

# Module 5-Department of Children and Families Child Protective Services Investiga

## 1. The DCF CPS Investigation

### 1.1 Welcome



#### Notes:

Welcome to "DCF Child Protective Services Investigations." This training was created by the Kansas Coalition Against Sexual and Domestic Violence, KCSDV, for the SANE Pediatrics Course.

My name is Kathy Ray, and I am the Director of the Advocacy, Education and Rural Projects division of KCSDV.

This grant project is funded or partially funded by the State General Fund as administered by the Kansas Governor's Grants Program. The opinions, findings, and conclusions, or recommendations expressed in this training are those of the author(s) and do not necessarily reflect the views of the Office of

the Kansas Governor.

## 1.2 Navigation

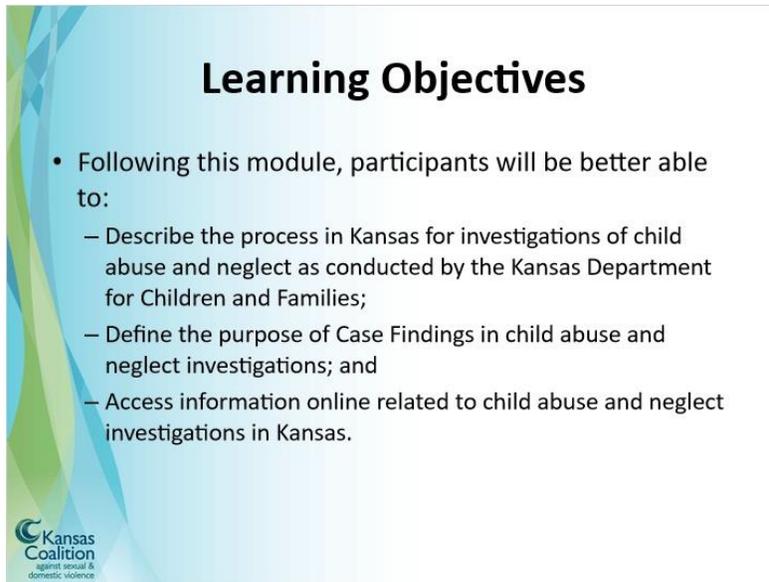


### Notes:

Use the next and back button to navigate through the course. You can also skip to slides you have already viewed by clicking the slide title in the Outline Tab. You can read the audio transcript for each slide by clicking on the Notes tab.

Completing this course should take about 30 minutes.

### 1.3 Learning Objectives

A slide titled "Learning Objectives" with a light blue and green abstract background. The slide contains a bulleted list of objectives and the Kansas Coalition logo in the bottom left corner.

**Learning Objectives**

- Following this module, participants will be better able to:
  - Describe the process in Kansas for investigations of child abuse and neglect as conducted by the Kansas Department for Children and Families;
  - Define the purpose of Case Findings in child abuse and neglect investigations; and
  - Access information online related to child abuse and neglect investigations in Kansas.

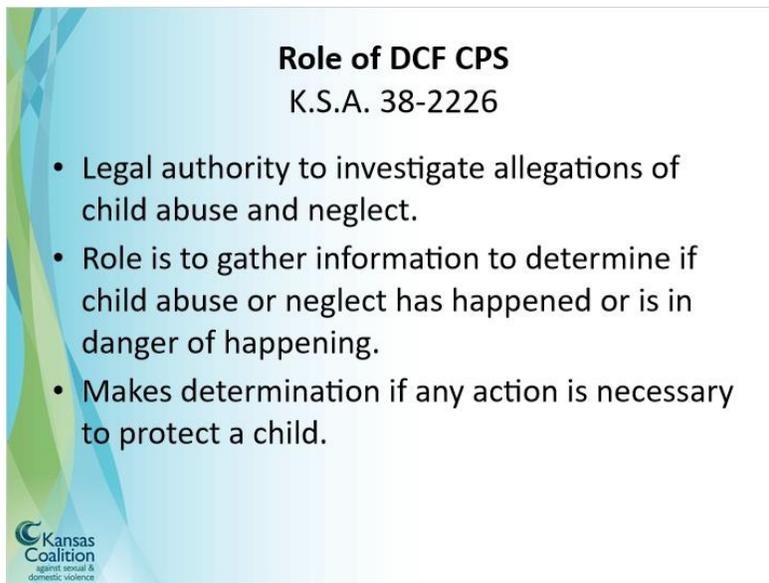
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#### Notes:

Following this module, you will be better able to:

- Describe the process in Kansas for investigations of child abuse and neglect as conducted by the Kansas Department for Children and Families;
- Define the purpose of Case Findings in child abuse and neglect investigations; and
- Access information online related to child abuse and neglect investigations in Kansas, including policies and procedures and further critical information.
-

## **1.4 Role of DCF CPS**



**Role of DCF CPS**  
K.S.A. 38-2226

- Legal authority to investigate allegations of child abuse and neglect.
- Role is to gather information to determine if child abuse or neglect has happened or is in danger of happening.
- Makes determination if any action is necessary to protect a child.



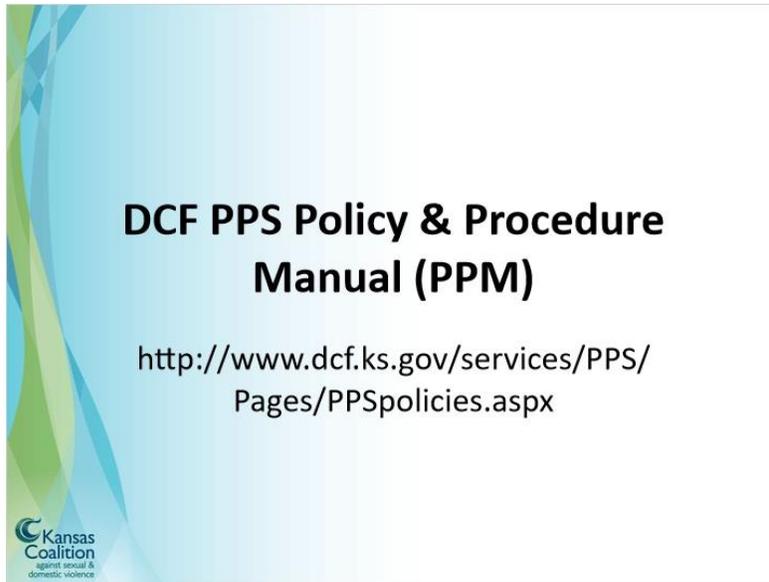
### **Notes:**

The Kansas Department for Children and Families, DCF, division of Prevention and Protection Services, has the legal authority in Kansas to investigate allegations of child abuse and neglect. Child Protective Services, or CPS, conduct investigations of child abuse and neglect.

CPS's role is to gather information and evidence to determine if child abuse or neglect has happened or is in danger of happening.

CPS's role is also to make determination if any action is necessary to protect a child.

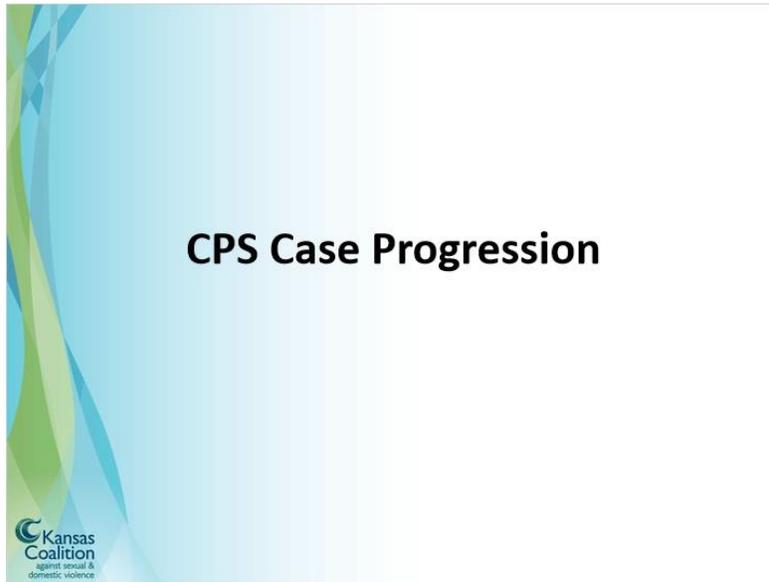
### ***1.5 DCF PPS Policy & Procedure Manual (PPM)***



**Notes:**

Most of the information in this training can be found in the DCF Prevention and Protection Services (PPS) policy and procedure manual (PPM). This can be found online at the link provided on the screen.

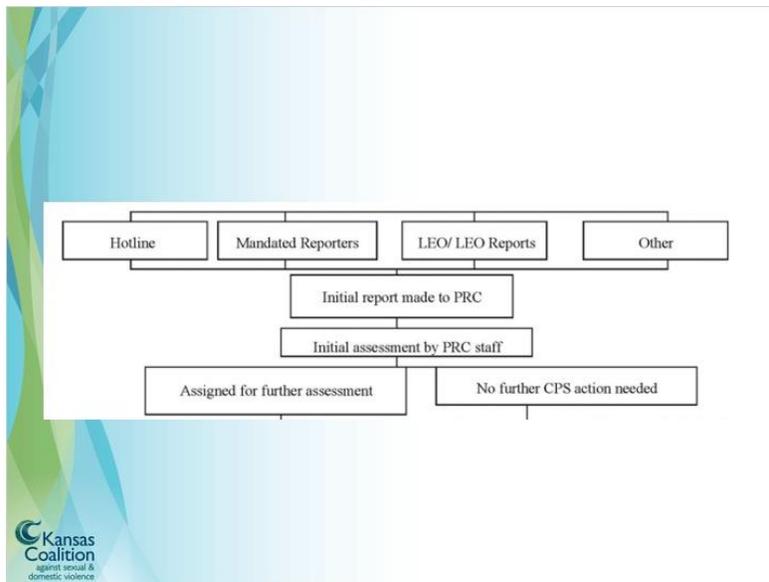
## 1.6 CPS Case Progression



### Notes:

Now, we will walk through a mapping of the DCF CPS response to show how a case progresses through this system.

## 1.7 CPS Case Progression MAPS



**Notes:**

Typically, the first point of entry into the DCF CPS system is by a report of suspected child abuse or neglect made to DCF.

A report can be made by phone, web forms, faxes, and mail. All reports go to the Protection Reporting Center, or PRC, and are entered into a central DCF database.

There are two PRC's in Kansas; one in Wichita and one in Topeka. PRC operates 24 hours a day, 7 days a week, including holidays. The PRC is always open and available to take reports.

The person who takes the initial report at the PRC is the Intake Worker. The Intake Worker enters all of the call information into the DCF database. The report information then goes to a licensed social worker for an initial assessment. This person is often referred to as the PRC Social Worker or Screening Worker.

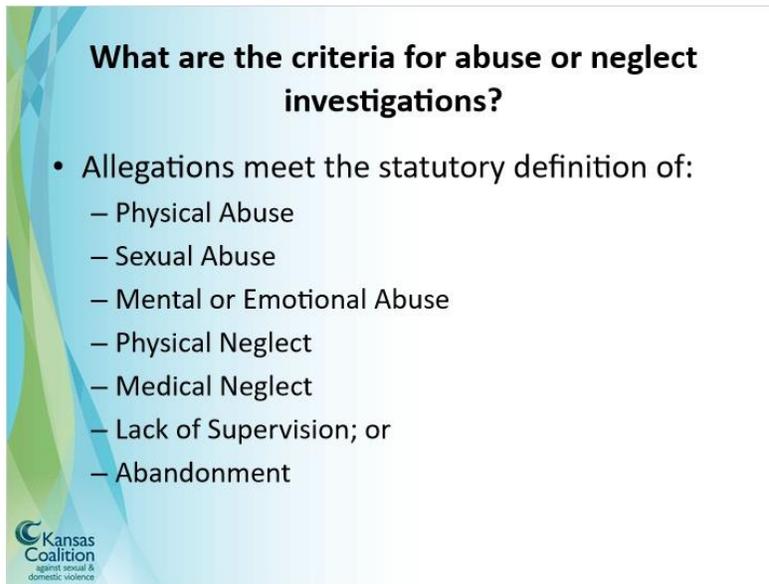
If after an initial assessment the PRC Social Worker determines that criteria is met for further investigation, then the report is assigned for further assessment and investigation. If the information does not meet the criteria for further investigation, then the PRC social worker must do a history search. A history search can include prior CPS history, EES (economic employment

support) history, prior calls to law enforcement, or even calling back the reporter to gather additional information.

If after a history search the information still does not meet criteria for further investigation, then it is determined that no further CPS action is needed at this time. Although the report isn't assigned for further investigation, the report remains in the DCF database, making it available should this family be searched again in the future.

What this means is that not every report made to DCF will be investigated. Families should not be led to misbelieve that just because a report is made, that DCF will take action. This is one of the biggest myths about the role and function of DCF CPS.

## **1.8 Criteria for Child Abuse or Neglect Investigations**



**What are the criteria for abuse or neglect investigations?**

- Allegations meet the statutory definition of:
  - Physical Abuse
  - Sexual Abuse
  - Mental or Emotional Abuse
  - Physical Neglect
  - Medical Neglect
  - Lack of Supervision; or
  - Abandonment

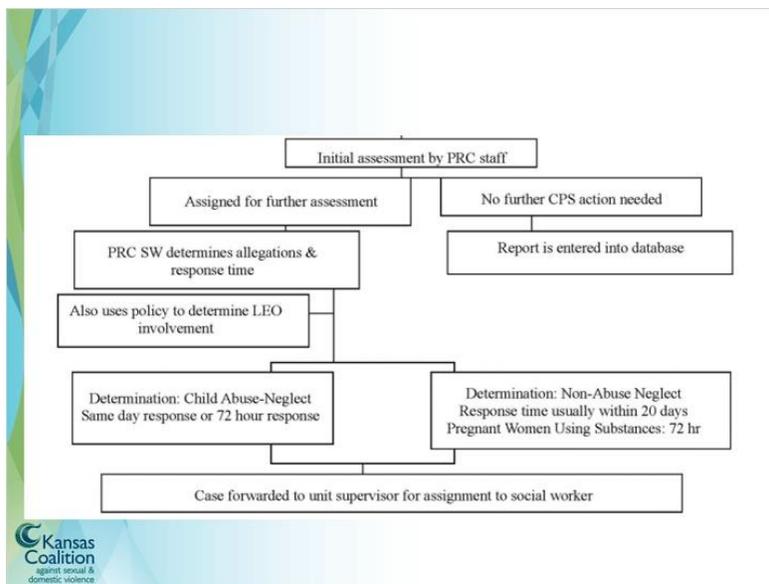
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### **Notes:**

When screening the initial report to determine if a case will be assigned for further investigation, the PRC Social Worker uses the criteria and definitions of child abuse and neglect in Kansas law to make this determination. Physical abuse; sexual abuse; mental or emotional abuse; physical neglect; medical neglect; lack of supervision; and abandonment are all defined in Kansas law.

It is important for professionals to be familiar with these definitions of child abuse and neglect because not every report will meet the criteria defined in Kansas law.

## 1.9 CPS Case Progression MAPS



### Notes:

If it is determined that the initial report does meet the criteria to assign the case for further investigation, then the PRC Social Worker determines the specific allegations and response time by DCF. DCF will also determine if law enforcement needs to be involved in the investigation.

Generally, reports of abuse or neglect assigned for further investigation will either have a “same-day” or 72-hour response time.

Same-day responses are assigned to cases where:

- The alleged victim (ALV) has current marks or injuries
- 
- The allegations are sexual abuse and the alleged perpetrator (ALP) has access to the child
- 
- The alleged victim is under age 1
- 

72-hour response time is given to anything that does not require a same-day response

For non-abuse neglect reports, the response time varies but is usually within 20 days. Reports of pregnant women using substances are also given a 72 hour response time, even though they are considered non-abuse neglect reports.

Once allegations and response time have been determined, the case and report is then forwarded to the DCF CPS unit supervisor at a local DCF office (typically closest to the family of report) and is assigned to a social worker for investigation.

## 1.10 Investigation & Interviews

A presentation slide titled "Investigation & Interviews" with a blue and green abstract background. The slide contains a bulleted list of interview requirements and a logo for the Kansas Coalition against sexual & domestic violence in the bottom left corner.

### Investigation & Interviews

- Interview and observe ALV:
  - Must be face-to-face.
  - Can interview at school, daycares, placements, etc. without parent permission. (K.S.A. 38-2212)
- Will also interview:
  - ALP
  - Primary care-givers of ALV
  - Siblings
  - Any relevant parties

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### Notes:

When a report is investigated, DCF must interview and observe the alleged victim face-to-face. According to Kansas law, DCF can interview children at school, daycare, foster care placement, or other environments without parent permission.

As part of the investigation, DCF will also interview the alleged perpetrator, the primary caregivers of the alleged victim, siblings, and any other relevant parties.

## 1.11 Investigations, cont'd

A presentation slide with a light blue background and a decorative green and blue abstract graphic on the left side. The title "Investigations, cont'd" is centered at the top. Below the title is a bulleted list of evidence types. In the bottom left corner, there is a logo for the Kansas Coalition against sexual & domestic violence.

**Investigations, cont'd**

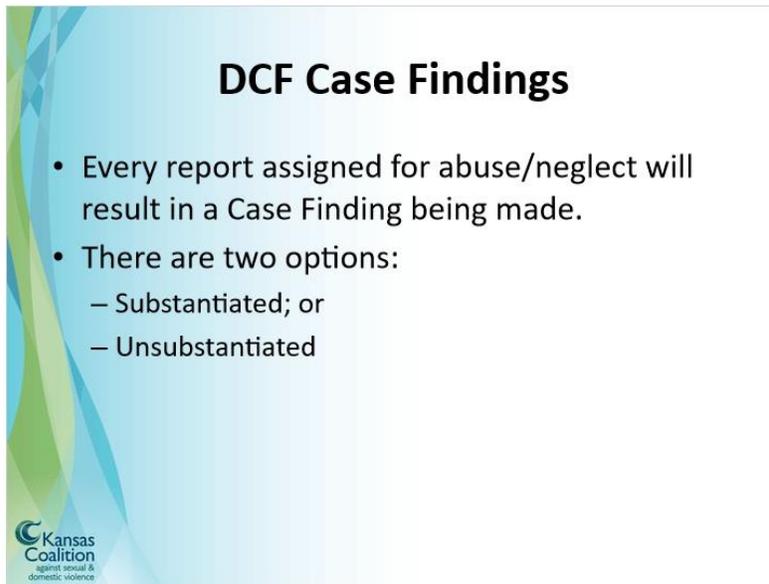
- Evidence
  - Photos
  - Professional records (doctor, school, mental health)
  - Professional reports (DCF, police)
  - Forensic exam

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### Notes:

As part of the investigation, DCF will also gather evidence, including, but not limited to, photos, medical records, school records, mental health records, DCF reports, law enforcement reports, forensic exam records, and any other information that is applicable to the report.

## 1.12 DCF Case Findings



**DCF Case Findings**

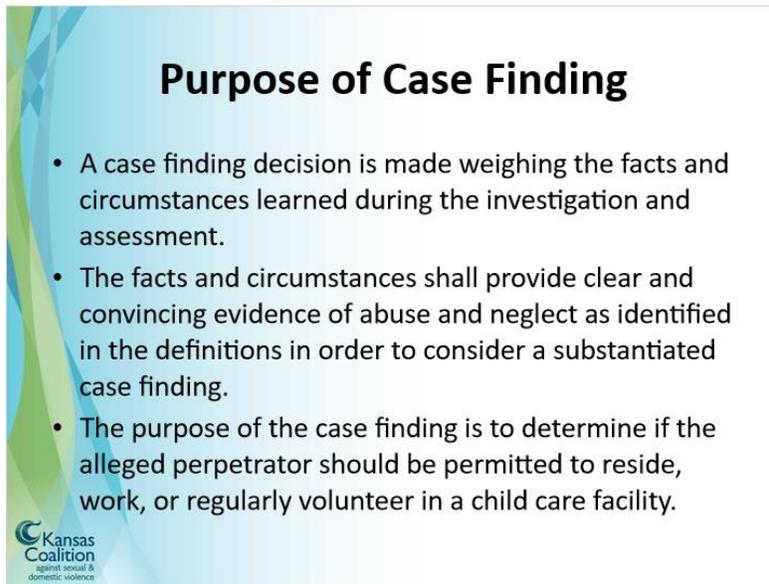
- Every report assigned for abuse/neglect will result in a Case Finding being made.
- There are two options:
  - Substantiated; or
  - Unsubstantiated

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### Notes:

Every report assigned for investigation of child abuse or neglect will result in a case finding being made. There are two case finding options: Substantiated; or Unsubstantiated.

### **1.13 Purpose of Case Finding**



#### **Purpose of Case Finding**

- A case finding decision is made weighing the facts and circumstances learned during the investigation and assessment.
- The facts and circumstances shall provide clear and convincing evidence of abuse and neglect as identified in the definitions in order to consider a substantiated case finding.
- The purpose of the case finding is to determine if the alleged perpetrator should be permitted to reside, work, or regularly volunteer in a child care facility.

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#### **Notes:**

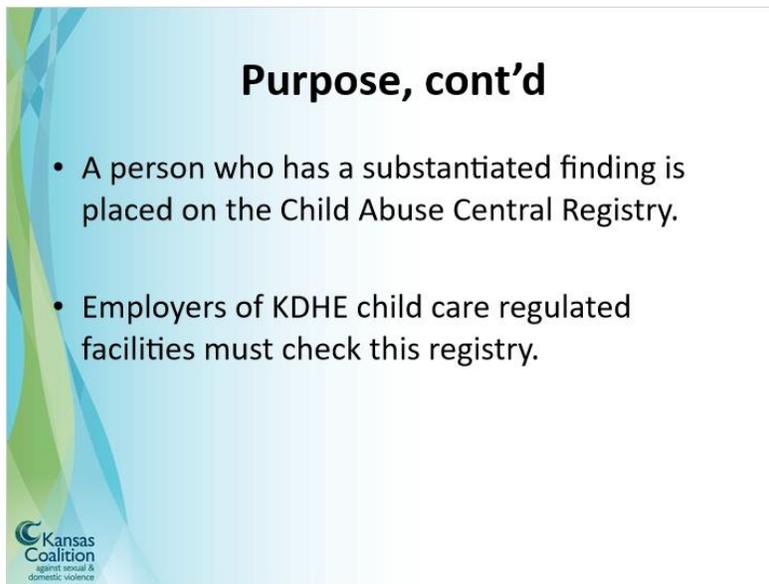
A case finding decision is made weighing the facts and circumstances learned during the investigation and assessment. In order to consider a Substantiated Case Finding, the facts and circumstances shall provide clear and convincing evidence of abuse and neglect as identified in the legal definitions.

The purpose of the case finding is to determine if the alleged perpetrator should be permitted to reside, work, or regularly volunteer in a child care facility as licensed by KDHE, the Kansas Department of Health and Environment.

It is important to remember that the purpose is not to determine if child abuse or neglect did occur. Therefore, an “Unsubstantiated” Case Finding

does not necessarily mean that child abuse or neglect did not occur. An “Unsubstantiated” Case Finding means the facts or circumstances do not provide clear and convincing evidence to meet the legal definitions of abuse or neglect.

### ***1.14 Purpose of Case Finding, cont'd***



**Purpose, cont'd**

- A person who has a substantiated finding is placed on the Child Abuse Central Registry.
- Employers of KDHE child care regulated facilities must check this registry.

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#### **Notes:**

A person who has a substantiated finding is placed on the Child Abuse Central Registry.

Employers of KDHE child care regulated facilities must check this registry before hiring an individual to make sure they are not registered on the Child Abuse Central Registry.

## 1.15 Purpose of Case Finding, cont'd



**Purpose, cont'd**

- If a person is on this registry, they are forbidden to work, reside, or regularly volunteer in a childcare facility regulated by KDHE.
  - This would include: Licensed home daycares, daycare centers, foster homes, residential facilities, to name a few.
  - It does not include: Schools, church babysitting, law enforcement.

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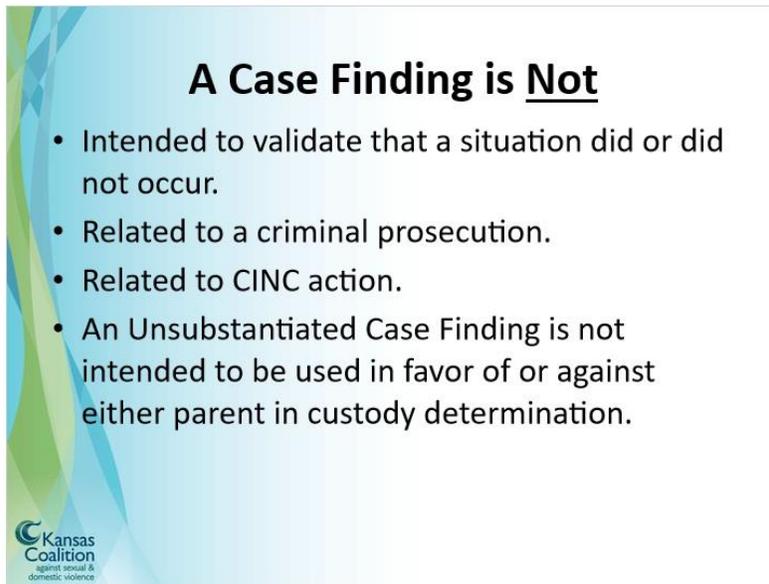
### Notes:

If a person is registered on the Child Abuse Central Registry, they are forbidden to work, reside, or regularly volunteer in a childcare facility regulated by KDHE.

This would include: Licensed home daycares, daycare centers, foster care homes, or residential facilities, to name a few.

It does not include: Schools, churches, babysitting settings, or law enforcement settings.

## **1.16 A Case Finding is Not**



**A Case Finding is Not**

- Intended to validate that a situation did or did not occur.
- Related to a criminal prosecution.
- Related to CINC action.
- An Unsubstantiated Case Finding is not intended to be used in favor of or against either parent in custody determination.

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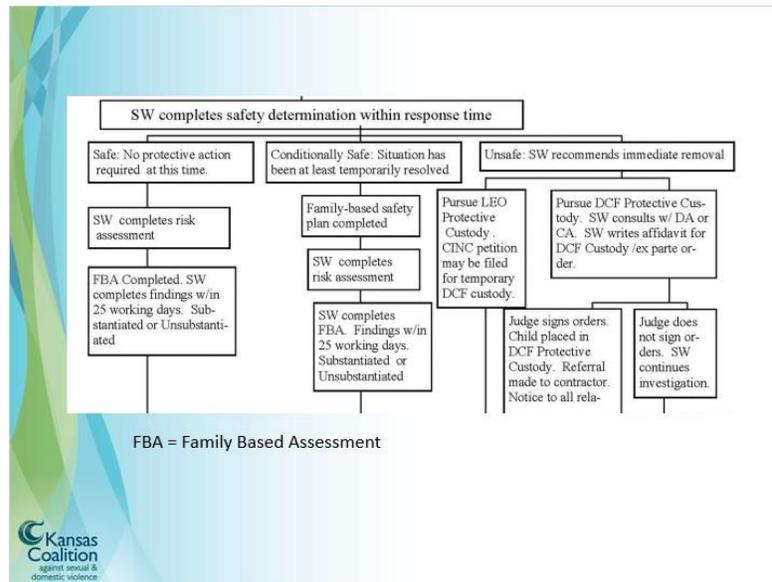
### **Notes:**

An DCF Case Finding is not:

- Intended to validate that a situation did or did not occur;
- Related to a criminal prosecution; or
- Related to CINC action.

An unsubstantiated case finding is not intended to be used in favor of or against either parent in custody determination.

## 1.17 CPS Case Progression MAPS



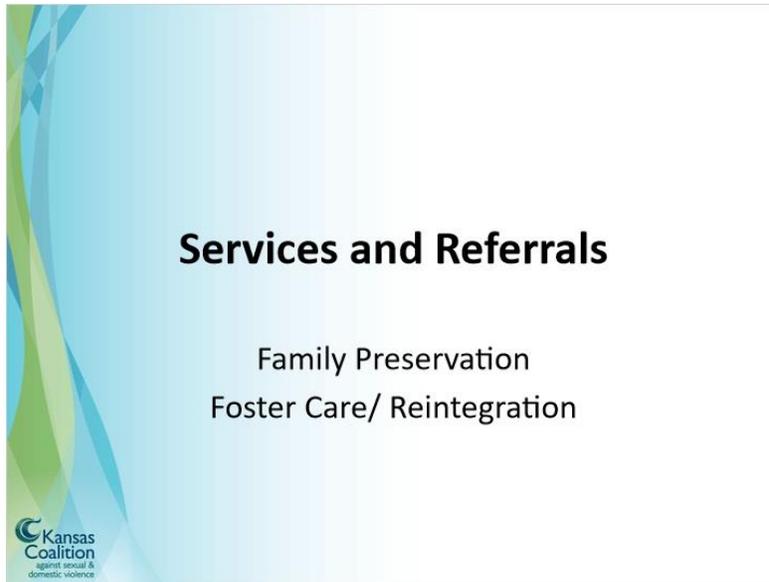
### Notes:

Also completed within the response time is a safety determination.

There are three safety determination options: 1) Safe: There is no indication of a child at risk of harm. The family has no need for any level of intervention to secure the child's safety; 2) Conditionally Safe: Controlling safety interventions have been taken since the intake was received, and those interventions have resolved the unsafe situation for the present time. The family or another agency has taken steps to alleviate the immediate danger prior to DCF's involvement; and 3) Unsafe: One or more children are in danger of immediate harm. The child's safety cannot be ensured without protective intervention and the DCF Social Worker recommends immediate removal of the child.

Take a minute to review the remaining MAPS on the screen, after the safety determination is made.

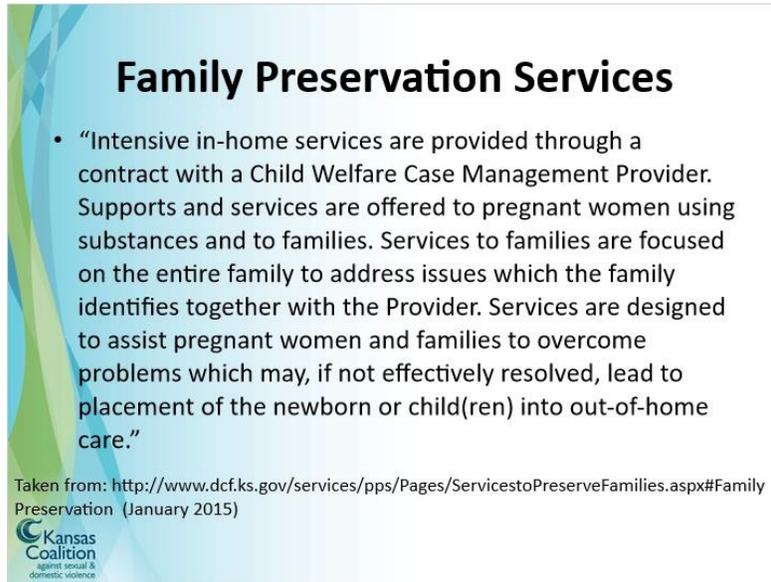
### ***1.18 Services and Referrals***



**Notes:**

Regardless of whether a Case Finding of Substantiated or Unsubstantiated has been made, DCF may refer a family to a number of services through a case plan. These services are intended to prevent a child from being placed out-of-home, to provide a safe placement when children are placed out of home, or to reintegrate a child with their family.

## 1.19 Family Preservation Services

A graphic with a light blue background and a green and blue abstract design on the left side. It contains a title, a bullet point, a source URL, and a logo.

**Family Preservation Services**

- “Intensive in-home services are provided through a contract with a Child Welfare Case Management Provider. Supports and services are offered to pregnant women using substances and to families. Services to families are focused on the entire family to address issues which the family identifies together with the Provider. Services are designed to assist pregnant women and families to overcome problems which may, if not effectively resolved, lead to placement of the newborn or child(ren) into out-of-home care.”

Taken from: <http://www.dcf.ks.gov/services/pps/Pages/ServicestoPreserveFamilies.aspx#FamilyPreservation> (January 2015)

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### Notes:

Family preservation services are offered to families, including pregnant women who use substances, and are designed to keep children from out-of-home placement.

From the DCF website, it states about family preservation services that they are “Intensive in-home services are provided through a contract with a Child Welfare Case Management Provider. Supports and services are offered to pregnant women using substances and to families. Services to families are focused on the entire family to address issues which the family identifies together with the Provider. Services are designed to assist pregnant women and families to overcome problems which may, if not effectively resolved, lead to placement of the newborn or child(ren) into out-of-home care.”

## 1.20 Family Preservation Providers



### Notes:

Use this website to find the family preservation provider agency in your community or service area.

## 1.21 Foster Care

### Foster Care

- “Foster care services are for children and families in cases when a court has found the child to be in need of care and the parents are not able to meet the safety needs of their child. Most children who require foster care have been abused or neglected, and they have major developmental, physical and emotional needs that require a variety of services and care.”
- “Some children who are not abused or neglected may be placed in foster care for reasons such as out-of-control behavior, failure to attend school, overwhelmed parents and running away from home. Foster children are most often placed with relatives or in qualified family foster homes, but some children need more structured settings such as a group home or a residential center. Kansas contracts with private agencies that are responsible for providing foster care services including case planning, placement, life skills and foster parent recruitment and training.”
- “DCF social workers are responsible for keeping an eye on the safety and wellbeing of the children who are in foster homes and monitor the progress they are making toward being able to return to their family home or finding another permanent home.”

Taken from: <http://www.dcf.ks.gov/services/pps/Pages/FosterCareServices.aspx>  
(January 2015)

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**Notes:**

According to the DCF website, "Foster care services are for children and families in cases when a court has found the child to be in need of care and the parents are not able to meet the safety needs of their child. Most children who require foster care have been abused or neglected, and they have major developmental, physical and emotional needs that require a variety of services and care.

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DCF social workers are responsible for keeping an eye on the safety and wellbeing of the children who are in foster homes and monitor the progress they are making toward being able to return to their family home or finding another permanent home."

**1.22 Foster Care/Reintegration Providers**

**Notes:**

Use this website to find the foster care provider agency in your community or service area.

**1.23 Thank you!**



**Notes:**

Thank you for your time. The Kansas Coalition Against Sexual and Domestic Violence is available to meet your technical assistance needs. Please contact our office using the information on the slide should you need further assistance.