

What is a DCF Finding Decision?

The case finding is the decision about whether what happened meets the State's definitions for abuse/ neglect, and whether the alleged perpetrator should not be permitted to reside, work or regularly volunteer in a child care facility regulated by the Kansas Department of Health and Environment (KDHE) or DCF Child Foster Care and Residential Facility Licensing. DCF has three case finding decisions.

- An "unsubstantiated" finding means a reasonable person weighing the facts or circumstances would decide 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.).
- An "affirmed" finding means a reasonable person weighing the facts and circumstances would decide it is more likely than not (preponderance of the evidence) the alleged perpetrator's actions or inactions meet the abuse/neglect definition per Kansas Statutes Annotated (K.S.A.) and Kansas Administrative Regulations (K.A.R.).
- A "substantiated" finding means a reasonable person weighing the facts and circumstances would decide it is more likely than not (preponderance of the evidence) the alleged perpetrator's actions or inactions meet the abuse/ neglect definition per Kansas Statutes Annotated (K.S.A.) and Kansas Administrative Regulations (K.A.R.), and meet criteria indicating the alleged perpetrator should not be permitted to reside, work, or regularly volunteer in a child care facility regulated by KDHE or DCF Foster Care and Residential Facility Licensing.

If the evidence supports a substantiated finding, the person identified as responsible for the abuse or neglect will have his/her name placed on a statewide list of substantiated perpetrators known as the Kansas Child Abuse/Neglect Central Registry.

You will receive a copy of the finding decision in writing.

Kansas Child Welfare Values: Statements of what we believe drive what we do.

1. All children deserve to be protected and free from abuse and neglect.
2. Children should be maintained with their family whenever possible.
3. Families are important to the health and wholeness of children.
4. Children need consistent nurturing in a healthy environment to realize their full potential.
5. Children and families are to be understood within the context of their own family history and culture.
6. All children need and deserve healthy, enduring relationships that provide stability and belonging.
7. Foster care is a temporary intervention, with the primary goal of reintegration and, if reintegration is not possible, a secondary goal is to attain another form of permanency, such as adoption.
8. Kansas child welfare staff should demonstrate integrity, understanding and compassion when addressing and overcoming difficult issues with children and families.
9. Kansas child welfare staff should be committed, qualified, trained and skilled, and supported by an effectively-structured organization.
10. Parents have the primary responsibility for a child's safety and wellbeing. However, the entire community can contribute to helping families so children reach their fullest potential.

State law does not allow DCF to tell you who made the report.

Office

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Kansas Child Protective Services

What you need to know about investigations of child abuse or neglect



Why is DCF investigating me?

State law requires the Kansas Department for Children and Families (DCF) and/or law enforcement officers to investigate reports of alleged child abuse and neglect and decide if action is needed to protect your child.

What is going to happen?

DCF staff members will identify themselves, talk with you about what has been reported and what will happen next.

DCF staff and/or a law enforcement officer will gather information to make a decision about whether the allegation(s) of abuse or neglect has happened or is in danger of happening.

To find out if any action is necessary to protect your child, DCF will ask to see and talk to your child, family members and others who may know about what is happening.

DCF will talk with you about the things you are already doing to help your family and other ways your family is being supported.

DCF may work with you, other family members and any other support resources you identify to develop a plan of care in order to protect your child

What are my rights?

- To refuse to talk with DCF
- To know what was reported
- To request DCF services
- To know the DCF finding decision
- To appeal a substantiated or affirmed finding decision

What can I do to help?

DCF staff wants to help your family. We will work with you to find the best ways to get the help your family may need. Please see Kansas Child Welfare Values on the back which describes the agency's values supporting our work to partner with families.

You can help by being cooperative and by openly talking to DCF and law enforcement officers. Giving the names of your relatives, friends, doctors, teachers and other people who have first-hand knowledge of you and your children will also be useful.

What if I don't want to talk to DCF?

It is your right not to talk to DCF. However, by talking to DCF, you can help DCF staff members better understand your family's situation. This will ensure the best possible service decisions are made to keep everyone safe.

If you choose not to talk to DCF staff, and DCF staff members are not able to determine that your child is safe, DCF may ask for law enforcement assistance or a court order.

A law enforcement officer who believes a child may be harmed has the authority to take the child into protective custody. If it is necessary, the officer will take your child to a safe place.

What can I do if I am dissatisfied with the process?

Talk about your concerns with DCF, calmly stating the facts as you see them. If you have concerns or questions after talking with DCF staff, you may speak to a DCF supervisor.

You may also contact the DCF Office of Client Services by calling 1-888-369-4777 or emailing DCFCustomerService@ks.gov.

Will my child be removed?

DCF believes children should remain with their parents unless the children are determined unsafe. Your child will be removed from your home only in the most serious situations and if you are unable to protect your child by yourself.

If abuse or neglect has happened or is likely to happen to your child, DCF will help your family make a plan to keep everyone safe.

In order to ensure the safety of your child and minimize trauma, you may need to consider:

- If someone in your home is a threat to your child, can you tell that person to leave?
- Are any family members or friends willing and able to care for your child in their home?

If neither choice is possible right now, law enforcement may place your child in protective custody or a judge may give temporary custody of your child to DCF or another person.

Will I go to court?

Parents can usually make necessary changes without involving the court. DCF must report substantiated and affirmed case findings to the county or district attorney. The county or district attorney decides whether to file a case with the court. If a "Child in Need of Care" petition is filed, the court will hold a hearing, and you may appear with an attorney. DCF may be a witness, but DCF has no authority or control over court decisions.

If your child has been removed by a law enforcement officer or by an emergency court order, a court hearing must be held within 72 hours (except weekends and holidays) to determine if your child can be returned to you.