086	Scott	0	0	0	0	1	44	0	2	0	0	2
087	Sedgwick	396	1660	89	276	92	2650	17	499	173	394	1169
088	Seward	41	132	15	20	5	171	1	21	6	16	57
089	Shawnee	321	1212	132	380	38	1179	16	309	119	230	919
090	Sheridan	2	5	0	0	1	20	1	0	0	0	0
091	Sherman	21	77	7	19	6	107	1	13	0	0	32
092	Smith	6	24	0	0	0	0	0	1	1	3	4
093	Stafford	14	39	1	0	1	20	1	10	1	2	12
094	Stanton	1	3	0	0	0	0	0	0	0	0	0
095	Stevens	8	33	2	6	4	43	0	0	0	0	6
096	Sumner	22	85	1	4	5	138	0	0	4	6	10
097	Thomas	20	78	2	12	2	190	1	15	0	0	27
098	Trego	0	0	0	0	2	29	0	0	0	0	0
099	Wabaunsee	0	0	0	0	0	0	0	0	0	0	0
100	Wallace	3	11	0	0	1	12	0	0	0	0	0
101	Washington	11	43	6	8	2	19	1	0	1	2	10
102	Wichita	0	0	0	0	2	30	0	0	0	0	0
103	Wilson	11	38	2	5	3	39	1	10	1	4	19
104	Woodson	2	8	1	4	0	0	0	0	0	0	4
105	Wright	116	470	71	151	75	2272	39	449	182	372	972
Total, page 2		1194	4529	477	1181	423	10459	116	1795	604	1350	4226
Total, page 1		936	3555	177	521	311	8588	52	855	193	360	1736
Total, both pgs		2130	8084	654	1702	734	19047	168	2650	797	1710	5962

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

REGULATIONS

for

DAY CARE HOMES FOR CHILDREN

Effective January 1, 1970

Reissued February 1, 1976

Prepared by

The Bureau of Maternal and Child Health  
of  
The Kansas Department of Health and Environment

in cooperation with

The Division of Children and Youth  
of  
The Department of Social and Rehabilitation Services

REGULATIONS FOR DAY CARE HOMES FOR CHILDREN  
(Authorized by KSA 65-501 through 65-515)

28-4-100 DEFINITIONS

1. A Day Care Home is a home in which care is given for less than 24 hours a day to a small number of children away from their own homes, who are not related to the persons giving care.
2. A relative is legally defined as: a father, mother, grandfather, grandfather-in-law, great-grandfather, grandmother, grandmother-in-law, great-grandmother, brother, brother of half-blood, brother-in-law, sister, sister of half-blood, sister-in-law, step-father, step-mother, step-brother, step-sister, uncle-in-law, great uncle, aunt, aunt-in-law, great aunt, nephew, niece, and cousins of the first degree.
3. The Joint Licensing Committee is a committee made up of representatives designated by the State Department of Health and the State Department of Social Welfare.
4. A full license is a license granted for a term of one year, when the facility meets all requirements of the State Department of Health and State Department of Social Welfare.
5. A provisional license is a license issued to all facilities complying with the statutes but not complying with departmental regulations for a full license. This license is issued at the discretion of the State Department of Health and State Department of Social Welfare, pending satisfactory compliance. A provisional license shall be granted for a period of six months, after receipt of one-half the statutory fee. Such license shall not be renewed until the applicant has submitted a detailed statement of improvements effected or efforts at improvement made during the preceding six months. (Authorized by KSA 65-503, 65-508, effective Jan. 1, 1970)

28-4-101 LICENSE

1. Any person desiring to conduct a day care home shall apply for a license to do so on State Department of Health forms.
2. No person shall conduct a day care home unless he is licensed to do so by the State Department of Health.
3. The applicant may be temporarily authorized by the State Department of Health to accept children for care until such time as the application is approved or disapproved except in homes where a license to care for children has previously been revoked or denied.
4. The public health nurse and the social worker shall visit the day care home for the purpose of determining if a license may be recommended, and for on-going consultation.
5. A fee will be requested when the applicant is notified that the application for license has been approved. The applicant shall then forward to the State Department of Health the license fee, as follows:
  - a. A full license for 4 children or less - one year \$2.00
  - b. A full license for 5 children or more - one year \$5.00
  - c. A provisional license - six months \$1.00  
(Authorized by KSA 65-501, 65-504, 65-505, 65-508, 65-512, effective January 1, 1970)

28-4-102 TERMS OF LICENSE

1. The number of children specified on the license shall be the maximum number of day care children present in the home at any one time.
2. The family's own children under six years of age shall be a determining factor in establishing capacity.

3. In a day care home where children under two years of age are given care, license may be granted for a maximum of four children, two of whom may be under two years of age.
4. In a day care home where natural and day care children are over two years of age, a license may be granted for a maximum of six children.
5. The number and age range of children who may be cared for in a day care home will be specified on each license.
6. Day care and boarding care which consists of twenty-four hour care for children shall not be permitted in the same home.
7. Any day care home license issued shall be valid only for the address appearing on the license. A new application is required for each change of address of the applicant.
8. Application may be withdrawn at any time upon request by applicant. Should the applicant wish to resume the care of children, a new application shall be required by the State Department of Health.
9. When night-time care is given, the home shall meet the applicable boarding home regulations.  
(Authorized by KSA 65-504, 65-508, effective Jan. 1, 1970)

28-4-103 ELIGIBILITY FOR LICENSE

1. Applicant shall be qualified by temperament, emotional maturity, sound judgment, education, experience and an understanding of children to give care to children.
2. Applicant should be within the ages of 21 and 60 years at the time of the application. An exception to this requirement may be made by the joint licensing committee where the applicant, although under the age of 21 years or over the age of 60 years, is found to be fully capable of operating a day care home.

3. Information shall be provided as to the character and health of all persons in contact with the children while in the home.
4. A day care home shall not receive a license when any member of the household has been convicted of a felony involving intentional bodily harm or has a history of sex deviation or commission of a sexual offense.  
(Authorized by 65-508, 65-510, effective Jan. 1, 1970)

28-4-104 CARE OF CHILDREN

1. There shall be at least one adult in the day care home when children are being cared for. Children receiving day care shall not be left in the day care of anyone under sixteen years of age even for short periods of time. The daycare mother shall be responsible for the care given the children in her home.
2. The day care home shall be as nearly as possible a family situation.
3. Children with severe handicaps shall not be accepted in day care homes maintained for normal children without approval of the Joint Licensing Committee.
4. Day care mothers shall when possible avail themselves of educational training opportunities prescribed by the state licensing agencies to increase their skills in working with children.
5. Each child shall be given educational, recreational, and cultural opportunities which will develop his abilities, his individual judgment and his sense of responsibility.
6. Corporal punishment shall be prohibited. No cruel, unusual or degrading punishment shall be used. The use of corporal punishment or of any cruel unusual or degrading punishment shall be considered adequate cause for revocation of license, or for closure of a home under study.



7. There shall be frequent exchange of information between the day care mother and the parent regarding the child.  
(Authorized by KSA 65-508, effective January 1, 1970)

#### 28-4-105 DAILY ACTIVITIES

1. Each day care home shall offer vigorous and quiet activities, indoor and outdoor play, rest and meals, with consideration for the safety of the children in care.
2. Enriching activities such as story-telling, music, creative art experiences, water play, and use of educational materials shall be provided.
3. There shall be provision for outdoor play under the supervision of an adult. Outdoor play shall average at least one hour for children spending the entire day at the family day care home.
4. There shall be a supervised rest period for children attending the family day care home.
5. Children in the day care home shall receive a mid-morning and mid-afternoon snack such as fruit, fruit juice or milk. If children remain in the home for longer than four hours, a balanced meal shall be served. Noon or evening meals shall be preceded by a quiet period of relaxation of at least ten minutes. Children shall be comfortably seated at tables for meals.

(Authorized by KSA 65-508, effective January 1, 1970)

#### 28-4-106 PHYSICAL STANDARDS

1. The day care home shall be in an area which is conducive to the health, safety, and welfare of the children in care.
2. The house shall meet all state and local legal requirements pertaining to building, zoning, fire protection, water supply and sewage disposal.

3. The premises, inside and out, shall include no equipment or furnishings that are hazardous to the children in care.
4. The home shall be clean, free from accumulated dirt and evidence of vermin or rodent infestation, and in a good state of repair. All garbage, refuse, trash, and other wastes shall be kept in a suitable, tightly covered metal receptacle and be disposed of in such manner as not to constitute a health hazard or nuisance.
5. There shall be indoor play space available for children in care.
6. All quarters occupied by the children shall be properly lighted, heated and ventilated. Fireplaces, floor furnaces, open-faced heaters, and hot radiators shall be protected by screens or guards. Gas heaters shall be vented to the outside and installed with rigid connections and protectors. Windows and doors shall be screened in warm weather. Second floor windows shall be safely guarded.
7. Dishes shall have smooth surfaces, be entirely free from cracks or chips, and be maintained in a sanitary condition.
8. Sanitary drinking facilities shall be provided. The following methods are acceptable: a) paper cups; b) individual cups washed after each use.
9. Space shall be provided for play equipment and materials so that they are readily accessible to the children.
10. Facilities for napping shall be provided on or above ground level. Individual cots are recommended, but beds used by other members of the day care family may be used for the child's nap provided the child has his own sheet and cover. In no case shall there be more than two children on one double bed.

11. Bathroom facilities shall be convenient and suitable for children. All plumbing facilities shall be in good condition.
12. Individual towels and washcloths or paper towels shall be provided and kept in sanitary condition. Individual toothbrushes, except for infants, and combs shall be provided.
13. There shall be a telephone located on the premises and readily available.
14. There shall be an outdoor area which will provide a safe play space for the children receiving care. If any part of the playground is adjacent to a busy street or other dangerous area, fencing shall be provided of such construction and extent that the children are protected. The yard shall be free from hazards such as old cisterns, or wells, broken glass, nails, and splintery boards.
15. Work or business of any nature which is hazardous to the health, safety, morals or welfare of the children shall not be conducted in or about day care homes.  
(Authorized by KSA 65-508, effective January 1, 1970)

#### 28-4-107 EQUIPMENT

1. Play equipment shall be provided, which is of sufficient quantity and suitable to the needs of the children receiving care.
2. In selecting play materials for children, the following criteria shall be used: Toys and play equipment shall be of substantial construction, free from rough edges, sharp corners, and splinters, and if painted, the paint must not contain lead.
3. Playground equipment such as climbing apparatus, slides and swings, shall be firmly anchored in the ground, in good repair, and safely situated. The surface under the equipment shall not be cement, asphalt, gravel or other hard abrasive surface.  
(Authorized by KSA 65-508, effective January 1, 1970)

28-4-108 HEALTH AND SAFETY

1. Each member of the day care home and anyone having direct regular contact with the child placed in the home shall submit, prior to licensing, a certificate by a licensed physician, on the form issued by the Kansas State Department of Health, stating that he is free from any evidence of physical and mental illness which might conflict with the children's interest. For each family member this certificate shall state that he is free from communicable disease and tuberculosis, and that children under 16 are currently immunized. New health certificates shall be required prior to licensing and every three years thereafter. Immediately following a serious illness, injury, or hospitalization, a written statement shall be submitted by the physician indicating the nature of the illness and extent of recovery. A serious illness of any member of the household shall be reported promptly by the day care mother to the parents of children in care and to the State Department of Health. Members of the household 60 years of age or over shall submit yearly health certificates to be used in the annual review for re-licensure.
  
2. No child shall be admitted to a day care home, except in an emergency, before obtaining from his physician the "Medical Record for Children Receiving Day Care," prescribed by the Kansas State Department of Health, stating that he is free from communicable disease and tuberculosis and that he has been immunized or is in the process of receiving immunization against smallpox, whooping cough, polio, diphtheria, tetanus, measles, and others as recommended by the State Department of Health. Only medical exemptions to immunization signed by a licensed physician are acceptable. Immunity against these diseases may be considered effective as shown by the administration of booster injections following the original course of injections. The Medical Record shall be on file in the day care home for each child in care, and a new medical record shall be filed annually.

3. The name and telephone number of the physician to be called in case of emergency shall be obtained from the parent of each child enrolled for care. The day care mother shall also arrange with a physician to handle emergency calls. Arrangements shall be made with the parents to permit calling this designated physician in emergencies when the physician of their choice is not available.
4. Medicines, poisons and other potentially dangerous substances and instruments shall be stored in a place inaccessible to children at all times. Firearms shall be placed in a locked cabinet.
5. The day care mother shall carry out a daily health inspection of the child in the presence of the parent. The day care mother is responsible for informing the parent that the child shall not be admitted to the day care home when he shows any sign of illness.
6. When a child is absent, the day care mother shall inquire as to the reasons so that the interests of the other children may be protected. No child shall be re-admitted after an absence until there is assurance that his return will not harm him or the other children.
7. Any child showing symptoms of illness during the day shall be isolated from the other children until the parents can be notified and he can be returned to his home.
8. Whenever some contagious or infectious condition of the day care mother or a member of her family is suspected, she shall not give care to children.
9. The day care mother shall be familiar with first-aid procedures. The treatment of minor injuries shall be limited to simple first-aid procedures, with particular emphasis on cleaning with soap and running water. The parent or physician shall be called for more extensive injuries.

10. A notation of all injuries shall be made on the child's medical record, including the date, time of day, nature of the injury, treatment, witnesses, and whether the parent was notified or summoned.
11. All formula for infants under one year of age shall be prescribed by a physician and prepared according to the method known as terminal sterilization. Pre-packaged, pre-sterilized formula in individual units is acceptable. All water for infants under six months of age shall be boiled.
12. Mid-morning and mid-afternoon snack shall consist of nutritious foods such as raw vegetables, raw fruit, raisins, fruit-juice, milk, etc. Non-nutritious soft drinks shall not be substituted for fruit juice or milk.
13. Meals served the children in the day care home shall provide at least one third of the child's total daily requirements of calories, proteins, minerals, and vitamins. (Authorized by KSA 65-507, 65-508, effective January 1, 1970)

#### 28-4-109 RECORDS

1. The day care home's license shall be prominently displayed, as required by law.
2. A copy of the "Regulations for Licensing Day Care Homes for Children" shall be kept on the premises at all times. Such copies shall be furnished by the Division of Maternal and Child Health of the State Department of Health.
3. A record shall be kept listing the name and address of each child and his parents, the name and telephone number of the child's physician, and stating how the parents may be reached in case of an emergency.

#### 28-4-110 COMPLIANCE WITH REGULATIONS

1. An exception to these regulations may be allowed by the Joint Licensing Committee where it is found that such exception would not violate the statutes nor discriminate against other existing license holders.

2. Failure or inability to comply with the above regulations shall be cause for refusal or revocation of license.

(Authorized by KSA 65-501, 65-504, 65-508, 65-514, effective January 1, 1970).

# REGULATIONS FOR LICENSING

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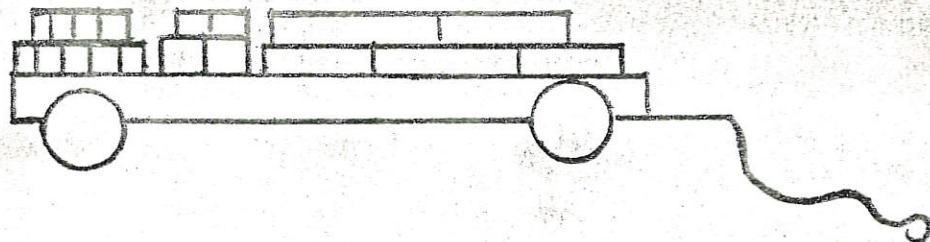
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KANSAS STATE DEPARTMENT OF HEALTH  
AND ENVIRONMENT

MAY 1, 1975



Correction of Child Care Center Regulation 28-4-210,3.A on page 22

<u>Age of Children</u>	<u>Adult Ratio</u>	<u>Maximum No. Per Unit</u>
Infants (Non Walking)	1 to 3	9
Toddlers	1 to 5	10
$2\frac{1}{2}$ to 3 years	1 to 7	14
3 to 4 years	1 to 10	20
4 to 6 years	1 to 10 Full-Day Care	20
	1 to 12 Part-Day Care	24
6 to <u>16</u> years	1 to 16	32
<u>Mixed Age Group</u>		
Infants to 6 years	1 to 4 (Max 2 infants)	8 (Max. 4 infants)
$2\frac{1}{2}$ years to <u>16</u> years	1 to 9	18
3 years to 6 years	1 to 10	20

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REGULATIONS FOR CHILD CARE CENTERS

FOR CHILDREN IN KANSAS

Effective Date January 1, 1973

28-4-200 DEFINITIONS

1. Child Care Center is defined as a day nursery providing care for seven or more children, for part or all of a day or night, away from the home of the parent or legal guardian; and includes full day child care, nursery schools, play groups, Head Start, centers giving emphasis to programming for special children, kindergartens not operated by the public schools, and other establishments offering care to groups of children for part or all of the day or night. Centers for infants and toddlers or for handicapped children may have fewer than seven children but be licensed as a center because the program meets child care center regulations.
2. The Joint Licensing Committee is defined as a committee made up of designated representatives of the state licensing agencies, these being Kansas State Department of Health and Environment, and Kansas State Department of Social and Rehabilitation Services.
3. A Full License is a license granted for a term of one year, when the facility meets all Regulations for Child Care Centers promulgated by the State Department of Health and Environment.
4. Temporary Permit is temporary approval without fee for 90 days following processing of application or the expiration of license to give time for either approval or disapproval to be given by licensing agencies.
5. Temporary License shall be issued for a maximum of one year following initial evaluations to give time to achieve compliance.
6. Infant is a non-walking child who is under 24 months of age.
7. Toddler is a child who is walking alone, but is not yet capable of exerting judgment about his own actions, and includes all

- children from age of first walking to 2 1/2 years.
8. Pre-School is 2 1/2 through 5 years.
  9. School-Age is 6 through 15 years.
  10. Evening Care is care for children staying after 6 p.m. and leaving before 1 a.m.
  11. Night-Time Care is care for children staying after 1 a.m.
  12. Part-Day Care is care for less than 4 consecutive hours.
  13. Full-Day Care is care for more than 4 consecutive hours.
  14. Irregular Care is care for two to six consecutive hours on an unscheduled or intermittent basis. This definition includes Mother's Day Out or other programs operating more than one three-hour session per week. (Mother's Day Out or other programs operating 3 hours or less per week shall be exempt from licensing.) (See Regulation 28-4-210, 3D)
  15. Self-Contained Unit is an area separated by permanent or movable partitions, which contains adequate indoor play equipment for the maximum number of children permitted in one group. (See Regulation 28-4-210,A)
  16. Program is the comprehensive and coordinating sets of activities providing for care, protection, and development of infants, toddlers, pre-school and school-age children on a regular basis during any portion of a 24-hour day.
  17. Community-Sponsored refers to non-profit centers subsidized by the community and/or other general source of funding.
  18. Corporal Punishment is any method of physical discipline of the child including spanking with the hand or any implement, slapping, swatting, pulling hair, yanking by the arm, etc.
  19. Summer Camp for School-Age Children - Summer program in which school-age children (6-12 years) are enrolled full-day for more than two consecutive weeks.

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20. Program Director- The staff member who meets training requirements for the number of children enrolled (28-4-210) and is designated to be responsible for the educational component of the total program.
21. In-Service Training- Training related to the job responsibilities of the staff at the center. (See Regulation 28-4-210,7,8).  
(Authorized by KSA 65-508, effective January 1, 1973; amended January 1, 1974; amended May 1, 1975).

28-4-201 ELIGIBILITY FOR LICENSE

1. Applicant shall be within the ages of 18 and 65 years at the time of the application.
2. Applicant shall provide evidence of his/her character and ability to care for children.
3. A license shall not be issued to a child care center when any adult member of the staff is under investigation by law enforcement agencies, or is known by the Center Director to have a conviction of child abuse, or a sexual offense. (Authorized by KSA 65-508 effective January 1, 1973, amended January 1, 1974, amended May 1, 1975).

28-4-202     STATEMENT OF SERVICES OFFERED

1.     When making application to the Bureau of Maternal and Child Health of the Kansas State Department of Health and Environment for a license to conduct a child care center, the **applicant** shall state precisely what services are intended to be offered to children. Advertisements shall conform to the statement of services as given on the application. Under no circumstances shall claims as to specialized services be made unless the child care center is staffed and equipped to offer such services. No general claim as to "state approval" shall be made unless the child care center has obtained a full license issued by the Kansas State Department of Health and Environment with approval of the Division of Children and Youth, of the Kansas State Department of Social and Rehabilitation Services.

(Authorized by KSA-503)

28-4-203     LICENSING PROCEDURES

1.     Any person or corporation desiring to conduct a child care center shall apply for a license to do so on State Department of Health and Environment forms.
2.     No person shall conduct a child care center unless licensed to do so by the State Department of Health and Environment.
3.     The applicant shall be temporarily authorized by the State Department of Health and Environment to accept children for care when neither approval nor disapproval can be granted within 90 days.
4.     Following receipt of the application, the State Department of

Health and Environment shall initiate licensing procedures as follows:

- A. A public health nurse shall be requested to evaluate the child care center for compliance with licensing regulations in the areas of health, safety and nutrition, and shall be responsible for on-going supervision to insure continued compliance.
  - B. Approval or disapproval shall be requested from the Department of Social and Rehabilitation Services. Upon the request of the State Department of Social and Rehabilitation Services, a local social service worker shall evaluate the child care center for compliance with the following licensing regulations; 28-4-206, 28-4-207, 28-4-210, 28-4-211, 28-4-212; and shall offer on-going consultation to the center. Regulation 28-4-204 shall be evaluated by both agencies.
5. A fee shall be requested when the applicant is notified that the application for license has been approved. The applicant shall then forward to the State Department of Health and Environment the license fee, as follows: a full license for 7 children or more, one year \$5.

(Authorized by KSA 65-501, 65-504, 65-505, 65-508, 65-512).

28-4-204 TERMS OF LICENSE

1. The number of children specified on the license shall be the maximum number of children authorized to be in the center at any one time.
2. The maximum number and age range of children who may be cared for in a child care center at any one time shall be specified on each license.
3. Any child care center license issued shall be valid only for

the person, sponsor, or address appearing on the license. A new application and fee are required for each change of ownership, sponsor or address of the center.

4. Application may be withdrawn at any time upon request by applicant. Should the applicant wish to resume the care of children, a new application shall be required by the State Department of Health and Environment.

(Authorized by KSA 65-501, 65-504.)

28-4-205 CHILDREN RECEIVING CARE

1. Children receiving care in child care centers shall be between the ages of two weeks and sixteen years.
2. Children shall be given care in self-contained units (see definition 15), with the number of units determining the maximum enrollment of the center. (See Regulation 28-4-210, 2,A). Centers which cannot develop self-contained units shall present a plan for space use to the state licensing staff for approval.
3. Centers may enroll children for irregular care as follows:
  - A. Children enrolled on an irregular basis shall not cause the center to exceed its license limit at any one time.
  - B. Children under 6 years who are enrolled for irregular care shall remain at the center at least two consecutive hours.
  - C. A health record as defined by Regulation 28-4-213, shall be presented to the center at the time of the child's admission.
4. Centers not specifically designed to serve the developmentally disabled child shall enroll children showing significant developmental disabilities (severe mental retardation, emotional



disturbance, or physical handicap) at the discretion of the Director and Governing Board following a developmental evaluation of the child and approval from the State Department of Health and Environment and the State Department of Social and Rehabilitation Services.

(Authorized by KSA 65-508)

28-4-206     ORGANIZATION

1.    A community-sponsored child care center shall be incorporated as a non-profit corporation under the laws of Kansas or be a corporation qualified in the state and shall operate in accordance with an established constitution and by-laws.
2.    A community-sponsored non-profit child care center shall be governed by an administrative board, 1/3 to 1/2 of whose members shall be parents or parent representatives of children enrolled in the center elected by the total parent membership of the center.

(Authorized by KSA 65-508)

28-4-207     ADMINISTRATION

1.    General Administrative Policies
  - A.    A child care center shall have a written description of the type and extent of services to be offered to children and their families. Parents and the licensing agencies shall be notified of substantial changes in staff or services of the center.
  - B.    Admission policies shall be non-discriminatory in regard to race, color, religion, national origin, ancestry, or sex, in accordance with Kansas Civil Rights Statute KSA 44-1009.

2. Personnel Policies
  - A. The center shall have written personnel policies, procedures, and personnel practices.
  - B. A personnel record shall be maintained at the center on each staff member.
  - C. Personnel policies shall be reviewed annually by staff and/or administrative board.
3. Insurance-Liability and Accident Insurance shall be carried on children and staff at the center.
4. General Records - The center shall maintain the following general records for review by licensing staff.
  - A. Attendance record for children and staff.
  - B. Record of fee payments.
  - C. Sample menus and number of meals served daily.
  - D. Dates of practice of emergency procedures. (See additional regulation 28-4-218)
  - E. Annual director's report and program director record of education and training on forms supplied to the applicant.
  - F. Financial records in community-sponsored and/or non-profit centers including an annual audit by an independent public accountant or committee authorized by the Board.
5. Children's Records
  - A. Identification and emergency information for each child shall be readily accessible to the telephone. This information shall include:
    1. Name, date of birth, and sex of child.
    2. Scheduled hours of care.
    3. Names, home and business address and phone numbers of parents or legal guardian.
    4. Name, address, and telephone number of physician,

- hospital, and person to notify in case of emergency.
5. Persons authorized to call for child or mode of transportation to and from center.
- B. A file shall be maintained for each child which includes:
1. Application for enrollment.
  2. Developmental history of child.
  3. Signed permission of the parents for the following:
    - a. Field trips
    - b. Each medical, developmental and/or psychological evaluation after complete information is provided to the parent.
    - c. Child to be subject for research.
    - d. Pictures for publicity purposes.
    - e. Transfer of records.
    - f. School-age child to walk to and from center and to attend activities away from the center.
  4. Staff observations of child's growth and development.
  5. Medical records and parental permission for emergency medical care (See Regulation 28-4-217,2C).
  6. Accident reports.

(Authorized by KSA 65-508)

28-4-208 ENVIRONMENTAL STANDARDS

1. Building-General requirements
  - A. The building shall meet the legal requirements of the community as to zoning, fire protection, water supply, and sewage disposal. Where local regulations do not exist, accepted child care facility standards of the Kansas State Department of Health and Environment, and the State Fire Marshal shall prevail. Buildings shall be maintained in good condition.

- B. All child care centers shall have two approved exits, one of which shall lead directly to the outside.
- C. Programs for children under 2 1/2 shall be conducted on the ground floor only.
- D. For children 2 1/2 years and over a warm, dry, well ventilated and lighted basement may be used for part day sessions only. (A basement is defined as an area in which all four outside walls are more than 2/3 below ground level.) The basement area used must have two approved exits located at opposite ends of the play area with one exit leading directly to the outside.
- E. Second floors may be used for children 2 1/2 years and over when entered from enclosed stairways with safety rails, have guards across windows and at top of stairs and have two approved exits.
- F. All stairs shall be provided with sturdy handrails.
- G. Landings or gates shall be provided beyond each exterior door, and any interior door opening onto a full-length stairway.
- H. Programs which include physically handicapped non-ambulatory children shall be conducted on the ground floor only. All exits and steps shall have ramps properly equipped with cross-treads.
- I. Mobile units shall be securely anchored to the ground.

2. Grounds

- A. The outdoor play area shall be free of physical hazards to children.
- B. The outdoor play area shall contain the following usable play space for the number of children on the playground at any one time:

1. A minimum of 1500 sq. ft. for children under 2 1/2 years and 2000 sq. ft. for children over 2 1/2 years of age.
2. Additional space per child as follows:
  - a. Children under 2 1/2 years - 75 sq. ft.
  - b. Children over 2 1/2 years - 100 sq. ft.
- C. Centers enrolling more than one unit of children shall have sufficient outdoor play area to accommodate 1/2 of the children in attendance per session.
- D. A separate playground area, adequately equipped for the number of children served, shall be provided for each two units of children using the playground at any one time. (See Regulation 28-4-210,2,A). The playground shall be so arranged that attendants can provide close supervision to children at all times. Fencing or environmental barriers shall be provided, and shall be of such construction and/or extent that the children are protected. The outdoor play area shall provide both sunshine and shade. Hard-surfaced (including gravel) area shall not be used under anchored play equipment.
- E. A rooftop used as a playground shall be enclosed with a flat board fence or a chain link fence angled toward the playground and not less than six feet high. An approved fire escape shall lead from the roof to the ground.
- F. Playground equipment shall be safely constructed and of a size suitable to the ages of the children in care. All swings shall have chair or sling seats and shall be safely situated or guarded so that children cannot run in the path of the swing. Teeter-totters and merry-go-rounds

designed for school-age children shall not be used for children under six years. Climbing equipment and swings shall be anchored in the ground with metal straps or pins, or shall be set in cement.

3. Inside Area

- A. The building shall be clean at all times, free from accumulated dirt and any evidence of vermin or rodent infestation.
- B. The indoor area for play of the group receiving care shall contain a minimum of 35 square feet of usable floor space per child, exclusive of kitchen, passageways, room dividers, shelves, lockers, bathrooms, and other space not primarily designated as play area. Centers enrolling children who use walkers or wheelchairs shall have 50 square feet of space for each disabled child.
- C. All quarters occupied by the children shall be adequately heated, ventilated, and cooled. Open faced heaters shall be prohibited.
- D. Gas heaters shall be vented and installed with permanent connections and protectors.
- E. All heating elements including hot water pipes shall be insulated or installed in such a way that children cannot come in contact with them.
- F. Doors and windows shall be properly weatherstripped to reduce draft to a minimum. Fireplaces, floor furnaces and hot radiators shall be protected by screens or guards. Floor furnaces shall not be used in centers caring for children under 2 1/2 years of age.
- G. All quarters occupied by the children shall have lighting of a minimum of 20 foot candles in all parts of room.

- H. Centers serving school-age children shall have lighting of a minimum of 35 foot candles in areas used for reading, study or other close work.
- I. Low windows which present a hazard to children shall be effectively screened or guarded.
- J. Floors shall be smooth and free from cracks, easily cleanable and shall not be slippery. Floor covering shall be required over concrete slabs in contact with ground. If floors are carpeted, only fire-rated carpeting shall be used.
- K. Walls shall be smooth, easily cleanable and in sound condition. Paneling in centers opening after January 1, 1973, shall meet Fire Safety Requirements.
- L. All painted surfaces shall be free of toxic materials.
- M. Windows and doors shall be screened as needed.
- N. Garbage shall be placed in covered containers away from reach of the children and removed frequently.
- O. There shall be a telephone located on the premises and readily available. Emergency numbers such as fire, police, hospital, poison control center and ambulance shall be posted by the phone.
- P. Furniture, equipment, and toys shall be appropriate to the ages of the children, sturdily constructed without sharp edges, and shall not present hazards to children.
- Q. Curtains shall be of a flame-proofed material as recommended by the State Fire Marshal or in pamphlets supplied by the State Department of Health and Environment.
- R. Medicines, household poisons, fire arms, and other dangerous substances and instruments shall be in locked storage.

- S. Electrical outlets within the reach of children under 6 years shall be covered with safety plates.
  - T. Each child shall be provided with individual space for his outer garments, clothing, and possessions. This space shall be marked in such a way that the child can recognize it and think of it as his own.
  - U. Low open shelves shall be provided for play equipment and materials so that they are readily accessible to the children.
  - V. Storage space located conveniently for the staff shall be provided for supplies and equipment not in use.
  - W. Every center for children under 2 1/2 years shall have an adult size rocking chair.
4. Rest and napping facilities - Daytime and Evening care
- A. Centers providing full day care shall have cribs, youth beds and cots of adequate size for the comfort of the children. Foam pads 3" by 24" by 5 feet may be used for children between 2 1/2 and 6 years of age if area is carpeted.
  - B. For children under 2 1/2 years, a separate sleeping area shall be provided with cribs or youth beds separated by at least three feet, except when bordering on the wall. Crib sides shall be up while the child is in the crib.
  - C. For children over 2 1/2 years, youth beds or cots shall be separated from each other by at least two feet in all directions except when bordering on a wall.
  - D. Each crib, youth bed, cot or pad shall be equipped with a bottom sheet and individually labeled cover.

Rest and sleep facilities - Night time care.

- A. Bathing facilities shall be provided.
- B. Comfortable individual beds, complete bedding, and night



clothes shall be available. Bunk beds shall be prohibited.

- C. Movable screens shall be available to insure privacy as needed.
- D. Separate sleeping areas shall be provided for boys and girls over 6 years of age.
- E. Fifty cubic feet of space per child shall be provided in sleeping areas. There shall be 2 feet of space between beds except when bordering on a wall.

5. Food Service

- A. In centers in which meals are prepared, the kitchen shall be separate from the play area and shall not be used as a passageway while food is being prepared. It shall be adequately equipped for the sanitary preparation and storage of food, and washing of dishes. Centers constructed after January 1, 1973, shall provide separate handwashing facilities in the kitchen.
- B. Dishes, kitchen utensils and feeding equipment shall be maintained in a sanitary condition using one of the following methods:
  - 1. Disposable utensils and dishes.
  - 2. A 3-compartment sink supplied with hot and cold running water and a drainboard.
  - 3. A mechanical dishwasher.
- C. Dishes shall have smooth, hard-glazed surfaces and be entirely free from cracks or chips.
- D. If kitchen facilities are not available, policies for bringing food into the center shall reflect the accepted practices of the local sanitary codes and shall be adapted to fit the needs of the program.
  - 1. Food shall be obtained from sources approved by the Health Department.

2. Food shall be transported in covered and temperature-controlled containers and not allowed to stand.
  3. Dairy products shall be grade-A pasteurized.
  4. Meat shall be from government-inspected sources.
  - E. Children over 2 1/2 years shall have appropriately-sized tables and chairs which are smooth-surfaced, of sturdy construction and easily cleaned.
  - F. Children not held for feeding shall have low chairs and tables, infant seats with trays, or high chairs with wide base and a safety strap.
  - G. The terminal method of sterilization shall be used for formula prepared at the center.
6. Water Supply
- A. The water supply shall be from a source approved by the health authority, so certified and shall be under pressure.
    1. Water coming into the premises shall come from a public or municipal source, and the plumbing shall have been installed and be maintained in a manner approved by local or state plumbing codes, or
    2. A private water supply shall have been investigated and approved by the responsible health authority and the plumbing shall have been installed in an approved manner as above.
  - B. Sanitary drinking facilities shall be provided for the children while either indoors or outdoors. The following methods are acceptable: (a) paper cups and appropriate water dispenser available to the children; (b) a fountain of approved design so arranged that a child can get a drink of water by himself.

7. Toilet and Lavatory Facilities

- A. All plumbing fixtures and building sewers shall be connected to public sewers where available.
- B. Where a public sewer is not available, a private sewage disposal system meeting requirements of the health authority and installed and connected to all plumbing fixtures and building sewers shall be used.
- C. Bathroom facilities shall be separate from areas used for cooking, sleeping or eating, and readily accessible to the play areas.
  - 1. All plumbing facilities shall be in good condition.
  - 2. They shall be placed low to facilitate their use or be provided with safety steps.
  - 3. There shall be one toilet and one washbasin for each 12 children receiving care.
  - 4. Potty chairs shall be washed with soap and water and sanitized after each use. The wastes shall be disposed of in a sanitary manner.
  - 5. Bathroom facilities shall be planned to assure privacy for staff.
- D. Cold water and hot water not exceeding 120°F. shall be supplied under pressure to lavatory fixtures accessible to children.
- E. Handwashing facilities shall be readily accessible to the sleeping area in centers caring for children 2 weeks to 2 1/2 years.
- F. Supplies for personal care shall be provided as follows:
  - 1. Individual towels, washcloths, and burp cloths for infants and toddlers.

2. Soft paper towels for children over 2½ years.
  - G. In centers serving meals individually labeled toothbrushes stored out of reach of children shall be provided and shall be used daily.
  - H. In centers serving developmentally disabled children, toilets and washbasins shall be designed to accommodate the physically handicapped child.
8. Laundry Facilities
- A. If laundry is done at the center, laundry fixtures shall be located in an area separate from food preparation areas, and shall be installed and used in such a manner as to safeguard the health and safety of the children.
  - B. The type of diapers and diaper service used shall be determined by the center director with approval of the health nurse.
  - C. Separate areas shall be provided for soiled and clean linens.
  - D. In centers constructed after January 1, 1973, separate handwashing facilities shall be provided in the laundry room.

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## 9. Swimming and Wading Pools

- A. If swimming pools (any enclosed body of water more than 12" deep) or wading pools are part of the facilities, or program, they shall be constructed, maintained, and used in such a manner as to safeguard the lives and health of the children.
1. A life guard with a current Red Cross Senior Life Saving Certificates shall be on duty at all times when swimming pools are in use. One life guard shall be responsible for not more than 25 children.
  2. Swimming pools shall be fenced in accordance with accepted safety practices to prevent chance access by children.
  3. Wading pools shall be used only when an adult staff member informed about water safety procedures is present.
  4. The number and ages of children using either swimming or wading pools shall be limited at any one time to allow appropriate supervision by the adult staff member or life guard. Licensing regulation for staff-to-child ratio shall be maintained at pool at all times.
  5. The water in the pool shall be treated, cleaned, and maintained in accordance with state health regulations. Chlorine (household bleach) shall be added as follows: 2 drops per gallon of water,  $\frac{2}{3}$  cup per 1,000 gallons of water. Water in wading pools shall be emptied daily.

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6. Legible safety rules for the use of pools shall be posted in a conspicuous location and shall be read and reviewed at regular intervals by all staff members responsible for the care of children.
- B. Natural bodies of water shall be used only for children over six years of age and shall be approved for swimming by the appropriate health authority. A qualified life guard shall be on duty.

(Authorized by KSA 65-508).

28-4-209 TRANSPORTATION

1. Any child care center that provides transportation between the child's home and the center or between a public school and the center shall meet the following requirements:
  - A. The driver of a vehicle transporting more than 8 children shall obtain a School Bus Driver's License from the Kansas State Motor Vehicle Department.
  - B. The driver of a car transporting five or fewer children or a station wagon transporting 8 or fewer children shall have a current chauffeur's license. (Volunteer drivers shall be exempt from this regulation.)
  - C. A car, station wagon, or bus shall not transport more children than the capacity of the vehicle as stated by the manufacturer.
  - D. Campers shall not be used for transportation.
  - E. A second adult shall ride in rear seat of vehicle when:
    1. More than five children under five years, or one or more infants are being transported.
    2. Bus routes exceed 30 minutes.

- F. The vehicle for transportation shall be covered by medical and liability insurance as required by state statutes.
- G. The transporting vehicle shall have a yearly mechanical safety check of tires, lights, windshield wipers, horn, steering, signal lights, suspension, glass, brakes, and tail lights, and a record of the date of the safety check and corrections made shall be kept on file at the center or in the vehicle.
- H. Each vehicle shall be equipped with a 4:BC rated fire extinguisher mounted under the dashboard or under the front seat of the vehicle.
- I. Each child shall be provided with an appropriate individual restraint as follows:
  - 1. Infants up to 9 months - infant care bed or infant carrier.
  - 2. Children 8 or 9 months up to 2 years - child care seat or child harness.
  - 3. Children 2 to 5 years - vehicle lap belt.
  - 4. Children at least 55 inches in height - vehicle shoulder belt (worn with lap belt.).
- 2. The driver shall deliver the child to a responsible person designated by the parent.
- 3. Regulations C,D,E and F above shall be observed on field trips.  
(Authorized by KSA 65-508, effective January 1, 1973, amended January 1, 1974, amended May 1, 1975).

- 1. Centers shall establish employment and recruitment policies which

recognize the importance of including males, various racial and ethnic groups and neighborhood residents as staff or volunteers.

2. Centers with enrollment requiring only one adult shall have two additional adults on call in case of illness or emergency. Names and phone numbers of these adults shall be posted at the center, and their health certificates shall be on file.
3. The ratio between teaching staff and children shall be determined by the age of children and services provided. Only persons who spend at least 75% of their time when at the center in providing direct care for children shall be counted in the following adult-child ratios:

A. Programs providing full and part-day care:

<u>Age of Children</u>	<u>Adult-Child Ratio</u>	<u>Maximum No. Per Unit</u>
Infants (Non Walking)	1 to 3	9
Toddlers	1 to 5	10
2 to 3 years	1 to 7	14
3 to 4 years	1 to 10	20
4 to 6 years	1 to 10 Full-Day Care	20
	1 to 12 Part-Day Care	24
6 to 15 years	1 to 16	32
<u>Mixed Age Group</u>		
Infants to 6 years	1 to 4 (Max 2 infants)	8 (Max. 4 infants)
2 1/2 years to 6 years	1 to 9	18
3 years to 6 years	1 to 10	20

B. Programs providing evening and night-time care:

1. Day time adult-child ratio shall be followed during meal, bath, and dressing hours. (Regulation 28-4-210,2A)
2. Two adults shall be present at all times, one of whom shall be awake. Not more than one adult shall sleep in room with children.



## C. Programs serving handicapped children:

<u>Age of Children</u>	<u>Adult-Child Ratio (mild dis.)</u>	<u>(Severe dis.)</u>
Under 3 years	1 to 2	1 to 2
3 to 8	1 to 7	1 to 5
8 to 16	1 to 9	1 to 5

4. Staffing and grouping patterns shall be developed to provide children with an intimate and consistent relationship with an adult and an opportunity for close friendships with other children.
  - A. A plan shall be presented to the licensing representative which indicates the center's plan for staff and grouping of children.
  - B. When volunteers and part-time employed staff are used, they shall be responsible to the program director. Appropriate staff time shall be planned for orientation and supervision of volunteers.
5. Full-Day centers shall provide staff release time for staff meetings, in-service or academic training, breaks and contact with parents in a manner which will not detract from attention to children.
6. Every center or self-contained unit shall have at least one staff person on duty at all times who is between the ages of 18 and 65, has a minimum of a high school diploma or its equivalent, and is knowledgeable about child development, methods of guidance and education of children; who is sensitive to the needs of individual children; who has skills in human relations necessary to relate to other staff, parents, and community; and who is of good moral character.
7. All center staff shall participate at least monthly in in-service training provided by center, professional organization, or local child care association.

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8. The program director shall attend one in-service training event or workshop each year, separate from the in-service training conducted at his/her center.
9. Single or multi-unit centers licensed for 10 or fewer children under 6 years of age (or 12 four and five year olds in part-day session) shall have a staff person who meets the requirements included in Regulation 28-4-210,6, in one of the following ways:
  - A. Six months teaching experience in a licensed center with children of same developmental age as being served in present center.
  - or
  - B. Five full-or part-day sessions of observation in approved child care center serving children of same developmental age as being served in present center; and attendance at one KAEYC - or state-approved workshop and one state-wide professional meeting; or an approved 2 day workshop,
  - or
  - C. A minimum of three semester hours of academic study or equivalent training courses in child development and curriculum resources; and supervised student observations in high school or college, or 3 months work experience with children of same developmental age as being served in present center,
  - or
  - D. Child Development Associate credential.
10. Single or multi-unit centers licensed for 11 to 20 children under 6 years (or 24 four and five year olds in part-day session) shall have a program director who meets the requirements included in regulation 28-4-210,6, in one of the following ways:

A. Five full-or part-day sessions of observation and participation in approved centers serving children of same developmental age as being served in present center, and one year of teaching experience in a licensed center with children of same developmental age as being served in present center,

or

B. Seven to nine semester hours of academic study or equivalent training courses in child development, curriculum resources, guidance and education for young children; and three months teaching experience in a licensed center with children of same developmental age as being served in present center,

or

C. Child Developmental Associate credential.

11. Multi-unit centers licensed for more than 20 children (or more than 24 four and five year olds in part-day session) shall have a program director who meets the requirements included in Regulation 28-4-210,6, in one of the following ways:

A. Twelve semester hours of academic study or equivalent training courses in child development, curriculum resources, guidance of young children, human relations, child care center administration, and parent education and practicum; three years teaching experience in a licensed center with children of same developmental age as being served in present center,

or

B. Associate of Arts degree or 2 year certificate in child development and two years teaching experience in a licensed center with children of same developmental age as being served in present center,

or

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C. A.B. or B.S. degree in child development or early childhood education, and three months teaching experience in a licensed center with children of same developmental age as being served in present center,

or

D. A.B. or B.S. degree in related field, and twelve hours of academic study or equivalent training courses in human relations, child development, curriculum resources, parent education, practicum, and administration of programs for children of same developmental age as being served in present center; and three months teaching experience in a licensed center serving same developmental age as being served in present center.

12. Multi-unit centers shall employ one adult per unit who meets requirements described in 28-4-210,9 or 10, depending on the size of the unit.
13. Single or multi-unit centers may employ additional persons as assistant teachers who meet the following minimum requirements:
  - A. Are sixteen years or older.
  - B. Have high school or college academic study in child development or equivalent training courses.
14. Volunteers may serve as additional staff in single and multi-unit centers if they are 14 years of age or older and agree to participate in in-service training programs under the direction of the program director.
15. Single or multi-unit centers serving infants and toddlers may employ teaching staff who meet the requirements in one of the following ways:
  - A. Same as 28-4-210,9.

or

- B. L.P.N. degree and 6 months work experience in pediatrics or in licensed child care center serving infants and toddlers.
16. Single or multi-unit centers providing programs for school age children may employ teaching staff who meet the requirements in one of the following ways:
- A. Same as 28-4-210,9,10,11
- or
- B. A.B. or B.S. degree, and 3 months experience working with school-age children.
17. Single or multi-unit centers providing programs for handicapped children shall have staff who meet the requirements listed in 28-4-210,9,10,11 or 15 plus the following:
- A. Teacher shall not be the parent of a child enrolled in the unit.
- B. Teacher shall have additional academic course work or equivalent training courses in the understanding of handicapped children and the knowledge to develop a specialized program to meet the needs of individual children enrolled in present center.
- C. Consultants shall meet the professional requirements of specialized service (speech, psychological, etc.)
18. A. Centers serving over 20 children shall have a part-or full-time administrator or secretary who may be the owner, a volunteer, a paid employee, or a teacher utilized no more than 25% of his time as administrator. The administrator or secretary shall have knowledge of the needs of programs for young children, and human relations skills to relate to parents and the community.

- B. Centers serving 3 or more units of children shall have a program director separate from the classroom teaching staff who meets the requirements of 28-4-210,11.
  - C. Centers serving more than 5 units shall designate an assistant director who meets training requirements in Regulation 28-4-210,10.
  - D. An early childhood specialist meeting training requirements, in 28-4-210,11 may serve as program director for a maximum of three separate centers.
19. Single or multi-unit centers serving a meal prepared at the center to more than 10 children shall employ a staff person who meets the following requirements:
- A. Has knowledge of nutritional needs of children.
  - B. Understands quantity food preparation and service.
  - C. Practices sanitary methods of food handling and storage.
  - D. Is sensitive to individual and cultural food tastes of children.
  - E. Is willing to work with program director in planning learning experiences for children relative to nutrition.
20. Single or multi-unit centers shall have adequate janitor service to keep center clean daily. Center shall be left in clean condition at the end of each session.
21. All employed staff members shall provide personal and work references, college transcripts and/or certificates of training to the owner or corporation at time of application for employment. These records are to be retained in the employee's file at the center's administration office.

28-4-210, 22

22. Centers approved as demonstration or training centers shall have staff meeting qualifications listed in 28-4-210,11 and shall be recommended by local or district licensing staff.

(Authorized by KSA 65-508, effective January 1, 1973, amended January 1, 1974, amended May 1, 1975).

28-4-211 ADMISSION POLICIES

1. Arrangements for the admission of children shall be made prior to the day on which child enters the center.
2. The child shall be given the opportunity to visit with his parent until he is ready to stay all or part of the day.
3. Parents shall be informed when religious training is a part of the child care program of the center.

(Authorized by KSA 65-508).

28-4-212 PROGRAM CONTENT

1. The program shall meet the basic developmental needs of children enrolled.
2. Program shall encourage each child to develop self-care skills.
3. There shall be a familiar and similar pattern in every-day routine.
4. The child shall have freedom to move from group to solitary activities and from vigorous physical to passive quiet activities.
5. Unless extreme weather conditions prevail children shall have a daily period of outdoor play under the supervision of an adult. The duration of outdoor play shall be at least one hour for children spending more than four consecutive hours at the center.
6. To meet the developmental needs of children, alternating periods of active play and quiet and restful periods shall be provided.

7. If a child remains at the center more than 4 hours he shall be encouraged to nap or rest according to his individual needs.
8. Children shall be allowed to go to the bathroom individually as needed.
9. Discipline which is humiliating or frightening, or physically harmful to the child, shall not be used at any time. Napping, toilet training, or eating shall not be associated with punishment. Corporal punishment shall be strictly avoided even though parents approve.
10. The center shall provide an adequate amount and variety of materials and equipment to meet the developmental, educational, and cultural needs of children in care.
11. There shall be frequent exchange of information between the staff and parents regarding the child's development and the child care center program.
12. The following additional regulations shall be met in those centers serving special age groupings or time schedules, as follows:
  - A. Infants and toddlers
    1. Daily activities shall include:
      - a. Gross motor and fine motor activities.
      - b. Visual-motor coordination activities.
      - c. Language and development activities.
      - d. Activities which foster social and personal growth through individualized care by consistent nurturant figures.
    2. At no time shall a child be left in a crib or other confinement while awake for longer than 1/2 hour.
    3. The infant and toddler unit shall be separate from facilities for older children, and shall not be used by other groups.



## B. School Age Children

1. Full year care - Educational and recreational activities

shall be provided in accordance with their ages and ability levels, as follows:

- a. Opportunity to take responsibility, consistent with their age, for planning their own activities.
- b. Opportunity to acquire skills in arts, crafts, and music.
- c. Opportunity for physical education to develop skills in movement and group games.
- d. Opportunity to engage in solitary or community activities as desired.
- e. Parent's permission for participation in activities away from the center.

2. Summer camps for school-age children shall meet all licensing regulations. Exception may be granted to Food Service regulations 28-4-207,5A; 28-4-208,5; and nutrition regulations 28-4-215, 1-4, if meals are not served at center. The following regulations are to be met in lieu of the above:

- a. A record of information to be used in case of emergency (see Regulation 28-4-207,5A and Regulation 28-4-217,2A) shall be immediately available to the staff in attendance with children (on bus, at campsite, etc.).
- b. If sack lunches are provided by the children, the lunches shall not be unrefrigerated for more than three hours. Refrigerated storage shall be provided for beverages.
- c. Summer programs using full-year centers for pick-up points for school-age children shall not cause the full year center to exceed its license limit at any time.

## C. Evening and Night-Time Care

1. Special attention shall be given by the center and the parents to provide for a transition into evening and night-time care appropriate to the child's emotional needs.
2. Activities and program provided for children in evening care shall be appropriate for age level, time of day and needs of individual children.

- D. Mother's Day Out or other programs meeting three hours or less per week shall be exempt from licensing.

(Authorized by KSA 65-508, effective January 1, 1973, amended January 1, 1974, amended May 1, 1975).

28-4-213 HEALTH CARE POLICIES

1. Physical and Dental Health of Children

- A. A pre-entrance and annual health assessment conducted by an approved nurse in a certified health department or by a licensed physician shall be required for each day care child and kept on file at the center.
1. The initial health assessment shall include a tuberculin test and a chest X-ray if the tuberculin test is positive.
  2. Additional tuberculin testing shall be required only if the child becomes a contact of a new active or reactivated case of tuberculosis. The results of these examinations shall become a part of the child's health record.
  3. Results of the health assessment shall be recorded on forms supplied by the Kansas State Department of Health and Environment.
  4. Where a safe level of immunization has not been attained, the staff of the center shall refer the parent to a resource for obtaining the necessary immunizations.
  5. Exemptions to health assessments and immunizations shall be permitted as follows:
    - a. Certification from a licensed physician stating the physical condition of the child to be such the TB test and/or immunizations would seriously endanger his life or health.
    - b. A written statement signed by one parent or guardian that he is an adherent of a religious denomination whose religious teachings are opposed to such assessment, TB test and immunization.

- B. When a child is not receiving on-going health supervision the child care center operator shall refer the parents to a resource in the community for obtaining on-going health care.
- C. A record shall be kept on each child which includes pertinent information about his health status, his developmental progress and any special needs he may have, with appropriate plans to meet these needs.
  - 1. The staff shall update the health information as determined by the program's specific health policies and shall use such information as a basis for review and evaluation of the child's health status.
  - 2. When a child is absent, the child care staff shall be informed of the reasons and such information shall be provided to other parents when appropriate.
- D. All staff members shall be trained in observation of symptoms of illness and shall observe each child's health status daily.
- E. All staff members shall be trained in elementary principles of first aid by a registered nurse, Red Cross Staff or a center staff member who has completed the Red Cross course.
- F. The child care center staff shall develop dental health policies including plans for dental health consultation and education for parents and children in the practice of good oral hygiene.
- G. Each center serving children with developmental disabilities shall have on file a written plan from the child's physician listing recommendation to cover special needs and to define his participation in the program.

2. Personal Health of Staff and Volunteers

- A. All staff must be free of communicable diseases and of such

- a state of health and freedom from physical handicaps as is necessary for them to adequately and successfully care for children in a Child Care Center.
- B. All staff who will have contact with the children shall have a health assessment conducted by a licensed physician or by a nurse approved by the Kansas State Department of Health and Environment, prior to employment and every three years thereafter.
  - C. Results of the assessment shall be recorded on forms supplied by the Kansas State Department of Health and Environment and kept on file at the Center and/or the local health department.
  - D. The initial health assessment shall include a tuberculin test unless there is a history of previous reaction. All reactors and those with history of previous reaction shall have a chest X-ray. Test of X-ray results shall be recorded in the person's health record at the center.
  - E. Should significant exposure to an open case of tuberculosis occur or should symptoms compatible with tuberculosis develop between health assessments, the person shall be retested with tuberculin or X-rayed as appropriate and the proper treatment or prophylaxis instituted. Results of such follow-up shall be recorded in the person's health record and the health department shall be kept informed.
  - F. All family members residing in the same location as the child care center shall obtain health assessments as described above.
  - G. An adult who is over sixty-five years of age, or an adult who has been under regular treatment of a physician for a particular medical problem shall secure a yearly written statement from his

personal source of health care that his physical and mental health are sufficient to care for young children. This statement shall be kept with the required health certificate on file in the center.

- H. Volunteers shall present written proof of freedom from active tuberculosis before serving in a child care center.

(Authorized by KSA 65-508).

28-4-214 MENTAL HEALTH POLICIES

1. The child care program shall supplement and support the family-child relationship.
2. The views of parents concerning those factors important to them in the emotional development of their child shall be considered by the staff in planning the child care progress.
3. The cultural heritage of the child shall be recognized and respected.
4. Mental health concepts, as an integral aspect of total child development, shall be included in staff training and in parent-child conferences.

(Authorized by KSA 65-508).

28-4-215 NUTRITION POLICIES

1. Centers shall serve meals and snacks appropriate to the nutritional needs of children in care.
  - A. At least two meals shall be provided for a child in care for more than eleven consecutive hours.
  - B. Breakfast shall be provided as needed for children in care between four and eleven consecutive hours.
  - C. At least one meal shall be provided for a child in care for five consecutive hours.

28-4-215, 2-4

- D. Nutritious snacks shall be provided in all child care centers.
2. Menus shall be posted where parents can see them. Sample copies shall be kept on file for review by the public health nurse.
3. Adults shall be seated at the tables with the children at meal time.
4. Formula and introduction of solid foods for infants shall be prescribed by the child's individual physician or a registered nurse.  
(Authorized by KSA 65-508).

28-4-216 HEALTH POLICIES RELATING TO INFANTS AND TODDLERS

1. A child care center which provides care for infants and toddlers shall in consultation with the public health nurse, develop written health policies including the following aspects: type of feeding, storage of formula, provision of adequate changes of clothing, care of diapers, provision of a clean area for diapers, provision for bathing of infants when soiled, the type of bed to be used, care of bed linen, care and cleaning of training chairs, and special safety precautions.
2. The staff shall consult with parents about the application of health policies to the needs of individual children.
3. Each infant shall be dressed and diapered in his own crib using individual supplies.
4. Each infant shall be held when bottle fed.

28-4-217 POLICIES RELATING TO ILLNESS AND ACCIDENT

1. If care of sick children is to be provided, the following regulations shall be met:

- A. A written policy regarding illness care shall be prepared in consultation with a licensed physician and signed by him. The terms of this policy shall be posted in a prominent place in the center, and be presented to parents at the time of enrollment of the child.
  - B. A quiet area shall be provided for sick children.
  - C. No non-prescription medications shall be administered to any child except on standing order of a physician. Orders shall be renewed yearly. Such medication shall be administered by one designated staff member.
  - D. Prescription medication shall be administered by one designated staff member from a container labeled with the child's name, name of medication, dosage, dosage intervals, and name of physician and date prescription was filled. The label shall be considered the order from the physician.
  - E. A record shall be kept in the child's file as to who gave the medication (C and D above) and when it was given.
2. Arrangements for emergency care shall be made as follows:
- A. The child care center shall have in writing the name, address, and telephone number of a physician to be called in case of emergency.
  - B. Provision shall be made at a hospital or clinic away from the day care setting for emergency care of children requiring emergency medical treatment.
  - C. Written permission of the parent for such emergency care shall be according to the requirements of the hospital or clinic where emergency care will be given.

28-4-217, 2, D

- D. When a staff member accompanies a child to the source of emergency care, he shall remain with the child until the parent or his designee assumes responsibility for the child's care. Such an arrangement shall not compromise the supervision of the other children in the program.

(Authorized by KSA 65-508).

28-4-218 ACCIDENT PREVENTION POLICIES

1. Each child care center shall in consultation with the fire inspector or other appropriate resource, develop a disaster plan to provide for the safety of children in emergencies.
  - A. Plans shall be developed for the care of children in disasters such as fire, tornadoes, storms, floods, and civil disorders, as well as occurrences of serious illness or injury to adults and children.
  - B. Evacuation drills shall be conducted for tornadoes and fires at random monthly intervals and the date recorded.
  - C. The parents of children in the center shall be informed of the disaster plan, and the plan shall be posted in the child care center.
2. Education about accident prevention shall be included in staff training.

(Authorized by KSA 65-508).

28-4-219 POLICIES RELATING TO ANIMALS AT THE CENTER

1. Whenever animals are on the premises of the child care center, policies shall be written and followed for their care and maintenance. Dogs and cats shall have current immunizations as recommended by a veterinarian.



2. Animals that represent a hazard to children such as water turtles, and poisonous snakes and insects, shall be excluded.
3. Large dogs and horses shall be confined in areas which are removed from child care activities and maintained in a sanitary manner.

(Authorized by KSA 65-508).

28-4-220 COMPLIANCE WITH REGULATIONS

1. The child care center's license shall be prominently displayed as required by law.
2. A copy of the "Regulations for Licensing Child Care Centers for Children" shall be kept on the premises at all times. Such copies shall be furnished by the Bureau of Maternal and Child Health of the Department of Health and Environment.
3. Centers in operation before January 1, 1973, shall meet the revised regulations not later than September 1, 1974.
4. Amendments to the 1974 Regulations for Child Care Centers shall be met by September 1, 1975.
5. Other exceptions to the revised regulations may be allowed by the Joint Licensing Committee where it is found that such exception would not violate the existing applicable statutory requirements, nor discriminate against other existing license holders. The nature of the exception, the conditions attached to it, and its duration shall be in writing, and written notification shall be given to the child care center licensee.

(Authorized by KSA 65-508).

STATE OF KANSAS

ROBERT F. BENNETT, *Governor*



STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

State Office Building

TOPEKA, KANSAS 66612

ROBERT C. HARDER, *Secretary*

Division of  
Vocational Rehabilitation

Division of  
Social Services

Division of  
Mental Health  
and Retardation

Division of  
Children and Youth

Division of  
Administrative Services

Alcohol and Drug Abuse  
Section

State Office  
Economic Opportunity

FACT SHEET

DAY CARE PROGRAM

PRESENTED TO SPECIAL COMMITTEE ON WAYS AND MEANS

June 25, 1976

1

FINANCIAL RESOURCES AVAILABLE FOR PURCHASE OF DAY CARE

FOR ELIGIBLE FAMILIES

Title XX, the Social Service provision of the Social Security Act provides Federal Financial Participation (FFP) to States for services identified in the State Plan that are purchased for eligible people. Day Care is a service Kansas has defined in its Title XX Comprehensive Social Service Plan.

For those families who are eligible under the income guidelines and for whom day care service is a need that has been documented in the family's case plan, day care service maybe purchased where non-federal funds are available to earn the Federal Matching dollars.

SOURCES OF NON-FEDERAL FUNDS

STATE APPROPRIATIONS  
DONATED FUNDS

AID TO DEPENDENT CHILDREN

In addition to financial assistance, under Aid to Dependent Children, social service needs for families and individuals can be provided for families and individuals can be provided as a service cost. One service which may be provided is day care. Day Care is to be used to strengthen family life and to give a child an opportunity to develop physically, emotionally and mentally.

From July, 1975 through June 1976 a total of \$2,775,008 had been spent by the State Department of Social and Rehabilitation Services for children eligible for Day Care from this source of funding. For child care services under ADC, the matching ratio is 75% Federal and 25 % State funds. (See Graph IV in Appendix)

SUMMARY OF MONTHLY EXPENDITURES

Month	Day Care Homes	Child Care Centers	Relative Providers
July	\$154,820.15	\$69,867.85	--
Aug.	144,306.36	80,487.70	--
Sept.	143,514.13	83,337.15	\$13,370.17
Oct.	79,862.60	77,818.27	62,425.80
Nov.	77,101.87	88,620.12	63,965.30
Dec.	82,688.29	99,428.93	63,049.66
Jan.	71,454.35	90,192.98	62,495.94
Feb.	66,110.68	73,556.26	53,495.67
Mar.	74,273.38	108,448.97	69,071.83
Apr.	67,061.09	97,754.87	64,517.02
May	67,008.63	106,095.37	66,093.51
June	71,526.32	113,723.58	67,462.50
TOTAL	\$1,099,727.90	\$1,089,333	\$585,947.40

12.5% increase in amount of monthly expenditures during 12 month period

WIN DAY CARE

The purpose of the 1967 Work Incentive Program is to require the establishment of a program utilizing all available manpower services under which individuals receiving Aid to Dependent Children would be furnished incentives, opportunities, and necessary services including:

1. The employment of such individuals in the regular economy.
2. The training of such individuals for work in the regular economy.
3. The participation of such individuals in special work projects thereby restoring families of such individuals to independence and useful roles in the communities.

S.R.S. Income Maintenance staff is responsible for determining who must register for WIN and who is exempt from registration as a condition of eligibility for financial assistance. Registration is accomplished by completion and signing of the Department of Labor's "WIN Registration" form.

Mothers or caretaker relatives cannot be certified for WIN unless suitable child care plans have been arranged and agreed upon by the mother and the agency. Planning for and development of child care services thus has top priority. All children in need of child care must have a suitable child care plan. Neglect of children due to training or employment of mothers would defeat one of the major thrusts of the program, i.e., strengthening the family and improving the chances of the children and their families to require and maintain self-sufficiency and self-support.

From July 1975 through June 1976, Kansas Social and Rehabilitation Services reports registered a total of \$462,724 in State and Federal Funds spent for purchase of WIN Child Care Services. The matching ratio is 90% Federal Funds and 10% State Funds. (See Graph IV)

According to the SRS National Center Statistics, there were 351 eligible clients who could not be certified for participation in the WIN program because adequate child care arrangements were not available. (This information covers the time period from July, 1975 through May 1976.)

SUMMARY OF MONTHLY WIN DAY CARE EXPENDITURES

Month	Homes	Centers	Relative Provider
July	\$28,896.85	\$12,894.82	-----
Aug.	29,050.33	16,587.01	
Sept.	26,586.92	13,310.26	2,704.50
Oct.	12,867.09	17,544.26	13,942.10
Nov.	11,678.08	11,840.70	11,924.00
Dec.	14,881.08	12,776.56	13,775.00
Jan.	11,550.54	11,206.35	11,499.78
Feb.	9,924.25	8,947.92	8,663.10
Mar.	13,523.31	12,603.82	11,571.00
Apr.	13,650.02	10,538.96	12,683.83
May	12,577.89	10,733.59	13,126.04
June	13,096.11	11,304.87	14,262.75
TOTAL	\$198,282.47	\$150,289.13	\$114,152.10

7.48 % decrease in amount of monthly expenditures during 1<sup>2</sup> month period.

DONATED FUNDS

The service provision of Title XX of the Social Security Act permit the State Department of Social and Rehabilitation Services to accept, under certain conditions non-Federal Funds, (donated funds) from public or private donors. Public donors are generally local units of government. Private donors include civic and church organizations, businesses, fraternal organizations, and private individuals. Donor funds may be matched with Federal funds and used to purchase for eligible individuals the services listed in the State Plan. Non-Federal funds used to purchase day care for eligible children earn Federal Financial Participation (FFP) on a 75% - 25% basis. The service may be provided by the local agency or purchased through contracts with providers of services.

The local S.R.S. office has primary responsibility for the development of purchase of child care through Title XX utilizing Title XX funds. Contracts with both the service provider and donor of the non-Federal funds are developed by the Central office.

From June, 1975 through June, 1976, the total of \$1,549,763.70 was reported being spent by the State Department of Social Services for Day Care for children from income eligible families utilizing donor match funds from the State Appropriation for Children's Services, County Mill Levy's for SSI Eligible children, and private donors. (See Graph IV).

\*

SUMMARY OF MONTHLY EXPENDITURES

Month	Income Eligible			SSI Homes	Disabled	
	Homes	Centers	Relative		Centers	Relative
July	211	212.67	--			
Aug.	10,469.27	76,155.94	84.00		5,121.11	
Sept.	14,791.99	83,552.95	72.00		5,629.88	
Oct.	12,147.33	86,614.89	364.70		899.38	
Nov.	9,952.65	107,896.04	738.90		5,970.35	
Dec.	11,352.16	117,429.49	276.70		7,142.47	
Jan.	13,329.06	140,508.49	712.50		7,539.34	
Feb.	13,737.97	87,819.15	604.50		5,790.49	
Mar.	20,527.52	142,508.42	1,063.50		8,959.37	
Apr.	20,867.55	153,465.01	1,493.50		8,494.00	
May	23,624.09	174,431.01	3,484.94		8,123.83	
June	33,741.38	183,314.33	2,419.33	313.20	4,467.76	
<b>TOTAL</b>	<b>\$184,540.97</b>	<b>\$1,353,908.30</b>	<b>\$11,314.57</b>	<b>\$313.20</b>	<b>\$68,138.34</b>	

528.32% increase in monthly expenditures from July, 1975 through May, 1976 for day care for income eligible children.

\* Eligible families must pay part of the day care costs if the family income is between 80% and 115% of the media income of Kansas. Families above the 115% figure are ineligible.

STATE APPROPRIATION FOR CHILDREN'S SERVICES

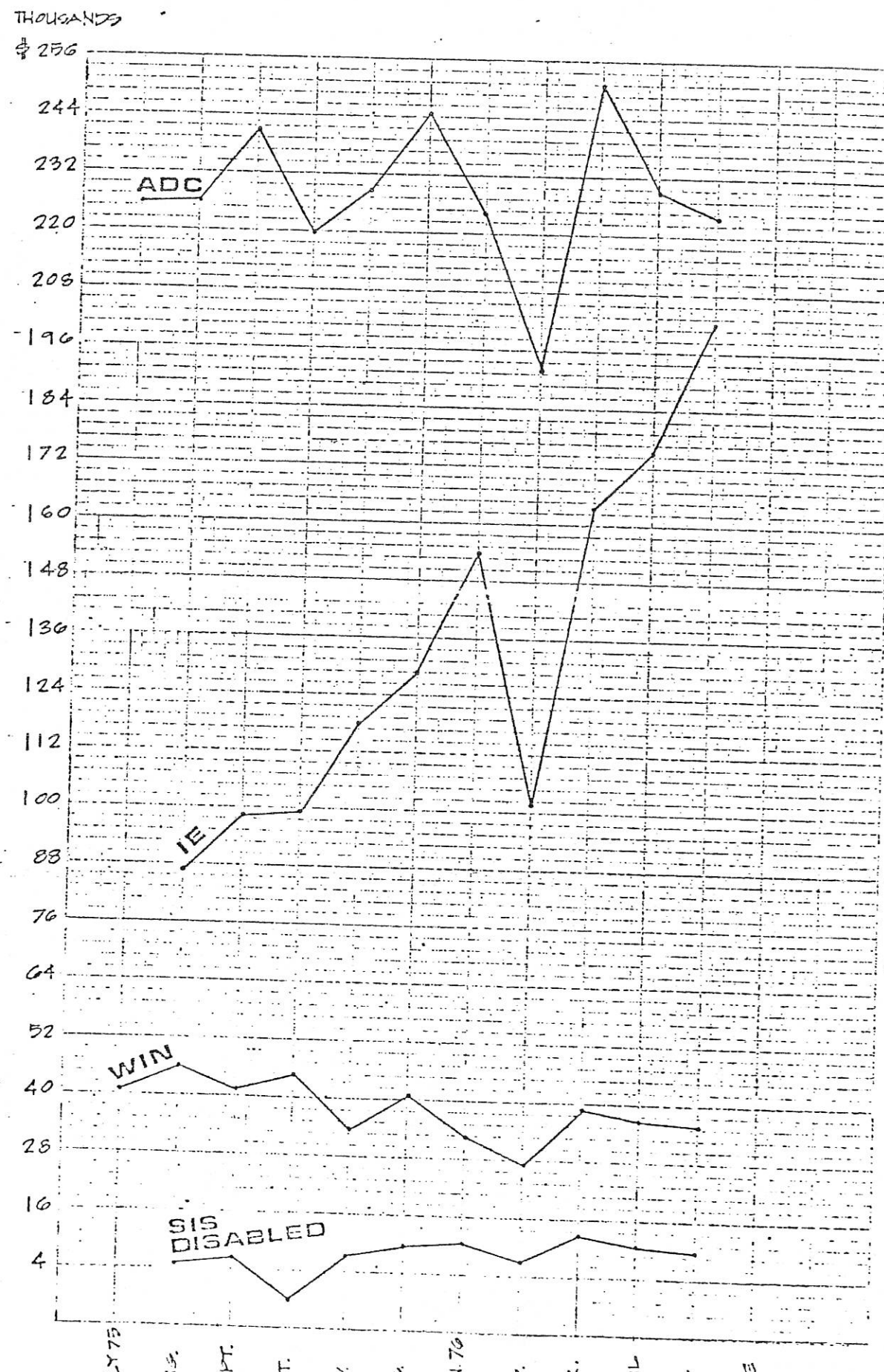
During FY 1976, the Division of Services to Children and Youth had \$ 150,000 for purchase of Children's Services. These funds were allocated by the Division to the State Department of Social and Rehabilitation Services Area Offices to be managed locally. Day Care Service was the first priority for use of this money. Reports indicate purchase of day care with these funds is assisting families in remaining or in becoming self supporting. 90% of the money was spent for day care for low-income families where the goal was self-support. Expenditure of the remaining 10% was reported as follows:

- 5% - Self-sufficiency
- 4% - Protective Service
- 1% - Community Based Care

Reports from the Topeka Area show 85% of their total expenditure was used to purchase day care for low-income single, employed parents. In some cases, the payment of day care through these funds has allowed families to shift from ADC to income eligible status. Without these funds to assist in purchasing day care for low-income employed parents, many families, up to 75% in one area, would be in danger of having to apply for ADC.

# S.R.S. DAY CARE PAYMENTS FOR FISCAL YEAR 1976 ACCORDING TO FUNDING SOURCE

GRAPH IV

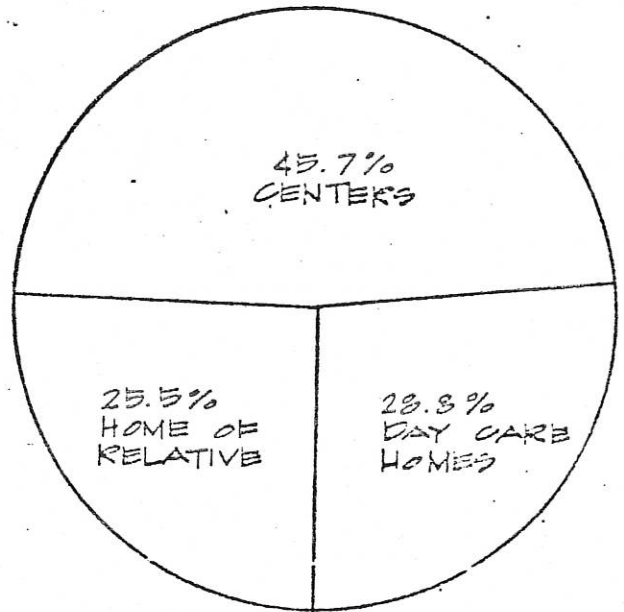
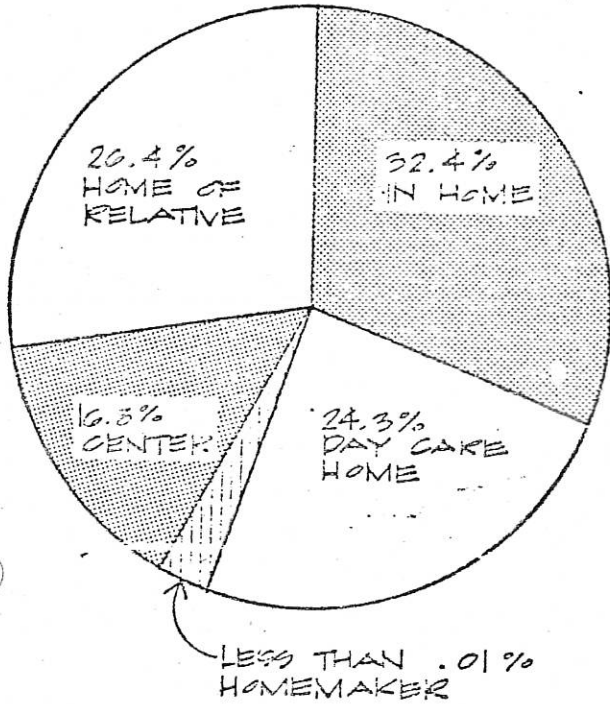


# A COMPARATIVE STUDY OF PURCHASE OF FULL DAY CHILD CARE BY S.R.S. BY TYPE OF FACILITY

GRAPH V

(OCTOBER 1974)

(APRIL 1976)



4,684 CHILDREN SERVED

11% OF LICENSED CAPACITY OF CENTERS USED

10% OF LICENSED CAPACITY OF DAY CARE HOMES USED

5,032 CHILDREN SERVED

12% OF LICENSED CAPACITY OF CENTERS USED

14.3% OF LICENSED CAPACITY OF DAY CARE HOMES USED

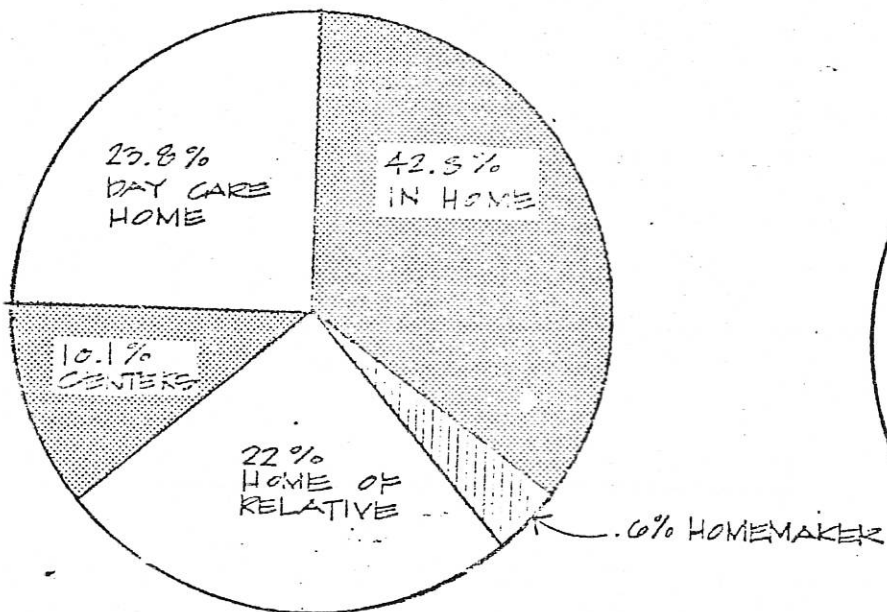


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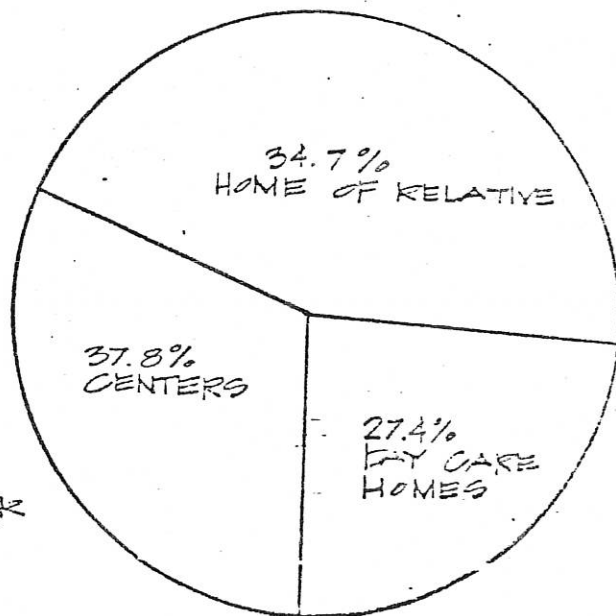
# A COMPARATIVE STUDY OF PURCHASE OF PART-DAY CHILD CARE BY S.R.S. BY TYPE OF FACILITY

GRAPH VI

(OCTOBER 1974)



(APRIL 1976)



913 CHILDREN SERVED

1% OF LICENSED CAPACITY  
OF CENTERS USED

2% OF LICENSED CAPACITY  
OF DAY CARE HOMES USED

930 CHILDREN SERVED

2% OF LICENSED CAPACITY  
OF CENTERS USED

2.5% OF LICENSED CAPACITY  
OF DAY CARE HOMES USED

### CASH COSTS OF FAMILY DAY CARE

Family day care costs have not been compared against the costs of center-based care. Such comparisons are not meaningful given the differences between the two types of care and the need for both types of care.

Family day care is presently inexpensive in terms of cost to the State Department of Social and Rehabilitation Services far less costly than center care, and in fact, cheaper than current babysitting rates. The following table displays the costs of family day care and range of income a day care mother can expect to earn through purchase of care.

Estimated Daily Costs Per Child According to Age & Maximum No. Allowed				
Expenditures	Cost Per Child	Max. No. 4 children (If any under 2 yrs.)	Max. No. 5 children (all over 2 yrs.)	Max. No. 6 children (all over 3 yrs.)
Food (1 meal plus 2 snacks)	.75	\$3.00	\$3.75	\$4.50
Supplies	.10	.40	.50	.50
Housing Expend- itures	.15	.60	.75	.90
* Labor (10 hr. at \$2.30 per hr.)		\$23.00	\$23.00	\$23.00
		\$27.00	\$28.00	\$28.90
Cost Per Child		\$6.75	\$5.60	\$4.81

\*Value of Labor based on hourly minimum rate.

\*\* The daily cost and net income factors explain why it is increasingly difficult to recruit day care homes to care for eligible SRS children.

#### Estimated Yearly Income Based On Present Daily Rate of \$3.85 Per Day

Age of Child	Max. No. Children Allowed	Max. No. . Child Care Days	Max. Income	Estimated Expenditures	Net Income	Work Hours
0-2	4	251	\$3,865.40	\$1,004.00	\$2,861.40	2,259
**2 & over	5	251	\$4,831.75	\$1,255.00	\$3,576.75	2,259
**3 & over	6	251	\$5,798.10	\$1,480.90	\$4,317.20	2,259

Clearly, the time commitment on the part of the day care mother is the same for one child as it is for six = the difference in net income per hour ranges from the low of \$1.27/hour to \$1.91/hour.

A sample study completed in September, 1975 of children under the age of 3, showed that the average daily rate that was being charged the private paying sector was \$4.89 in uncertified centers and \$4.14 in uncertified homes.

COST STUDY OF FULL-DAY CHILD CARE  
IN LICENSED & CERTIFIED CENTERS  
COMPLETED IN JUNE 1976

TABLE

\*Data obtained from Cost Statements submitted to SRS since July 1, 1976

Average Program Expenditure

No. of Centers In Sample	Licensed Capacity	# of Child Care Days	Administra- tive	Property	Food	House- keeping	Program	Transpor- tation	Non- Reimburs- ible	Grand Total	Aver Daily Cost	Ave Rate Paid By SRS (100%)
			(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	
## 33	967	189,345	199,588	169,079	159,808	37,772	607,467	20,388	1,612	1,195,714	6.32	5.3
Average expenditure per child per day.			\$1.05	\$ .89	\$ .84	\$ .21	\$3.21	\$ .11	\$ .01	\$6.32		
Percent of Total Budget			17%	14%	15%	3%	51%	15%	5%	100%		

Explanation: \*Column (3)--Food Expenditure does not include amount received from School-Lunch Reimbursement.

\*COMPARATIVE COST STUDY OF FULL-DAY CARE  
IN CHILD CARE CENTERS IN 1975 & 1976

Data obtained from Cost Statements submitted to S.R.S.

Cost per Child

Date of Study	As Reported Daily Cost	Average Rate Paid by SRS	% of Reported Cost Paid by SRS
2-1-75	\$4.96	\$4.52	91%
8-76	\$6.32	\$5.32	84%

SRS METHOD FOR RATE SETTING  
ON  
EXISTING FACILITY

- I. Cost Analyse
- II. Add historical cost, historical inflation (CPI figures) and prospective inflation (6% annual, 3% factor) = (adjusted cost)
- III. Divide adjusted cost by actual care days.

KANSAS STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
FINANCIAL AND STATISTICAL REPORT FOR PROVIDERS OF SERVICES

For Period \_\_\_\_\_

Provider \_\_\_\_\_ Employer's Federal Tax I.D. No. \_\_\_\_\_  
(Official Name of Facility)

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Contact Person \_\_\_\_\_

- (A) Licensed or Maximum Capacity for Services for which Form is Submitted \_\_\_\_\_
- (B) Total Number of Client Days that were provided in last completed year \_\_\_\_\_
- (C) Anticipated Additional Client Days due to program expansion \_\_\_\_\_
- (D) Type of Service for which this form is submitted (circle one); Adults: day care, work activity, sheltered workshop, residential, evaluation, work adjustment training, other (specify) \_\_\_\_\_; Children: day care, group homes, residential center, other (specify) \_\_\_\_\_
- (E) If your facility provides more than one type of service, see above (specify) \_\_\_\_\_

RECAP OF TOTAL EXPENSES

	(1)	(2)	(3)	(4)
	<u>Total (Actual)</u> <u>Historical Cost</u> ( ) From-(Date)-To	<u>(Type of Service)</u> <u>Actual</u> <u>Historical Cost</u> ( ) From-(Date)-To	<u>Expansion</u> <u>Next Contract Year</u> (Estimated) ( ) From-(Date)-To	<u>State Use</u> <u>Only</u>
1. Administration	_____	_____	_____	_____
2. Property and Maintenance Expense	_____	_____	_____	_____
3. Food Service	_____	_____	_____	_____
4. Housekeeping	_____	_____	_____	_____
5. Program Activities	_____	_____	_____	_____
6. Client Transportation Services	_____	_____	_____	_____
7. Non-Reimbursable Items	_____	_____	_____	_____
<b>TOTAL EXPENSE</b>	=====	=====	=====	=====

I declare that I have examined this cost study, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, complete and in agreement with the books maintained by this facility.

Signature of Officer or Administrator \_\_\_\_\_ Date \_\_\_\_\_

CLIENT RELATED EXPENSES ONLY

	(1)	(2)	(3)	(4)
	<u>Total (Actual)</u> <u>Historical Cost</u> ( ) From-(Date)-To	<u>(Type of Service)</u> <u>Actual</u> <u>Historical Cost</u> ( ) From-(Date)-To	<u>Expansion</u> <u>Next Contract Year</u> <u>(Estimated)</u> ( ) From-(Date)-To	<u>State Use</u> <u>Only</u>
<u>Administration:</u>				
Salaries	_____	_____	_____	_____
Travel & Mileage	_____	_____	_____	_____
Office Supplies, Printing	_____	_____	_____	_____
Telephone & Postage	_____	_____	_____	_____
Contracted Administrative Service	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
	_____	_____	_____	_____
<u>TOTAL Administration</u>	=====	=====	=====	=====
<u>Property &amp; Maintenance:</u>				
Salaries	_____	_____	_____	_____
Travel & Mileage	_____	_____	_____	_____
Taxes, Real Estate & Personal Property	_____	_____	_____	_____
Interest on Real Estate Mortgage	_____	_____	_____	_____
Rent or Lease Expense	_____	_____	_____	_____
Utilities (except phone)	_____	_____	_____	_____
Maintenance & Repairs	_____	_____	_____	_____
Maintenance Supplies	_____	_____	_____	_____
Depreciation on Building	_____	_____	_____	_____
Depreciation on Vehicles	_____	_____	_____	_____
Equipment Depreciation	_____	_____	_____	_____
Small Equipment Costs	_____	_____	_____	_____
Insurance	_____	_____	_____	_____
Vehicle Operating	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
	_____	_____	_____	_____
<u>TOTAL Property and Maintenance</u>	=====	=====	=====	=====

CLIENT RELATED EXPENSES ONLY (cont'd)

	(1)	(2)	(3)	(4)
	<u>Total (Actual)</u> <u>Historical Cost</u> <u>( )</u> From-(Date)-To	<u>(Type of Service)</u> <u>Actual</u> <u>Historical Cost</u> <u>( )</u> From-(Date)-To	<u>Expansion</u> <u>Next Contract Year</u> <u>(Estimated)</u> <u>( )</u> From-(Date)-To	<u>State Use</u> <u>Only</u>
<u>Food Service:</u>				
Salaries	_____	_____	_____	_____
Travel & Mileage	_____	_____	_____	_____
Food	_____	_____	_____	_____
Other Supplies	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
<u>TOTAL Food Service</u>	=====	=====	=====	=====
<u>Housekeeping:</u>				
Salaries	_____	_____	_____	_____
Travel & Mileage	_____	_____	_____	_____
Supplies	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
<u>TOTAL Housekeeping</u>	=====	=====	=====	=====
<u>Program Activities:</u>				
Salaries	_____	_____	_____	_____
Travel & Mileage	_____	_____	_____	_____
Supplies	_____	_____	_____	_____
Recreational	_____	_____	_____	_____
Educational	_____	_____	_____	_____
Consultants	_____	_____	_____	_____
Client Wages	_____	_____	_____	_____
Staff Development	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
<u>TOTAL Program Activities</u>	=====	=====	=====	=====

CLIENT RELATED EXPENSES ONLY (cont'd)

	(1)	(2)	(3)	(4)
	<u>Total (Actual)</u> <u>Historical Cost</u> ( ) From-(Date)-To	<u>(Type of Service)</u> <u>Actual</u> <u>Historical Cost</u> ( ) From-(Date)-To	<u>Expansion</u> <u>Next Contract Year</u> (Estimated) ( ) From-(Date)-To	<u>State Use</u> Only
<u>Client Transportation:</u>				
Salaries	_____	_____	_____	_____
Travel & Mileage	_____	_____	_____	_____
Contracted Services	_____	_____	_____	_____
Vehicle Depreciation	_____	_____	_____	_____
Transportation Insurance	_____	_____	_____	_____
Operating Expense (Gas, Oil, Repairs)	_____	_____	_____	_____
Expenditures in Lieu of Transportation	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
<u>TOTAL Transportation</u>	=====	=====	=====	=====
<u>Non-Reimbursable Items And Items Not Related To Client Care:</u>				
Bad Debts	_____	_____	_____	_____
Provisions for Income Taxes	_____	_____	_____	_____
Board of Directors' Fees	_____	_____	_____	_____
Non-working officers and Non-working owners salaries	_____	_____	_____	_____
Donations	_____	_____	_____	_____
Fund-Raising Expenses	_____	_____	_____	_____
Life Insurance Premiums On Lives of Officers & Owners	_____	_____	_____	_____
Other Expenses Not Related to Patient Care	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____
<u>TOTAL Non-Reimbursable Items</u>	=====	=====	=====	=====



REPORT OF REVENUE FOR THE REPORT PERIOD

(1)

(2)

Total (Actual)  
Historical Revenue  
( )  
From-(Date)-To

(Type of Service)  
Actual  
Historical Revenue  
( )  
From-(Date)-To

FEES AND TUITION:

Clients  
 Department of S.R.S.  
 Other State & Federal Agencies  
 Insurance  
 Consultant Fees  
 Scholarships  
 Meals Sold to Employees & Others  
 Sub-Contract Production Income

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LOCAL COMMUNITY RESOURCES:

Membership Dues  
 Cash Contributions  
 Fund Raising Projects  
 United Fund  
 Organizations  
 Investment Income  
 County Mill Levy  
 City Mill Levy  
 Revenue Sharing - County  
 Revenue Sharing - City

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GRANTS:

Federal Food Reimbursement  
 Dept. of Education (Title I, VI)  
 Grants  
 Developmentally Disabilities  
 Formula Grants  
 Mental Health Formula Grants  
 Federal Staffing Grant Act Funds  
 Kansas Commission on Alcoholism  
 Grants  
 Kansas Commission on Drug Abuse  
 Grants  
 Governor's Commission on  
 Criminal Admin. Grants  
 Division of Children & Youth SRS  
 Grants  
 Project Reintegration SRS Grants  
 Vocational Rehabilitation Grants  
 Other (specify)

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TOTAL REVENUE

\$ \_\_\_\_\_

\$ \_\_\_\_\_







DEPRECIATION SCHEDULE

Attachment #2

Provider	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Period	Col. 9
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9
Item	Acquisition Date	Est. Life	Acquisition Cost	Salvage Value	Land Value	Depreciable Cost	Annual Rate %	Depreciation Expense
						(Col. 4 - Col. 5 & 6)	(100 ÷ by Col. 3)	(Current Year Col. 7 X rate in Col. 8)
Building:*								
Total Bldgs.	Transfer total of Col. 9 to Building Depreciation, Property & Maintenance				***	***	*****	
Furniture & Equipment:					***			
					***			
					***			
					***			
					***	***	*****	
Total Furn. & Equipment	Transfer total of Col. 9 to Property & Maintenance, Equipment Depreciation							
Vehicles:		4 yrs.			***		25%	
					***		25%	
					***		25%	
					***		25%	
					***		25%	
					***		25%	
Total Vehicle	Transfer total of Col. 9 to Applicable Cost Center				***	***	*****	

\*For fully depreciated buildings a use allowance may be computed at an annual rate not exceeding of acquisition cost in lieu of depreciation.

## Instructions for Depreciation Schedule

Attachment 2 should be used to compute the depreciation expense allowable for the report period. The depreciation expense shown on this schedule should be carried forward to the appropriate line items on the applicable cost center.

Following is a summary of instructions for completing the three expense captions on the depreciation schedule--all depreciation should be figured on the straight-line basis:

1. Buildings - Since the estimated useful life of buildings varies greatly, due mostly to materials used in construction, it is necessary that each building for which depreciation expense is being claimed be shown on a separate line item. The total expense should then be posted to the line item "Depreciation on Buildings."
2. Furniture and Equipment - Any item costing \$100 or less should be expensed in the current year. Items costing \$100 or more should be itemized on this schedule and depreciated over on a reasonable estimation of useful life. The total of all items under this caption should be posted to "Depreciation Expense for Period" under Furniture and Equipment.
3. Vehicles - List the vehicles individually and show the columnar information requested on a line-item basis. Vehicles should be depreciated over 4 years at 25%. Post the total depreciation expense to "Depreciation Expense" on the applicable cost center.

Some definitions and principles pertaining to depreciation which should be followed in our computation of depreciation expense are summarized below:

1. Depreciation is that amount which represents a portion of the depreciable asset's cost or other basis which is allocable to a period of operation. An appropriate allowance for depreciation on buildings and equipment is an allowable cost. The depreciation must be: (a) Identified and recorded in the provider's accounting records, (b) based on the historical cost of the asset or fair-market value at the time of donation in the case of donated assets, and (c) prorated over the estimated useful life of the asset using an allowable method of depreciation.
2. The depreciable life of an asset is its expected useful life to the provider; not necessarily the inherent useful or physical life. Some factors for consideration are: (a) normal wear and tear, (b) obsolescence, (c) weather, and (d) your policy for repairs and replacement.
3. The salvage value is the estimated amount expected to be realized upon the sale or other disposition of the asset when it is no longer useful to the provider.
4. Building includes the basic structure or shell and additions thereto. The remainder is identified as building equipment. Items to be shown under "Furniture and Equipment" include accounting machines, desks, chairs, beds, filing cabinets, typewriters, calculators, power lawn mowers, etc. Vehicles will include cars, trucks and buses.

INSTRUCTIONS FOR COMPLETING THE FINANCIAL & STATISTICAL  
REPORT FOR PROVIDERS OF SERVICE

Please read all instructions before completing forms.

This form is designed to obtain a wide variety of information for many types of facilities serving both children and adults. There may be parts of this form which do not apply specifically to your facility. While this form may seem to require a great amount of detail, we feel it will give an accurate accounting of cost. This accounting is imperative to insure that a fair and equitable rate of payment can be computed by the Department of Social and Rehabilitation Services.

It is important that you submit narrative statements to clarify your expenditures. There may be situations where building and/or utilities, equipment, etc. are donated and will not be shown on the cost statement. Situations such as this should be clarified in the narrative statements. Do not include in-kind cost in this cost statement.

If you operate a multi-service agency, you will need to complete a separate cost statement for each type of service provided, i.e. -- day care, group boarding, work activity. This may mean that a percentage of staff time or expenses will be shown on two separate cost statements. It is imperative that this type of situation be accompanied by a narrative explaining the methods used in allocating costs.

This cost statement consists of four pages and two attachments and the following explanations and instructions should simplify your efforts in preparing the statement. Please submit a typewritten copy of the cost statement to S.R.S.

STEP I - EXPLANATION AND INSTRUCTIONS

Step I of Explanation and Instructions is a detailed breakdown and clarification of what we need in each of the four columns on the pages of the cost statement.

Column 1: In this column we need the actual expenses you incurred during your last completed fiscal year of operation. Please include the starting and year ending date in the column heading in the space provided. If these costs do not reflect a full year's operation, please indicate the number of months the facility was in operation.

Column 2: In this column, show that portion of column one(1) costs which are applicable to the service for which the form is submitted. For example, if you are a multi-service agency and provide sheltered workshop and residential services, you should record in Column 2 that portion of Column 1 expenses applicable to the sheltered workshop. In addition, you should prepare another cost statement with Column 2 reflecting the portion of Column 1 expenses applicable to the residential program.

If only one service is provided by your facility, do not complete Column 2.

Column 3: This column is for anticipated additional costs applicable to the period for which the rate will be set due to program expansion. These anticipated costs must be justified by detailed narrative.

Column 4: For State use only.

STEP II - EXPLANATION AND INSTRUCTIONS

This consists of directions for completing items (A) through (E) on page 1 of the cost statement. This is information that we need to properly analyze your cost statement and to arrive at an accurate rate for purchases from your facility.

Directions for Completing Items A through E on Page 1 of Cost Statement

- (A) Licenses or maximum capacity - show the licensed or maximum capacity of services for which this form is submitted.
- (B) Total number of client days that were provided in last completed year - This information should be the total of your attendance records for the report period.
- (C) Anticipated additional client days due to program expansion, the anticipated costs, of which are shown in Column 3.
- (D) Type of service for which this cost statement is submitted. (Circle one).
- (E) If the facility provides more than one type of service, please specify (i.e., if you are a multi-service agency, please specify what other services you provide). If you are a single service provider, omit this line.

STEP III - EXPLANATION AND INSTRUCTIONS

Pages 2, 3 and 4 of the statement forms are designed to reflect the details of the seven cost centers which appear on page one.

Each of the first six cost centers have a line for salaries applicable to that cost center. Attachment #1 is designed to show line item positions for each of these cost centers. This attachment shows the position and the number of hours per week in this cost center. There are lines for each cost center to show the sub-total of a continuation sheet (if necessary), the gross salaries for the cost center, and total "Other Payroll Costs," and a grand total for salaries in the cost center. This total is to be carried forward as salaries under the appropriate cost center on pages 2, 3 and 4. "Other Payroll Costs" include employer's share of F.I.C.A., workman's compensation, federal and state unemployment taxes, health insurance, and retirement (if applicable).

It is necessary that the figures reported on the cost statement agree with your financial statement. This is the reason we ask that you submit your cash receipts and non-reimbursable items and items not related to client care. Please round off your figures on the cost statement to the nearest dollar.

Please do not attempt to complete the cost statement until you have read all of the instructions.

PAGE 2

Administration

Salaries: The total from Attachment #1 for salaries allocated to Administration.



- Travel and Mileage: The total of staff travel and mileage applicable to Administration.
- Office Supplies, Printing: The total costs for supplies applicable to Administration.
- Telephone and Postage: Telephone and postage costs applicable to Administration.
- Contracted Administrative Services: The total expenses for contracted Administrative services. These costs must be detailed in the narrative.
- Other (specify): This line is for any other administrative expense which you might have. These costs must be identified and explained in the narrative.
- Total Administration: This is total of Administration costs and is to be carried forward to page 1, Line 1 of the form.

Property and Maintenance

- Salaries: The total from Attachment #1 for salaries allocated to Property and Maintenance.
- Travel and Mileage: The total of staff travel and mileage applicable to Property and Maintenance.
- Taxes, Real Estate and Personal Property: The total taxes paid for land, building and equipment for the report period.
- Interest on Real Estate Mortgage: The interest paid during the report period on real estate mortgage.
- Rent or Lease Expense: The total of rent and lease expense on land and building for the report period.
- Utilities (except phone): The total costs of water, electricity, sewage, and trash pickup for the report period.
- Maintenance and Repairs: The total costs for routine maintenance and repairs for the report period. Note: Major remodeling or renovation costs do not go on this line. It must appear on depreciation schedule.
- Maintenance Supplies: Total costs of routine maintenance supplies for the report period.
- Depreciation on Building: The building depreciation costs for the report period as computed on Attachment #2 (Depreciation Schedule) for buildings which the facility owns or is buying (including Lease Purchase agreements).

**Depreciation on Vehicles:** Vehicle depreciation costs for the report period for vehicles used by facility staff from the Depreciation Schedule. Do not include vehicles used exclusively for client transportation.

**Equipment Depreciation:** Equipment depreciation costs for the report period transferred from the depreciation schedule.

**Small Equipment Costs:** The cost of equipment costing less than \$100 for the report period.

**Insurance:** Insurance premium costs for the report period for insurance coverage on building and equipment (including vehicles used for staff).

**Vehicle Operating Expense:** Operating expenses for the report period applicable to staff use. Do not include vehicle operating costs used for client transportation.

**Other (specify):** Any other costs applicable to Property and Maintenance. These costs must be detailed and explained in the narrative.

**Total Property and Maintenance:** This is the total of Property and Maintenance costs and is to be carried forward to page 1, Line 2 of the form.

PAGE 3

Food Service

**Salaries:** The total from Attachment #1 for salaries allocated to Food Service.

**Travel and Mileage:** The total of staff travel and mileage applicable to Food Service.

**Food:** The total raw food costs for the report period.

**Other Supplies:** The costs of other supplies used in Food Service for the report period.

**Other (specify):** This line is for any other costs applicable to Food Service and must be detailed and explained in the narrative.

**Total Food Service:** This is the total of Food Service costs and is to be carried forward to page 1, Line 3 of the form.

Housekeeping

**Salaries:** The total from Attachment #1 for salaries allocated to Housekeeping.

**Travel and Mileage:** The total of staff travel and mileage applicable to Housekeeping.

**Supplies:** The cost of housekeeping supplies for the report period.

Other (specify): This line is for any other costs applicable to Housekeeping and must be detailed and explained in the narrative.

Total Housekeeping: This is the total of Housekeeping costs and is to be carried forward to page 1, Line 4 of the form.

Program Activities - Costs incurred by working directly with or for clients.

Salaries: The total from Attachment #1 for salaries allocated to Program Activities.

Travel and Mileage: The total of staff travel and mileage applicable to Program Activities.

Supplies: The total cost of supplies for the report period used in Program Activities.

Recreational: Recreational costs for the report period. These costs must be explained fully in the narrative.

Educational: Educational costs for the report period. These costs must be explained fully in the narrative.

Consultants: The total of consultant costs for the report period applicable to Program Activities. The narrative must include a list of the consultants, their function and the cost of each.

Client Wages: The total costs of client wages for the report period.

Staff Development: Any cost for organizational memberships, workshops, in-service training, supplies for staff development and subscriptions shall be recorded. These costs must be detailed and justified in the narrative.

Other (specify): Any other Program Activity costs for the report period. These costs must be detailed and justified in the narrative.

Total Program Activities: This is the total of Program Activity costs and is to be carried forward to page 1, Line 5 of the form.

Client Transportation

Salaries: The total from Attachment #1 for salaries allocated to Client Transportation.

Travel and Mileage: The total costs of travel reimbursement to staff which is applicable to Client Transportation.

Contracted Services: The total costs of contracted Client Transportation. Details of this expense must be in the narrative.

Vehicle Depreciation: The depreciation costs of facility vehicles used for client transportation for the report period. This cost is transferred from Attachment #2 (Depreciation Schedule).

**Transportation Insurance:** The insurance premium costs for the report period for insurance coverage related to Client Transportation.

**Operating Expense:** The costs of operating facility vehicles used for Client Transportation during the report period.

**Expenditures in Lieu of Transportation:** The costs for the report period of mileage or flat fees paid to individuals (other than employees) who transport clients. This expense should be explained in the narrative.

**Other (specify):** Any other costs for Client Transportation for the report period. These costs must be detailed and justified in the narrative.

**Total Client Transportation:** This is the total of Client Transportation costs and is to be carried forward to page 1, Line 6 of the form.

Non-Reimbursable Items and Items not Related to Client Care

This cost center is for those costs which cannot be used in computing a rate for services.

**Bad Debts:** This is the cost of uncollected debts written off as an expense during the report period.

**Provisions for Income Taxes:** This line is for facilities which pay income taxes on profits. Income taxes are distributions of profit and not an expense.

**Board of Directors' Fees:** Fees paid to Board of Directors which are not related to Client Services for the report period.

**Non-Working Officers' and Non-Working Owners' Salaries:** Those salaries paid to officers and owners not related to Client Services for the report period.

**Donations:** This is donations made to other organizations by the facility.

**Fund-Raising Expenses:** Those costs for the report period related to fund-raising for the facility.

**Life Insurance Premiums on Lives of Officers and Owners:** Life insurance premiums for the report period (Key-Man Insurance) which is not a cost of Client Services.

**Other Expenses not Related to Client Care:** Any other expenses for the report period not related to Client Services.

Total Non-Reimbursable Costs: The total of this cost center to be carried forward to page 1, Line 7 of the form.

NOTE: Residential Facilities for Children must submit the necessary completed forms RS-2051CY with this report.

Residential Facilities for Adults must submit the necessary completed forms RS-2051 with this report.

Each residential facility must submit a list of employees and their gross pay for the last pay period experienced by the facility. These employees are the ones to complete the RS-2051CY or RS-2051. This information will be the base used in computing the cost of residential services eligible for federal match at the 75% rate.

INSTRUCTIONS FOR  
REPORT OF REVENUE FOR THE REPORT PERIOD

We have attached a revenue statement form to be completed with the historical cost statement. The revenue as reported on this form must agree with your financial statement. Any deviation must be explained in the narrative.

Each line item is self-explanatory. Details of each line item are explained in the instructions for completing this form.

Any funds received during the report period which are restricted for a specific purpose must be reported and the details of the restrictions explained in the narrative.

Instructions

**Clients:** Report all receipts received from clients, families, and guardians during the report period.

**Department of S.R.S.:** Payments received from S.R.S. for services rendered clients during the report period.

**Other State & Federal Agencies:** Payments received from other State and Federal agencies for services rendered to clients during the report period.

**Insurance:** Payments received from third-party insurance companies for services rendered to clients during the report period.

**Consultant Fees:** Fees received from other facilities for consultant services provided by your staff during the report period.

**Scholarships:** Funds received from organizations which are restricted for service to particular clients.

**Meals Sold to Employees & Others:** Report here income from the sale of meals to employees and others during the report period.

**Sub Contract Production Income:** Gross income received during the report period.

**Membership Dues:** Membership dues received during the report period.

**Cash Contributions:** Cash contributions received during the report period.

**Fund-Raising Projects:** All funds received as a result of fund-raising projects, excluding United Fund, during the report period.

**United Fund:** Funds received from United Fund during the report period.

**Organizations:** Funds received from organizations during the report period.

**Investment Income:** Investment income received during the report period.

**County Mill Levy:** Funds received from County Mill Levy during the report period.

City Mill Levy: Funds received from City Mill Levy during the report period.

Revenue Sharing - County: Funds from County revenue sharing received during the report period.

Revenue Sharing - City: Funds from City revenue sharing received during the report period.

Federal Food Reimbursement: Report all reimbursement received from U.S. Department of Agriculture through the Kansas State Department of Education - Food Services Section and Title I, E.S.E.A., Kansas State Department of Education.

Department of Education (Title I, VI) Grants: Report grants received during the report period from the Department of Education.

Developmental Disabilities Formula Grants: Report funds received from this source during the report period.

Mental Health Formula Grants: Report funds received from this source during the report period.

- Federal Staffing Grant Act Funds: Report funds received from this source during the report period.

Kansas Commission on Alcoholism: Report funds received from this source during the report period.

Kansas Commission on Drug Abuse: Report funds received from this source during the report period.

Governor's Commission on Criminal Administration: Report funds received from this source during the report period.

Division of Children & Youth S.R.S. Grants: Report funds received from this source during the report period.

Project Reintegration Grants: Report funds received from this source during the report period.

Vocational Rehabilitation Grants: Report funds received from this source during the report period.

Other (specify): Enter any revenue received during the report period which is not recorded above and explain in detail in the narrative.