

Why is DCF investigating me?

State law requires DCF and/or law enforcement officers to investigate reports of child abuse and neglect and determine if action is necessary to protect your child.

What is going to happen?

DCF social workers will identify themselves, explain what has been reported and describe what will happen next.

The DCF social worker and/or a law enforcement officer will gather information to determine if 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 the child, family members and others who may know about the situation.

The social worker will work with you to complete a family assessment, which identifies the strengths of your family and your potential sources of support.

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
- To appeal a substantiated finding

What can I do to help?

It is normal for people in these situations to feel shock, fear or anger. These reports are stressful for everybody. Please stay calm. People make better decisions when their emotions are under control.

DCF social workers want to find out if your family needs help. If so, they will work with you to find the best ways to get it.

You can help by being honest and by giving complete information to social workers and law enforcement officers. Providing 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 the DCF social worker. However, if you do talk to the social worker, he or she is better able to gather the information needed to understand your family's situation. This will ensure that the best possible service decisions are made to keep everyone safe.

If you choose not to talk to the DCF social worker and he or she is not able to determine that your child is safe, the social worker may request law enforcement assistance or a court order.

A law enforcement officer who believes that 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 the social worker, calmly stating the facts as you see them. If you are not satisfied after talking with the social worker, you may speak to an DCF Supervisor.

Will my child be removed?

DCF expects children to remain with their parents whenever their safety is not at risk. 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.

If your child is not safe, you will have to consider some hard questions and help make some serious decisions:

- 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.

What is a DCF finding?

After investigating your child's safety, DCF will make a decision (finding) regarding the allegations. The purpose of the finding is to determine if the alleged perpetrator should be allowed to work, reside or regularly volunteer in a child care facility regulated by KDHE.

- An unsubstantiated finding means the facts and circumstances do not provide clear and convincing evidence to meet the KSA or KAR definition of abuse or neglect.
- A substantiated finding means the facts or circumstances provide clear and convincing evidence to conclude the alleged perpetrator's actions or inactions meet the K.S.A. or K.A.R. definition of abuse or neglect and, therefore, the perpetrator should not be permitted to work, reside or regularly volunteer in a child care facility regulated by KDHE.

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

You will receive a copy of the finding in writing.

Will I have to go to court?

Parents can usually make necessary changes without involving the court. DCF must report

substantiated 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.

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

Office

Social Worker

Telephone



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(This form supersedes CFS 2010 REV 12/09)

Child Protective Services



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