

## 2023 Kansas Statutes

**65-527. Drop-in programs and school-age programs in schools and public recreation centers; licensing of.** (a) As used in this section:

(1) "Drop-in program" means a child care facility that is not located in an individual's residence, that serves exclusively school-age children and youth and where the operator permits children and youth to arrive at and depart from the program at the child or youth's own volition at unscheduled times.

(2) "Public recreation center" means any building used by a political or taxing subdivision of this state, or by an agency of such subdivision, for recreation programs that serve children who are less than 18 years of age.

(3) "School" means any building used for instruction of students enrolled in kindergarten or any of the grades one through 12 by a school district or an accredited nonpublic school.

(4) "School-age program" means a child care facility that serves exclusively school-age children and youth but does not include a drop-in program.

(b) No license for a drop-in program or school-age program shall be denied, suspended or revoked on the basis that the building does not meet requirements for licensure if the building:

(1) Is a public recreation center or school and is used by school-age children and youth the same age as children and youth cared for in the drop-in program or school-age program;

(2) complies, during all hours of operation of the drop-in program or school-age program, with the Kansas fire prevention code or a building code that is by law deemed to comply with the Kansas fire prevention code; and

(3) complies, except as provided in subsection (c), during all hours of operation of the drop-in program or school-age program, with all local building code provisions that apply to recreation centers, if the building is a public recreation center, or schools, if the building is a school.

(c) If the standards that a building is required to comply with pursuant to subsections (b)(2) and (b)(3) conflict or are otherwise inconsistent, then the standards provided by subsection (b)(2) shall control.

(d) No license for a drop-in program or school-age program that operates in accordance with subsection (b)(1) shall be denied, suspended or revoked based on an environmental deficiency if:

(1) The environmental deficiency does not pose an imminent risk to children and youth;

(2) the environmental deficiency is outside the applicant's or licensee's immediate authority to correct; and

(3) the applicant or licensee has notified the public recreation center or school of the environmental deficiency.

**History:** L. 1992, ch. 125, § 1; L. 2018, ch. 30, § 1; July 1.