

# OVERVIEW OF THE CHILD ABUSE AND NEGLECT CENTRAL REGISTRY

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HOUSE COMMITTEE FOR CHILD WELFARE AND FOSTER CARE  
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# DEFINITION & LEGAL REFERENCE

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FOR ALL CHILD IN NEED OF CARE REPORTS RECEIVED BY DCF

# CHILD ABUSE AND NEGLECT CENTRAL REGISTRY



- A system within DCF that is a computerized, name-based list of persons who have been Confirmed (before 07/01/1997) or Validated (on and after 07/01/1997) or Substantiated (on or after 07/01/2004) for child abuse or neglect.
- The name of a perpetrator is not entered in the central registry until they have been afforded an opportunity for an interview and have exercised their right of appeal or the time limit for appeal has expired without action
- Defined in K.A.R. 30-46-10 (e) "Child abuse and neglect central registry" means the list of names of individuals identified by the department as substantiated perpetrators.
- There are 40,392 unduplicated substantiated perpetrator records for the central registry

# ALLEGED, UNSUBSTANTIATED & SUBSTANTIATED PERPETRATOR

K.A.R. 30-46-10 provides definitions as follows:

- (c) "Alleged perpetrator" means the person identified in the initial report or during the investigation as the person suspected of perpetrating an act of abuse or neglect.
- (k) "Substantiated perpetrator" and "perpetrator" mean a person, regardless of where the person resides, who has been substantiated by the secretary or the secretary's designee, by a preponderance of evidence, to have either intentionally committed an act of abuse or neglect or failed or refused to protect a child when a reasonable person would have anticipated that the act of abuse or neglect would result in or create a likelihood of serious harm, injury, or deterioration to the child.
- The substantiated perpetrator's name is placed on the Kansas child abuse and neglect central registry, and the person is thereby prohibited from residing, working, or volunteering in a child care facility pursuant to K.S.A. 65-516, and amendments thereto.
- (l) "Unsubstantiated alleged perpetrator" means a person who has been determined by the secretary or the secretary's designee, by a preponderance of evidence, to have not committed an alleged act of abuse or neglect.

# INVESTIGATION AND DUE PROCESS



KAR 30-46-10 defines Investigation as follows:

- (h) "Investigation" means the gathering and assessing of information to **determine if a child has been harmed**, as defined in K.S.A. 38-2202, and amendments thereto, as the result of abuse or neglect, to identify the individual or individuals responsible, **and to determine if the incident perpetrated by the individual or individuals should be substantiated**.

K.A.R. 30-7-67 and 30-7-68 ( and KSA 77-531) set forth guidance regarding fair hearings and number of days to appeal a determination of a substantiated finding in a DCF investigation,

- KAR 30-7-67 sets forth the administrative hearings section (Office on Administrative Hearings) shall administer the agency's fair hearing program.
- 30-7-68. Request for fair hearing. (a) Unless preempted by federal law, a request for fair hearing **shall be in writing and received by the agency within 30 days from the date of the order or notice of action**. Pursuant to K.S.A. 77-531, an additional three days shall be allowed if the notice or order is mailed.

# KANSAS STATUTES ANNOTATED

## RELATED



(Related) as set forth in K.S.A. 65-516, Restrictions on persons maintaining or residing, working or volunteering at a child care facility; exceptions; criminal history check by secretary of health and environment; fingerprinting; fees; information to be provided to sponsoring child placement agency; child care criminal background and fingerprinting fund.

- (a) No person shall knowingly maintain a child care facility if an employee who, in this state or in other states or the federal government:
- (4) has committed an act of physical, mental or emotional abuse or neglect or sexual abuse and who is listed in the child abuse and neglect registry maintained by the Kansas department for children and families pursuant to K.S.A. 38-2226, and amendments thereto, or any similar child abuse and neglect registries maintained by any other state or the federal government
- (k) For the purpose of subsection (a)(3), a person listed in the child abuse and neglect central registry shall not be prohibited from residing, working or volunteering in a child care facility unless such person has:
  - (1) Had an opportunity to be interviewed and present information during the investigation of the alleged act of abuse or neglect; and
  - (2) been given notice of the agency decision and an opportunity to appeal such decision to the secretary and to the courts pursuant to the Kansas judicial review act.

# DCF INVESTIGATION/ ASSESSMENTS BACKGROUND

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FOR ALL CHILD IN NEED OF CARE REPORTS RECEIVED BY DCF

# FRONT DOOR PATH OVERVIEW

## REGIONAL CHILD PROTECTION SPECIALIST ALONGSIDE THE FAMILY AND THEIR NETWORK



1. A report is made to Kansas Protection Report Center (KPRC). An intake protection specialist uses Kansas Intake Guidance to determine the assignment of the report.



2. The report is sent to a DCF Regional Service Center if it meets any criteria of abuse/neglect or family in need of assessment (FINA).



3. The report is assigned to a Child Protection Specialist (CPS) to visit and assess family.



4. The CPS and family work together to find services that promote family well-being and/or child safety to keep families together.

# DCF RESPONSE TIMES

## DCF CHILD PROTECTION SPECIALIST RESPONSE TO A FAMILY



Response Time Determination  
for Assigned Response  
(and determine if joint  
investigation is needed  
K.S.A.38-2226 (b) )

(7/1/25) if report is from a law  
enforcement officer alleging  
abuse or neglect, initiate  
investigation within 24 hours  
(every day) K.S.A.2231(d)

Same Day

72 hours not including  
weekends and holidays

7 working days for  
FINA (except reports  
with infants of a child  
any age in police  
protective custody)

# ABUSE/ NEGLECT REPORTS ASSIGNED

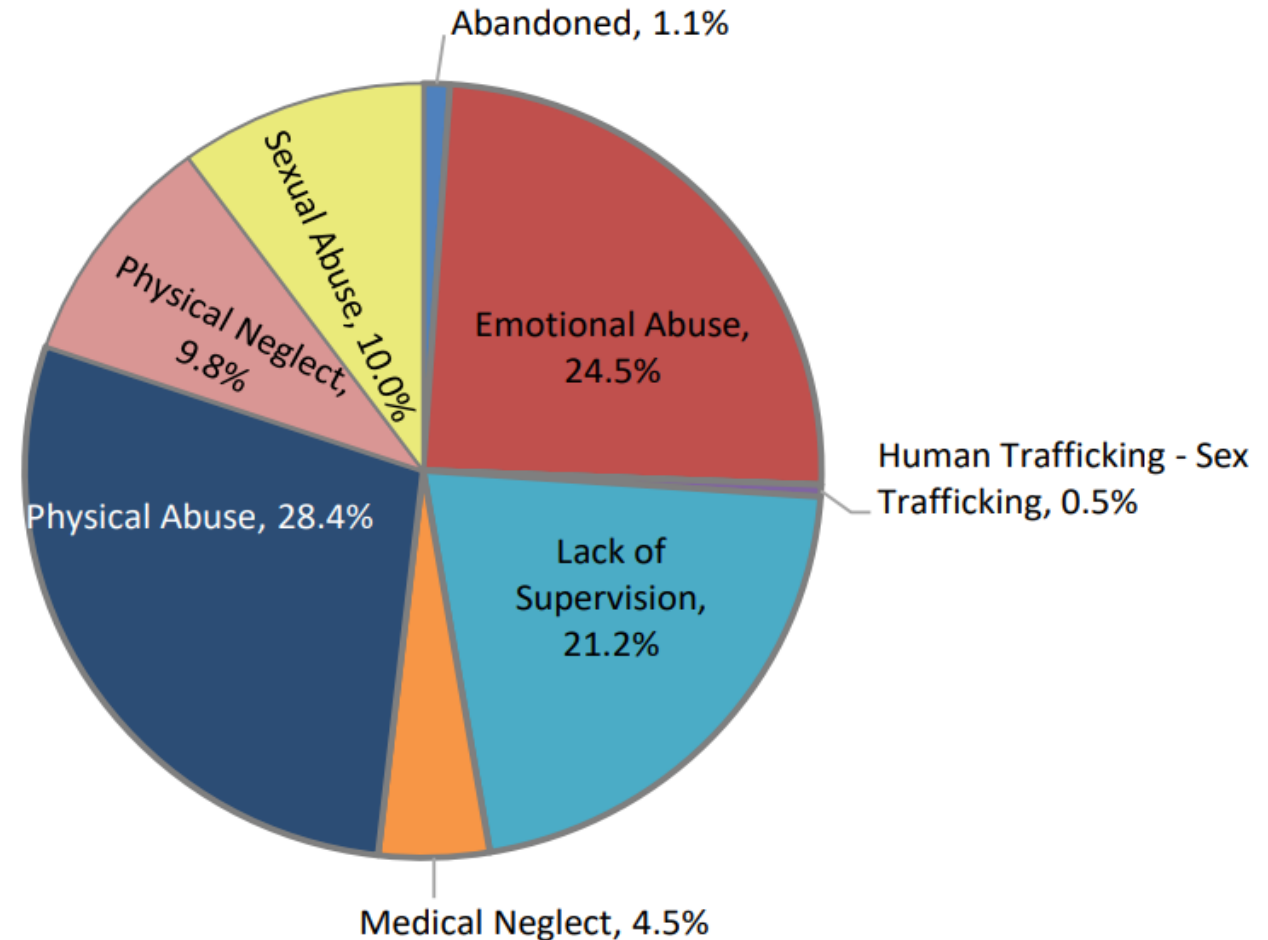
## Statewide Assigned Alleged Maltreatment

SFY 26 to November

Total Assigned Reports

July- November: 12,162

SFY 25: 23,878



# INITIATING CONTACT: COMMON ACTIVITIES

## CONVERSATION & ASSESSMENT TOOLS



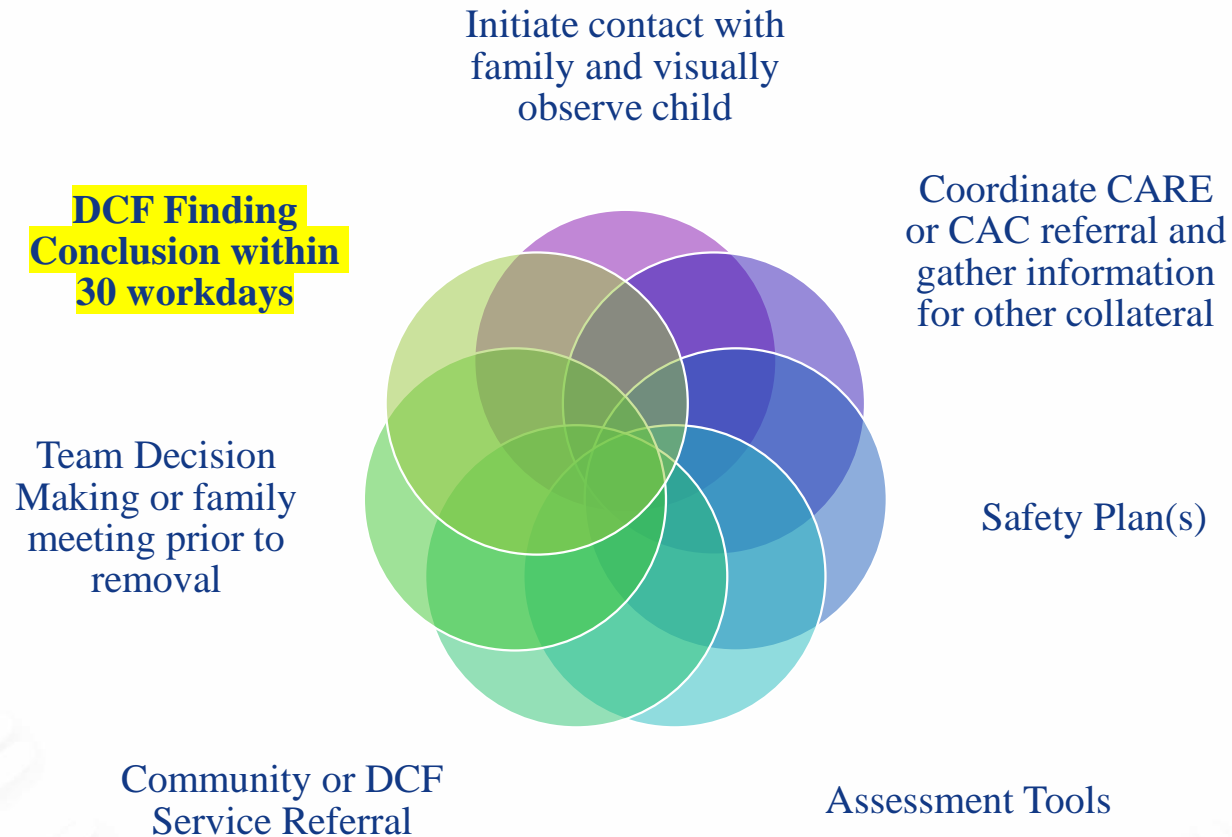
The report is assigned to a Child Protection Specialist (CPS) to visit and assess family.

The CPS and family work together to find services that promote family well-being and/or child safety to keep families together.

- Coordinate with law enforcement in a joint investigation response, a referral to CARE network if maltreatment allegation requires exam, or referral to Child Advocacy Center for a forensic interview if needed.
- Interview and visually observe child
- Engage, inform & interview parents, siblings and caregivers documenting in conversation notes and assessment documents.
- Gather information from family and family's network their worries about harm, safety, what's working well, family resources, scaling questions and the safety goal
- Gather information from collateral contacts related to the presenting situation of allegations ( reporters, health care providers, medical records, law enforcement, etc.)
- Assess and co create a lasting safety (plan)
- **Develop a finding conclusion for allegation of maltreatment**
- Explore meaningful services with family and make referrals
- Assess immediate danger, alternatives to protective action or protective actions as needed with family, schedule Team Decision Making or similar family meeting.

# COMMON ACTIVITIES

COMPLETED BY A REGIONAL CHILD PROTECTION SPECIALIST OR JOINT WITH LAW ENFORCEMENT AS APPLICABLE



# CASE FINDING CONCLUSIONS

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FOR REPORTS ALLEGING ABUSE OR NEGLECT

# DCF POLICY

Finding is due within 30 workdays of report assignment to the assigned worker and is staffed with supervisor for each child, allegation, and alleged perpetrator.

## Finding

Unsubstantiated  
Substantiated  
Unable to Locate

96% of all abuse/  
neglect report  
allegations are  
Unsubstantiated

## Finding Type

Physical Abuse  
Sexual Abuse  
Emotional Abuse  
Physical Neglect  
Lack of Supervision  
Medical Neglect  
Human Trafficking  
Abandonment

## More Detail

Perpetrator Relationship to child  
Facility type, if applicable  
Injury to Child  
Degree of Injury

# CHILD FINDING

## MORE DETAIL – GLIMPSE FROM THE PPS 2011 FORMAT

D. Injury:  Abrasions/Lacerations [AB]    Bruises/Welts [BR]    Burns [BU]    Sprains/Dislocations [SP]    Internal Injuries [II]  
 Skull Fracture [SF]    Brain Damage [BD]    Poisoning [PO]    Failure to Thrive [FT]    No Injury Apparent [NO]  
 Malnutrition [ML]    Exposure/Freezing [EX]    Dismemberment [DM]    Bone Fracture (not head) [BF]    Wounds, Cuts, Punctures [WO]  
 Unknown [UK]    Sexually Transmitted Disease [ST]    Subdural Hematoma/Hemorrhage [SH]    Other [OT]

E. Degree of Injury:    No Injury [NO]    Minor Injury [MI]    Moderate Injury [MO]    Major Injury [MJ]    Permanent Injury [PI]    Dead [DD]

F. Perpetrator Relationship to Child:    Father [FA]    Mother [MO]    Stepparent [ST]    Adoptive Parent [AM]    Sibling [SI]  
 Step Sibling [SS]    Adoptive Sibling [AS ]    Aunt [AU]    Uncle [UN]    Cousin [CO]  
 Nephew/Niece [NN]    Friend [FR]    Foster Parent [FP ]    Paternal Grandparent [GP]    Not Related [NR]  
 Maternal Grandparent [GM]    Unknown [UK]

# DCF FINDING DECISION BASIS

- May be delayed more than 30 workdays if requested by law enforcement.
- Based on information gathered by the CPS specialist or CPS investigator during investigatory activities.
- Made in consultation with a supervisor & addresses each allegation and alleged perpetrator in the report.
  - May include a consultation with the DCF regional attorney for a legal assessment regarding elements to either support or not support any substantiation finding.
- Made by weighing the facts and circumstances learned during the investigation and assessment and applying the definition of abuse/neglect. Considerations include:
  - *the child's age, condition, detailed description and location of injuries, how injuries were determined to be caused, how it was determined the alleged perpetrator caused the injury, what was found or not found to be harmful to the child ( and more.)*
- **Uses preponderance of the evidence as the standard of evidence** regarding abuse and neglect. For example:
  - *Unsubstantiated: A reasonable person weighing the facts or circumstances would conclude it is more likely than not (preponderance of the evidence) the alleged perpetrator's actions or inactions do not meet the abuse and/or neglect definitions per applicable Kansas Statutes Annotated (K.S.A.) and Kansas Administrative Regulations (K.A.R.).*
- The same case finding is made for the child and the alleged perpetrator based on the facts and circumstances of the incident, unless the alleged perpetrator is unknown.

# SUBSTANTIATED FINDING CONCLUSION

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FOR REPORTS ALLEGING ABUSE OR NEGLECT

# SUBSTANTIATED FINDING DECISION

## POLICY

- A substantiated case finding shall meet the following criteria:
  1. A determination is made the facts and circumstances meet one of the required definitions for abuse, neglect, and/or abandonment of a child; **and**
  2. A determination is made the perpetrator's actions, behaviors, or omissions occurred and meet at least one of the following criteria:
    - a. there was an intent to commit the act that resulted in harm; and/or
    - b. a reasonable person would have anticipated harm would occur to the child; and/or
    - c. the harm was a result of failure or refusal to protect the child; **and**
  3. There was serious harm, injury or deterioration to the child; or there was a likelihood of, or endangerment of serious harm, injury or deterioration to the child

**Notice of Department Findings**

Date of Mailing:		Event #:		DCF Office:	
TO:		FROM:			
ADDRESS: Street/P.O. Box _____		TELEPHONE #: _____			
City _____ State _____		ADDRESS: Street/P.O. Box _____			
ZIP _____		City _____ State _____			
					<i>("Report Date" on PPS 1001)</i>
The Kansas Department for Children and Families has completed an investigation of a report dated:					
The following decisions have been made:					
Child's Name/ Alleged Victim	Allegation	Finding	Unsubstantiated Alleged Perpetrator OR Substantiated Perpetrator *		
<p><b>*NOTE REGARDING UNSUBSTANTIATED CASE FINDINGS: An unsubstantiated finding is a determination the incident reported was not substantiated.</b></p> <p><b>*NOTE TO SUBSTANTIATED PERPETRATORS: Substantiated Perpetrators have the opportunity to appeal agency findings. If a substantiated perpetrator does not appeal or the appeal is unsuccessful, the substantiated perpetrator's name will be placed on the Kansas Child Abuse/Neglect Central Registry. Persons whose names appear on the Central Registry are not permitted by law to work, reside, or regularly volunteer in child care homes or facilities licensed or regulated by the Kansas Department for Health and Environment (KDHE) or the Kansas Department for Children and Families (DCF) Foster Care and Residential Facility Licensing. A substantiated finding may affect a substantiated perpetrator's current employment status in a childcare or residential facility licensed or regulated by the KDHE or DCF Foster Care and Residential Facility Licensing and such person's ability to obtain employment in the future. See reverse side for additional important information regarding appeal and expungement processes.</b></p>					

# DCF NOTICE OF FINDING DECISION



## POLICY

- Notice of a substantiated finding is sent to the County or District Attorney
- The Notice of Department Finding (Form PPS 2012) is mailed and contains appeal information.

### NOTICE OF DEPARTMENT FINDINGS ( *clip is in next slide and full form in the attachment* )

*A substantiated perpetrator may appeal a decision of substantiation for child abuse and/or neglect by filing a written request for fair hearing pursuant to K.A.R. 30-7-68 et seq. with the Office of Administrative Hearings, 1020 S. Kansas, Topeka, Kansas 66612-1327 within 30 days from the date of the mailing of this Notice of Department Finding. An additional 3 days shall be allowed if this Notice of Department Finding is mailed. Additional information or fair hearing request forms may be obtained from any DCF office or on-line at <https://oah.ks.gov/Home/FilingMethods>. The person against whom a substantiated finding decision has been made may have legal counsel or others to represent said person at the hearing. If the substantiated person is dissatisfied with the hearing decision, said person with the substantiated finding may request in writing a review of the decision by the State Appeals Committee. The decision of the State Appeals Committee may be appealed to the district court.*

# DUE PROCESS FOR A PROPOSED SUBSTANTIATED PERPETRATOR



A DCF proposed finding of substantiated does not impact the alleged perpetrator until all appeal time is exhausted

- A substantiated finding cannot be made unless the alleged perpetrator has been afforded the opportunity to be interviewed by DCF, a law enforcement officer, or a duly appointed member of a multi-disciplinary child protection team.
- A substantiated perpetrator may appeal the DCF finding decision
  - Requests for fair hearing pursuant to K.A.R. 30-7-68 are to be made in writing within 30 days of the date of finding notice. An additional 3 days are allowed if the notice is mailed.
  - Fair hearing requests received by DCF are to be forwarded to the Office of Administrative Hearings. Fair Hearing request forms may be obtained from any local DCF office.
  - Individuals identified as perpetrators may have legal counsel or others to represent them at the hearing.
- If a person identified as a perpetrator is dissatisfied with the hearing decision, they may request a review of the decision by the State Appeals Committee.
- The decision of the State Appeals Committee may be appealed to the district court.
- KAR 30-46-16. Child abuse and neglect central registry. The name of a substantiated perpetrator shall not be entered into the department's child abuse and neglect central registry until the person has exhausted or failed to exercise the appeal process in K.A.R. 30-7-64 through 30-7-104

# EXPUNGEMENT PROCESS

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FOR PERPETRATORS LISTED ON THE CHILD ABUSE CENTRAL REGISTRY

# EXPUNGEMENT

## KAR 30-46-17

- Any person who has been a substantiated perpetrator of child abuse or neglect and is placed on the Child Abuse and Neglect Central Registry can have their case reviewed for expungement after three years have passed since the most recent confirmed incident.
- Any record may be expunged from the registry when 18 years or more have passed since the most recent finding of abuse or neglect
- If an expungement is denied, individuals may request another expungement after 12 months have passed since the last request.
- A request for expungement can be made to the Child Abuse/ Neglect Central Registry in writing to the Secretary of Children and Family, 555 S. Kansas Ave., Administration Building, 4th Floor, Topeka Kansas 66603. [DCF.ChildRegistryExpungements@ks.gov](mailto:DCF.ChildRegistryExpungements@ks.gov).

# EXPUNGEMENT

## PANEL CONSIDERATIONS

The expungement panel reviews the:

- nature and severity of the abuse/neglect case against the applicant,
- considers the number of any other abuse/neglect findings involving the applicant,
- circumstances that no longer contribute to the finding,
- whether the applicant was juvenile at time of finding, and
- actions taken by the applicant to prevent the reoccurrence of abuse or neglect.

# CENTRAL REGISTRY BACKGROUND CHECKS FOR CHILD ABUSE AND NEGLECT

The Department for Children and Families maintains a statewide registry identifying, after due process, persons substantiated for the abuse and/or neglect of children.

- Records are confidential
- The process is entirely electronic
- Operates through use of a release form request from the person who need the background check for DCF to share with the necessary agency.
- Results are sent via encrypted email.
- The agency is working on a new web-based portal to request checks that should launch late January 2026.
- Fee
  - A \$10.00 fee may apply for each request.
  - No fee for any state government agency (state contracting and sub-contracting agencies not included).
  - No fee for listed Mentor Kansas Partners
  - \$10 per release form for private agencies and general public.
  - Pre-Pay Accounts can be set up for agencies
- For additional information or questions regarding the Child Abuse & Neglect Central Registry, please contact [DCF.CentralRegistry@ks.gov](mailto:DCF.CentralRegistry@ks.gov)

**An additional packet of  
information is provided for more  
reference.**

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**QUESTIONS?**