



# DCF Legislative Testimony

**March 2, 2026**

**TESTIMONY OF:** Tanya Keys, Deputy Secretary Department for Children and Families

**TESTIMONY ON:** Oral, Proponent, SB 408 - Excluding a child engaging in age-appropriate independent activities from the definition of a child in need of care in the revised Kansas code for care of children.

## DCF | SB408 | CINC & AGE-APPROPRIATE ACTIVITIES

Chair Humphries and members of the committee. Thank you for the opportunity to provide proponent testimony for SB 408, which proposes amendments to the revised Kansas code for care of children to clarify that a child engaging in age-appropriate independent activities does not meet the definition of a child in need of care, and to exclude such activities from the crime of endangering a child.

### BACKGROUND

Current statewide DCF policy and procedure require intake staff at the Kansas Protection Report Center (KPRC) within the Department for Children and Families (DCF) to assess reports of alleged neglect or lack of supervision using a specific analysis of facts that considers the child's age, maturity, developmental abilities, and whether the reported circumstances present a likelihood of harm. DCF specific policies regarding receipt of reports and information gathered at intake are located in the [Policy and Procedure Manual](#) Section 1000 complemented by Appendix 1A focused on [Kansas Intake Guidance](#).

SB 408 as proposed clarifies statutory language regarding age-appropriate independent activities and aligns with existing intake procedures that already require individualized assessment rather than decisions based solely on age or the presence or absence of supervision. Implementation of the bill would not require changes to the intake process but may necessitate updates to policy references or training materials to reflect the revised statutory language and ensure consistency in application statewide.

### CURRENT POLICY AND PROCEDURE

Procedurally, KPRC intake staff identify the specific allegations presented and evaluate those allegations against statutory definitions and policy thresholds to determine the appropriate response. Current policy does not establish a minimum or maximum age at which independent activities are permitted. Rather, determinations are made on a case-by-case basis, guided by professional judgment and policy-defined criteria related to safety and harm. This approach allows staff to differentiate between developmentally appropriate independence and situations that may require intervention to protect a child's health or safety

When reports involve concerns related to supervision, intake staff assess the totality of the circumstances, including the child's age, maturity, developmental abilities, environmental conditions, duration of the alleged lack of supervision, and the presence of any immediate or potential safety risks. Intake determinations are documented in the case record in accordance with general DCF documentation requirements.

The examples of age-appropriate independent activities identified in SB 408 – including activities occurring in the community, at home, or during other short periods without direct supervision – reflect situations that intake staff already evaluate using a safety-based framework that integrates the context of a situation rather than supervision status alone. Based on this framework assessment, reports that do not indicate actual or likely harm may not be assigned (screened out), or they may be assigned for a non-investigative response, such a family in need of assessment response (FINA.)

DCF interprets this proposed bill language would not be applicable if the report source to DCF was a responding law enforcement officer regarding a report of suspected abuse or neglect set forth in K.S.A 38-2231 (d). This new law effective 7/1/25, set forth that the secretary receives referrals from law enforcement and, within 24 hours, initiate an investigation of abuse or neglect and contact the persons who are the subject of such investigation. Then, within 24 hours of such contact, the secretary shall respond to the referring law enforcement agency with the status of the investigation.

There is no fiscal impact to this bill for the agency.

DCF would update policy and intake guidance with requirements that become effective and conduct training and awareness sessions for staff on those changes.

Thank you for the opportunity to support this bill. DCF kindly requests the bill be passed out favorably.