

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Elwaine F. Pomeroy at
Chairperson

10:00 a.m./~~p.m.~~ on January 30, 1984 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~ were: Senators Pomeroy, Winter, Feleciano, Gaines, Mulich, and Werts.

Committee staff present: Mary Torrence, Revisor of Statutes
Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

January Scott, Kansas Committee for Prevention of Child Abuse
Lois Jebo, Kansas Action for Children, Inc.
Judy Culley, Kansas Association of Licensed Private Child Care Agencies
Andria Hickerson, Parents Anonymous of Kansas
Commissioner, Robert Barnum, Youth Services, SRS
Jim Baze, Social and Rehabilitation Services

CHILD ABUSE ISSUES

January Scott testified child abuse and neglect is changing with the change in family structure with the two-member working family. The critical need is for more social service workers in the department of SRS. She referred to the proposal to change the incest statutes back to the original language. She stated they have a handle on sexual abuse, but the area of emotional abuse needs to be looked at. Copies of her handouts are attached (See Attachments No. 1).

Lois Jebo testified her organization believes the first alternative must be to strengthen the family of origin to allow the family to remain intact. A copy of her testimony is attached (See Attachment No. 2). She added, it is important to provide education on parenting.

Judy Culley testified the organization she represents is concerned that area SRS offices across the state are depleting their allocations for child placement for FY 84 too rapidly in many areas and sees this as a most serious issue regarding abused children at this point in time. A copy of her testimony is attached (See Attachment No. 3). A committee member inquired about a problem developing in Sedgwick County with SRS in the placement of these children, as to whether they are or not being abused. What discretion does SRS have in placing these children? She replied, someone has to have the authority, and SRS has the authority to investigate cases. A committee member inquired of the source of the funding for these shelter houses. She replied, some is purchase of service through SRS; private agencies are coming up with about 20% of the funding from grants and other sources. She stated some cities and counties contribute to the shelter houses, but most don't. Their home belongs to the city, and they pay rent for it. According to the juvenile code SRS is mandated to pay for juvenile offenders.

Andria Hickerson explained her organization is a helping organization for parents who feel they might be or have been abusive. She was a SRS employee for ten years. She is concerned with the cases of abuse and neglect that are reported to SRS, and that is not all the cases reported; that is only ten to twenty percent of the cases in the state. She is concerned about cases reported, and their organization is not a reporting agent. They receive many calls from people who want to report an abuse and neglect case. She is concerned about cases that are being reported to the police; cases will diminish in the next few years. She stated SRS does a good job in identifying cases, but they are limited on time and money to spend with families on child abuse. Intervention has to be longer than from three to six

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 514-S, Statehouse, at 10:00 a.m./~~p.m.~~ on January 30, 1984.

CHILD ABUSE ISSUES continued

months. Her concern is that intervention is too limited. She is concerned with unreported cases; people will not come forward because people in the community will know about this. The family unit is in danger. They have calls from people who are struggling with issues of parenting; they don't always get support from their religious community. She also has concern with corporal punishment. Teachers are concerned with the child in class but hesitates to report it because the parents would know who reported them. If could work with schools, a much better job could be done. Forty percent of all police calls are domestic violence.

Commissioner Robert Barnum reported, under the amendments to the Kansas Code for Care of Children, as passed in SB 105 last session, SRS staff are currently investigating all the reports of child abuse/neglect, with the exclusion of reports concerning SRS employees or reports concerning abuse/neglect in our state institutions. A copy of his testimony is attached (See Attachment No. 4). He also reviewed the statistical information contained on the three additional attachments (See Attachments No. 5). The chairman inquired, do you have any idea, are we becoming a sexually abusive state as far as children are concerned, or are we becoming aware and reporting it more? He replied, they feel it a matter of awareness. There are some good strong advocates, and we will see the trend continue. A committee member inquired, how many cases are you not getting that you should get? He replied, only be his guess there may be considerable numbers, but they feel they have a pretty good network at this time; hope they are taking care of them. As far as investigations, they are doing pretty well.

Jim Baze testified from a local perspective as a section supervisor for the Topeka Area Office of SRS and supervisor of SRS Child and Family Services in Lawrence. A copy of his testimony is attached (See Attachment No. 6). He had specific recommendations concerning the wording "imminent danger" in K.S.A. 1982 Supp. 38-1524(a) and 38-1527(b); and proposed expanding the dispositional options for ex parte and temporary custody orders. He noted concern in terms of general funding; they need a great deal more resources in the prevention area.

The conclusion of the hearings will be on Friday.

Senator Werts moved that the minutes of January 20, 1984, be approved. Senator Gaines seconded the motion. The motion carried.

The meeting adjourned.

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Joe E. Hall	204 W 3 rd	Topeka Police Dept.
Lee Higgins	"	" " "
Bob Darnum	Youth Svc SRS	
Jan Waide	Youth Services - SRS	
Jim M. Bridle	8 th Quincy Topeka	United Way of Topeka
Conce Larson	820 Quincy Topeka	United Way
Jorda Baker	2053 Kansas Ave	KLSL
Brett Wilkin	Topeka	Gail Scouts
Barbara G. Stearns	Topeka	Committee of Churches
KEITH R. LANDIS	"	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
H.C. Woody	Bellevue Falls, KS.	National Organization for Women
Tom Gutzler	Lawrence	Sen. Kloss
Khonda Messer	Lawrence	
Louis Jelco	Topeka	Ks. Action for Children
Jan Owen	Topeka	Ks. Action for Children
Brent D. Cain	Topeka	SRS
Jean Sagan	729 Illinois, Lawr.	self
Barb Remert	Topeka	KWPC
W. Nelson	Lawrence	Sen. Steingies
D. Fisher	AP	



**KANSAS COMMITTEE FOR
PREVENTION OF CHILD ABUSE**

1-30-84
Attach. # 1
214 West 6th, Suite 301
Topeka, Kansas 66603-3792
913-354-7738

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TESTIMONY OF

JANUARY H. SCOTT, EXECUTIVE DIRECTOR

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PREVENTION OF CHILD ABUSE**

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Atch. 1

PREVENTION/TREATMENT OF CHILD ABUSE/NEGLECT

Until recently, Americans did not want to believe that child abuse and neglect was more than an isolated and infrequent problem. Although some pediatricians and social workers insisted that the problems were widespread, it was not until 1962 with the publishing of the article "The Battered Child Syndrome" in the Journal of the American Medical Association that there was national attention focused on it. Through subsequent studies, it has been found that abuse and neglect is indeed widespread among all social, economic and religious groups.

It is evident from the following statistics that the cost of prevention is far less than the cost of treatment and placement. While the extent of the problem is still not fully known, the best estimates are:

State of Kansas

- o During the FY 1983 reporting period in Kansas (7/1/82 - 6/30/83) there were 19,498 reported cases of child abuse and neglect. Of these, 6,439 cases were confirmed, and 5,576 were considered high risk.
- o One out of every 100 children in Kansas were abused in 1982. (Out of a juvenile population of approximately 649,000, there were 6,444 confirmed cases of abuse.)
- o Cost to the State to institutionalize an adult in prison is \$29.39 per day, or \$10,727.35 per year.
- o Cost to the State to institutionalize a juvenile in a youth center ranges from \$25,000 to \$30,000 per year.
- o Cost to the State to institutionalize a child in a State hospital is \$100 per day, or \$36,500 per year.
- o Average cost to the State to provide care for a child in a residential center/group home is \$16,110 per year.
- o Average cost to house a child in a foster home is \$2,437.20 per year.
- o Cost to the State to provide emergency temporary shelter for one child at the maximum rate is \$51.75 per day.
- o In State FY 82, the average cost for a child in out-of-home placement was \$545 per month. There were approximately 4,000 children in out-of-home placement. Total cost: \$26,160,000.
- o In State FY 82 there were 6,272 confirmed cases of abuse/neglect, and an additional 4,263 children determined at risk for a total of 10,535 children. During this same year Kansas Committee for Prevention of Child Abuse spent \$52,736.00. If our prevention efforts had reached these children, the total cost would have been \$5.00 per child.

Nationally

- o Over 1 million children are abused each year.
- o 2,700 children are abused each day.
- o Thirteen children will die today from child abuse.
- o More children under the age of 5 years die from parentally inflicted injuries than all other childhood diseases.
- o 60-80% of all sexual assaults are by individuals known to the child.
- o The majority of sexual assaults occur to children under the age of 12.
- o 22% of all sexual assaults occur to children under 6 years of age.
- o 80% of all female runaways are running from some form of sexual abuse.
- o A study at San Quentin Prison of violent offenders showed 100% experienced violence or suffered abuse between the ages of 1 and 10.

KCPCA Community Coalitions

<u>COUNTY</u>	<u>COALITION NAME</u>	<u>CONTACT NAME & ADDRESS</u>	<u>PHONE #</u>
1. Sherman	Family and Children's Educational Services (FACES)	Kathryn Wedermyer 820 Washington Goodland, KS 67735	913/899-3791
2. Finney	Family Crisis Services	Jerri Powell 220 Fulton Terrace Garden City, KS 67846	316/276-2838 W 316/276-8382 H
		Mary Shaw 1602 Labrador Blvd. #1 Garden City, KS 67846	316/276-6038
3. Ford	Dodge City Coalition for the Prevention of Child Abuse	Bev Sheldon P.O. Box 460 Dodge City, KS 67801	316/227-3317 H
		Ethel Peterson 2315 Mellencamp Dodge City, KS 67801	316/225-4028 H 316/225-4189 W
4. Ellis	Parents and Children Together (PACT)	Gail Kuehl 3316 Lincoln Drive Hays, KS 67601	913/625-5558
5. Barton	Ourselves and Our Families	Paula Vink 2546 20th St. Great Bend, KS 67530	316/792-1393
		Jeff Horlacher Center for Counseling and Consultation 5815 Broadway Great Bend, KS 67530	316/792-2544 W
6. Pratt	Parents and Children Together	Barbara Shinkle 589 Belmont Road Pratt, KS 67124	316/672-6167
		Jo Easter 602 Sunrise Pratt, KS 67124	316/672-7285 H 316/672-5641 W
		Georgene Wade 224 Edgeford Drive Pratt, KS 67124	316/672-7223
7. Reno	Together in Prevention (TIP)	Joe & Diane McCarville 4702 Sequoia Hutchinson, KS 67501	316/662-3757
8. Saline	Salina Coalition for Prevention of Child Abuse	Phyllis Mohatt 1704 Highland Salina, KS 67401	913/825-7481

<u>COUNTY</u>	<u>COALITION NAME</u>	<u>CONTACT NAME & ADDRESS</u>	<u>PHONE #</u>
9. Harvey	Harvey County Coalition on Children and Families	Dr. Jon Hendrickson Axtell Clinic 203 E. Broadway Newton, KS 67114	316/283-2800 W 316/283-6155 H
		Vivian Hedrick Route 2 Newton, KS 67114	316/283-3579 W 316/283-1785 H
10. Sedgwick	Sedgwick County Coalition for Prevention of Child Abuse and Neglect	Sheron Brunner Olive Garvey Bldg. #530 200 W. Douglas Wichita, KS 67202	316/267-3225 W
11. Riley	Family Council	Linda Teener 1900 Judson Manhattan, KS 66502	913/539-5337
12. Shawnee	Shawnee County Coalition for Prevention of Child Abuse	Jerry Tenbrink Mental Health Association in Shawnee County 4001 S.W. Huntoon Topeka, KS 66604	913/273-6370 W
13. Atchison	Atchison Coalition for Prevention of Child Abuse and Neglect	Kerry Marvin P.O. Box 100 Atchison, KS 66002	913/367-7579 H 913/367-1593 W
		Frances Strieby 1011 Price Boulevard Atchison, KS 66002	913/367-4406 H 913/367-6441 W
14. Johnson	Johnson County Coalition for Prevention of Child Abuse	Jeanetta Issa 5311 Johnson Drive Mission, KS 66205	913/432-8424 W
15. Franklin	Franklin County Coalition for Prevention of Child Abuse	Carol Sandstrom 122 E. Second St. Ottawa, KS 66067	913/242-5500
16. Miami	Miami County Child Protection Team	Janet Schneider Box 1000 Osawatomie, KS 66064	913/755-2162 W
17. Labette	Labette County Coalition for Prevention of Child Abuse and Neglect	John Benedict 1226 Kimball Parsons, KS 67357	316/421-2021 H 316/421-4500 W
18. Wyandotte	Wyandotte County Coalition for Prevention of Child Abuse and Neglect	Joyce Ritter Wyandot Juvenile Court 516 N. Sixth St. Kansas City, KS 66101	913/321-9700
		Eugene Pearson 705 N. 84th St. Kansas City, KS 66112	913/371-6700 W

<u>COUNTY</u>	<u>COALITION NAME</u>	<u>CONTACT NAME & ADDRESS</u>	<u>PHONE #</u>
19. Cowley	Walnut Valley Coalition for Prevention of Child Abuse and Neglect	Ruth Gordon 1314 E. Sixth Winfield, KS 67156	316/221-2739
20. Lyon	Lyon County Child Protection Team, Inc.	Dr. Scott Ryan 2510 W. 15th Emporia, KS 66801	
		Rose Winter Box 803 Emporia, KS 66801	316/342-9230
21. Thomas	Services, Awareness, and Family Education (S.A.F.E.)	Jeanene Brown 1210 E. Eighth St. Colby, KS 67701	913/462-7105
22. McPherson	McPherson County Child Abuse Team	Gary Johnson 514 North Main McPherson, KS 67460	316/241-1650
23. Russell	Post Rock Family Services	Wanda Parks 603 E. Seventh Russell, KS 67665	913/483-5609
24. Sumner	Slate Creek Coalition for Children-Prevention of Abuse and Neglect	Mary Graves 1311 North C Wellington, KS 67152	
25. Cherokee	Stress and Abuse Coalition for Cherokee County	Belinda Harry Route 5, Box 508 Pittsburg, KS 66762	316/231-3870 W 316/643-5897 H



KANSAS COMMITTEE FOR PREVENTION OF CHILD ABUSE

SOCIAL SERVICE WORKLOAD

FY 79 through FY 83

Social Service Staff (Area office S.W. I's, II's, III's, and Chiefs)

FY 1979	601
FY 1980	601
FY 1981	606
FY 1982	592.5
FY 1983	534.5
FY 1984	526.5

FY 1979 to FY 1983 Reduction -66.5 Social Workers
-11%

FY 1979 to FY 1984 Reduction -74.5 Social Workers
-12%

Caseload

1. Child Abuse/Neglect Reports *

FY 1979	14,001	
FY 1980	17,522	
FY 1981	19,783	
FY 1982	18,661	
FY 1983	19,498	
		(First 6 months of FY 1984: 11,651 Reports)

FY 1979 to FY 1983 Increase +5,497 Cases
+39%

2. Average Number of Open Social Service Cases **

FY 1979	24,755
FY 1980	29,683
FY 1981	34,734
FY 1982	31,538
FY 1983	30,514

FY 1979 to FY 1983 Increase +5,759 Cases
+23%

* The number of abuse/neglect reports is understated for FY 1983 because only six months, rather than twelve months, of status offender referrals is included. This is because the juvenile code change mandating transfer of such cases to SRS from the court did not go into effect until January 1, 1983.

** Part time intermittent paraprofessional support workers have been added to SRS since FY 1979. If the average number of open family support cases in FY 1983 (449) is subtracted from the total social service cases in FY 1983 (30,514), the increase in social service cases is 21% instead of 23%. However, the 23% increase is a more representative figure because family support workers are to supplement, not substitute, for social workers and a social worker must be assigned to each case if there is a family support worker.

KANSAS CHAPTER - NCPA
PROJECT DESCRIPTION

"Bubbylonian Encounter"

"Bubbylonian Encounter" is a play designed specifically for elementary school-age children, a population who constitute 50 percent of all sexual assault victims. The 30-minute production involves three characters who use humor, drama, and audience participation to communicate various types and effects of human touching. The drama covers the range of positive, negative, confusing and forced sexual touching, giving specific information to children about steps to take if "forced" sexual touching should occur.

"Bubbylonian Encounter" is an effective primary prevention program in that its purpose is to teach children that:

1. Touching can be positive, negative, confusing, and "forced sexual";
2. They have the right to protect their own bodies and seek help when touching feels bad or confusing;
3. Sexual abuse can be harmful and is against the law;
4. Sexual abuse can happen by someone you know, even a family member.

These objectives are accomplished by giving children a vocabulary that helps them to discriminate between various touching experiences. In addition, a leading character models the process for seeking help when a child feels helpless to protect himself/herself. A critical component of this prevention play is the professional consultation and training that is a part of each performance. This consultation to professionals and parents includes a discussion of the play, its objectives and effectiveness, as well as significant facts about the problem. Separate consultation is available for children to reinforce and clarify the play's messages and manage individual emotional responses in the form of teacher/counselor training packets made available prior to performances, whether they be live or by videotape or film.

"Bubbylonian Encounter" is the result of a collaboration between Kansas Committee for Prevention of Child Abuse, Theatre for Young America, and Johnson County Mental Health Center. The play has been presented within the last two years at the Kansas Governor's Conference for Prevention of Child Abuse, the National Center for Child Abuse and Neglect Conference, the National Council of Community Mental Health Centers, the National Committee for Prevention of Child Abuse Founder's Retreat, the International Conference on Child Abuse and Neglect in Amsterdam and the Second National Conference on Sexual Victimization of Children.

Prior to these performances, the play was also tested with eighty-two (82) children (grades 3-6) to measure cognitively what is learned in viewing the play. The results of the pretest/post-test demonstrated that:

- 99% were able to recognize forced sexual touch from other forms of touching;
- 82% knew how to respond appropriately if sexually assaulted;
- 86% understood that family members could sexually abuse them.

Additionally, 99.6% of the children enjoyed the play.

"Bubbylonian Encounter" has been incorporated into the curriculum of 17 school districts in Kansas, and has recently been adapted into a screenplay. The 3/4" and 1/2" VHS videotape rents for \$40.00 per week which may be applied toward the purchase price of \$200.00 for a tape, or \$350.00 for a 16mm film. For information on ordering, contact:

Kansas Committee for Prevention of Child Abuse
214 W. 6th, Suite 301
Topeka, KS 66603
913/354-7738

Update: Kansas Trust Fund Lays Groundwork for Nationwide System

by Patricia Rowe

The counteroffensive against child abuse and neglect launched by Kansas in 1980 through its Children's Trust Fund, which uses revenues from surcharges placed on marriage licenses for prevention programs for children (see "Kansas Achieves Nationwide 'First'," *Human Development News*, April 1982), has sparked 14 other states to enact similar programs.

During 1982 five states — California, Iowa, Michigan, Virginia and Washington — established trust funds and during 1983 legislation was passed by nine others: Alabama, Arizona, Illinois, Louisiana, Missouri, North Carolina, Oregon, Rhode Island and Wisconsin.

In a number of other states — including Arkansas, Colorado, Connecticut, Hawaii, New Hampshire, New Jersey, New York and Texas — advocacy groups like the Jewish Federation of Springfield (Ill.) and Parents Anonymous of Baton Rouge (La.) have spearheaded campaigns to garner community support

for enactment of trust fund legislation.

Revenues to build Children's Trust Funds are generated by surcharges on marriage licenses, birth certificates or divorce decrees, or by specially designated refunds of the state income tax. Grants from the fund are earmarked for preventive or educational programs for child and family abuse, and distribution of the grants is supervised by an advisory group of individuals with a demonstrated interest in preventing child abuse.

Prevention is the core of the Children's Trust Fund concept, as first conceived by Ray E. Helfer, M.D., a pioneer in the field of child abuse and neglect and former vice president of the National Committee for the Prevention of Child Abuse (NCPA). NCPA President Linden E. Wheeler notes, "Because the development of a stable funding base for community-based child abuse prevention programs is the cornerstone of NCPA strategy, NCPA chapters have been in the vanguard of the Children's Trust Fund movement."

In Kansas, approximately \$130,000 is generated annually for the Family and Children's Trust Fund, which is administered by the Division of Services to Children and Youth under the guidance of the advisory committee. One innovative project spawned by the fund last year was the presentation of the sexual abuse prevention play "Babylonian Encounter" in a number of elementary schools throughout the state. Positive response to the play prompted NCPA to make it into a film, which is currently being distributed to school systems nationwide. Among other activities, the Kansas fund also sponsors a play program for children subjected to violence at home and programs at the workplace on family functioning skills.

Trust funds in other states support such diversified child abuse prevention activities as child care crisis services, home visitors for new parents, self-care programs for latchkey children and handbooks on child abuse prevention.

Wheeler emphasizes that the Children's Trust Fund approach is marked by flexibil-

ity, enabling communities to coordinate and use their own local resources and design and administer their own programs according to specific needs. For example, while Virginia, Washington, Iowa and Rhode Island, like Kansas, have increased the fees for marriage licenses, California law puts a surcharge on birth certificates.

Michigan takes a different tack: its legislature enables taxpayers to designate up to \$2.00 of their state income tax for the Children's Trust Fund; part of each year's receipts are assigned to fund programs while the rest is invested and earnings are credited to the trust fund. In states like Virginia and Iowa, where policy prohibits creation of a specially designated state money fund, the extra fees from marriage licenses are pooled as general revenues, then passed along to support prevention programs.

The composition of the advisory group also varies from state to state. Michigan statute mandates a board of 15 members; Iowa has an advisory council of five. While some states must include specified

heads of governmental agencies on their boards, others draw all their members from the public sector. In some states governors make appointments, but elsewhere legislative leaders also have appointees.

Thomas L. Birch, coordinator of the National Child Abuse Coalition, of which NCPA is a member, concludes that the trust fund concept works because it is multidimensional: "While the trust fund approach spotlights services to counteract child abuse and neglect, it takes pressure off the regular state social services budget to finance often neglected protective services, fosters creation of community-based programs and shifts some of the responsibility for planning to the community level."

Further information on the Children's Trust Funds is available from Linden E. Wheeler, President, National Committee for Prevention of Child Abuse, 332 S. Michigan Ave., Suite 1250, Chicago, Ill. 60604. ■

attach. #1

WHO ARE WE?

The pilot state chapter of the National Committee for Prevention of Child Abuse.

A statewide volunteer organization of physicians, teachers, social workers, nurses, parents, and people who care about children.

A network of Kansas Community Coalitions.

WHAT IS OUR PURPOSE?

To stop the hurt of child abuse before it occurs.

WHAT DO WE DO?

EDUCATION

Annual Governor's Conference on Child Abuse and Neglect.

Public Awareness campaigns.

Training Programs for volunteers and professionals.

SERVICES

Programs to enhance the quality of family life such as Parent-Infant Attachment; Opening Doors for Latchkey Families; Parenthood Education; Babylonian Encounter, a prevention of sexual abuse drama; and Parents Anonymous.

ADVOCACY

Drafted and supported legislation for the Kansas Family and Children's Trust Fund.

HOW DO WE DO IT?

By COORDINATING the efforts of concerned individuals and organizations.

By STIMULATING ideas, programs and action through committees and community coalitions.

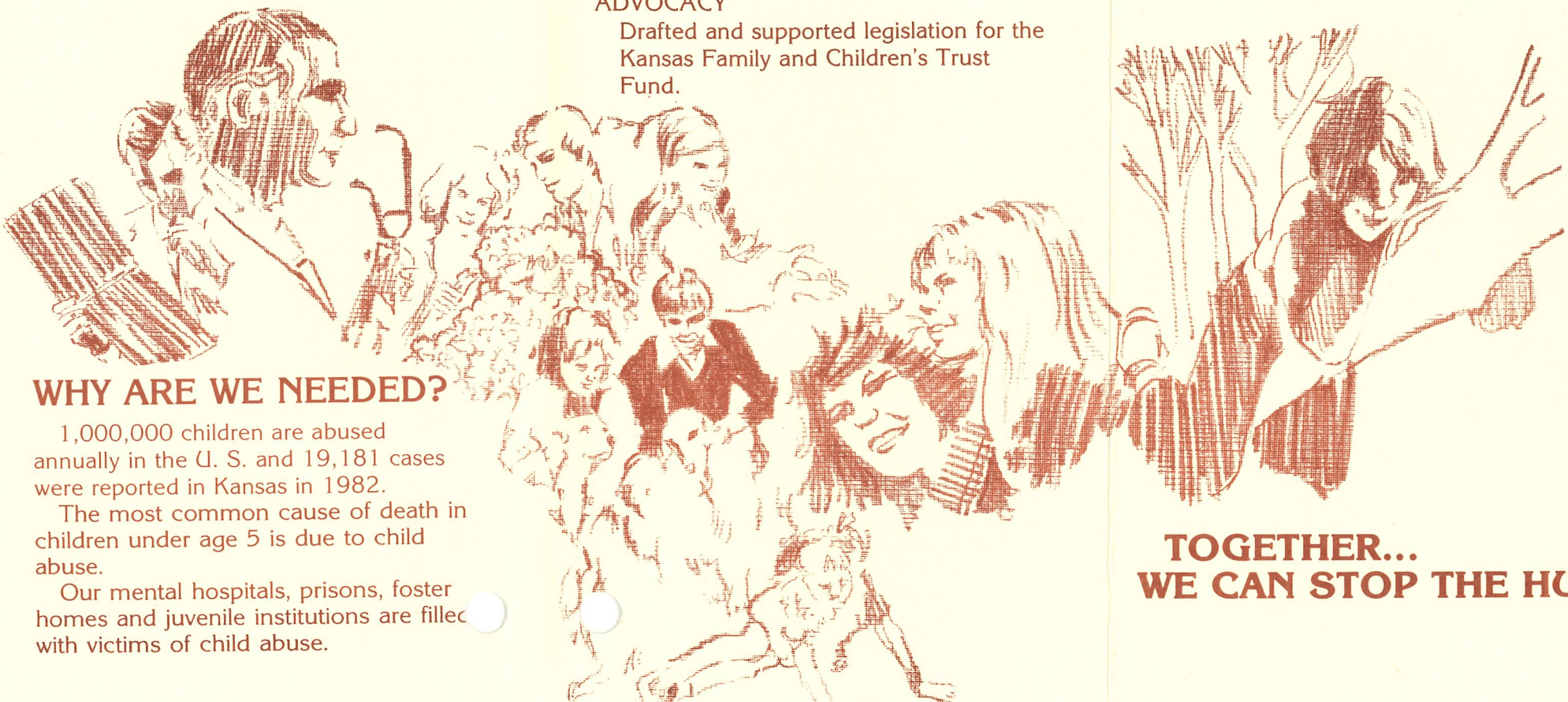
By FOCUSING on primary prevention resources for families.

By INVOLVING people like you to prevent child abuse.

WHAT CAN YOU DO?

JOIN us in making a commitment to effect change.

GIVE us your personal and financial support.



WHY ARE WE NEEDED?

1,000,000 children are abused annually in the U. S. and 19,181 cases were reported in Kansas in 1982.

The most common cause of death in children under age 5 is due to child abuse.

Our mental hospitals, prisons, foster homes and juvenile institutions are filled with victims of child abuse.

**TOGETHER...
WE CAN STOP THE HURT!**

MEMBERSHIP APPLICATION KANSAS COMMITTEE FOR PREVENTION OF CHILD ABUSE

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Thomas County
Wyandotte County

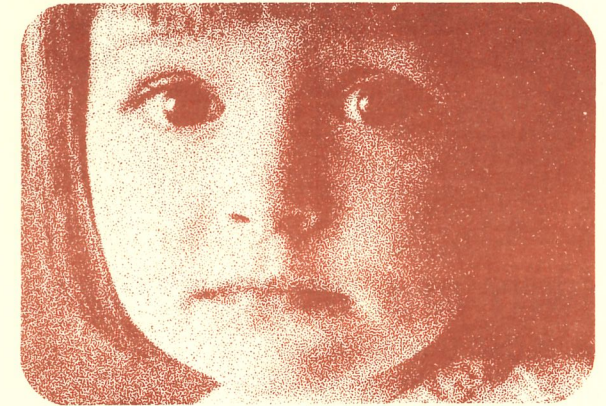
KCPCA

January H. Scott, Executive Director
214 W. 6th, Suite 301
Topeka, Kansas 66603-3792
913/354-7738

Attach. # 1

KCPCA

KANSAS COMMITTEE FOR PREVENTION OF CHILD ABUSE



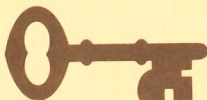
KCPCA
214 WEST 6TH
SUITE 301
TOPEKA, KANSAS 66603-3792



**NATIONAL COMMITTEE FOR
PREVENTION OF CHILD ABUSE**

LORD OF THE LOCKS

PRODUCED BY KANSAS COMMITTEE FOR
THE PREVENTION OF CHILD ABUSE



A PROGRAM FOR FAMILIES
WITH CHILDREN WHO CARE FOR THEMSELVES

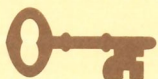


OPENING DOORS FOR LATCHKEY FAMILIES

Children caring for themselves is a way of life for many American families. National estimates suggest that as many as 2 million children in the United States care for themselves on a regular basis. These families, commonly referred to as latchkey families, are increasing: it is expected that two of every three women will work by the year 1990.

Many school age children seem to do an adequate job of self-care. However, there are risks for children who are without adult supervision and many parents are unaware of the problems, concerns, and fears children in latchkey situations face.

In the state of Kansas a program to address the needs of latchkey children and their parents resulted in "Opening Doors for Latchkey Families," which consists of LORD OF THE LOCKS, a film; I'M IN CHARGE, a curriculum; and a PARENT GUIDE.



“I’M IN CHARGE”

The self-care course, entitled “I’m in Charge,” consists of five sessions; one for parents, three for children, and one for parents and children together. The first session is designed to improve a parent’s ability to structure and monitor self-care situations. The next three sessions instruct children in personal safety skills, emergency responses, and care of younger siblings. The fifth session assists parents and children in developing a contract negotiating the rules and procedures for self-care in their home. The intent of the course is not to promote or encourage self-care but to assist families in deciding if self-care is appropriate for their child.

PARENT GUIDE

The Parent Guide is a booklet which outlines suggestions for parents in making self-care safe and emotionally satisfying for their children. The booklet describes many parent responsibilities in setting up rules, monitoring their child’s performance, and communicating problems and concerns. The booklet contains a parent-child contract which encourages parents and children to write down rules.



“LORD OF THE LOCKS”

Written by Gene Mackey in consultation with Helen Swan. Filming services provided by United Telecommunications, Inc. Kansas Committee for Prevention of Child Abuse Projects partially funded by a grant from the U.S. Department of Health and Human Services.

“I’M IN CHARGE”

Prepared by Johnson County Mental Health Center Staff in conjunction with the Johnson County Latchkey Project, funded by the Kansas Family and Children’s Trust Fund.

PARENT GUIDE

Written by Helen Swan and Victoria Melcher Houston, for Kansas Committee for Prevention of Child Abuse.



**KANSAS CARES
KANSAS COMMITTEE FOR
PREVENTION OF CHILD ABUSE**

**214 W. 6TH ST.
TOPEKA, KANSAS 66603
TEL: 913-354-7738**



ORDER FORM

Lord of the Locks: A Film

No. Req. _____ at \$350 ea. \$ _____

¾" Video Cassettes

No. Req. _____ at \$200 ea. \$ _____

½" Video Cassettes

No. Req. _____ at \$200 ea. \$ _____

"I'm In Charge": a curriculum

No. Req. _____ at \$15 ea. \$ _____

Parent Guide: a booklet

No. Req. _____ at 1-25: \$1.50 ea. \$ _____

26-100: \$1.25 ea.

over 100: \$1.00 ea.

Total \$ _____

Check enclosed for \$ _____

Payable to

KCPCA

214 W. 6th St., Suite 301

Topeka, Kansas 66603

1-30-84
Attach. #2

kansas action for children, inc.

2053 kansas avenue • p.o. box 5283 • topeka, kansas 66605 • 913/232-0550

Hearing on Child Abuse before the Senate Judiciary Committee

January 27, 1984

Child abuse is a very complex problem. Physical protection is only a piece of the puzzle. The victim may be solely bonded or emotionally attached to the abusing person. In most cases abuse is a family problem. Depending on the frequency or severity of abuse, the trauma of separation may be as painful and damaging as the abuse itself.

Kansas Action for Children believes the first alternative must be to strengthen the family of origin to allow the family to remain intact.

Family-centered and community based services can keep many families intact. Established and model programs have demonstrated effectiveness both fiscally and programatically.

Advantages of family centered services.

Family centered services treat the whole family, not one member identified as the "patient" or "client". The entire family system changes; every member understands their role and responsibility in family functioning.

No expensive physical plants are necessary. Maintenance costs are almost non-existent.

The program reaches out to the family, making their participation easier. Problems of client fear, transportation, etc. that accompany visits to an agency are replaced by a more natural interaction that come when clients are served in their own home. Assessments of family functioning are more accurate when conducted in the home.

Family based workers are on call 24 hours a day, seven days a week. Families can get immediate help, when it is needed.

Family centered programs identify and draw on the strengths of the family and utilize those resources to build the family to new levels of self-reliance. Families are taught how to utilize community resources to sustain themselves through difficult periods.

Kansas Action for Children believes that we all know how to do more than we presently are doing. Education of the public and policymakers needs to continue. Citizens will need to make a commitment to using the programs that are effective in controlling abuse, if progress is to be made.

Attach. 2

THE SHELTER inc.
P.O. BOX 647, LAWRENCE, KS. 66044
843-2085

Date: January 30, 1984

To: Senate Judiciary Committee

From: KALPCCA (Kansas Association of Licensed Private Child Care
Agencies)
Judy Culley, The Shelter, Inc. Lawrence, Kansas

Re: Child Abuse

WHAT IS BEING DONE

Private child care agencies across the state provide out-of-home placement for abused and neglected children on both an emergency and a long term basis, providing various forms of treatment for children and their families.

CURRENT CONCERNS

Area SRS offices across the state are depleting their allocations for child placement for FY 84 too rapidly in many areas. KALPCCA sees this as a most serious issue of concern to abused children at this point in time. The current shortage is putting children already in SRS custody in jeopardy as well as making it difficult for a child to go into SRS custody for placement. We feel that there are a number of children currently at risk for abuse in the state when the criteria for placement is often that a child needs to be in physical danger before he/she is placed. Although we know that SRS is aware of the problem and is looking at solutions, we have seen no relief to the problem to date and expect it to worsen as FY84 comes to a close. It is possible that some areas will have no money for placement by the end of FY84. We would ask that individual legislators do whatever they can that could be helpful in order to protect the children of Kansas.

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Relating to Child Abuse and Neglect

1-30-94
Attach. #4

Under the amendments to the Kansas Code for Care of Children, as passed in S.B. 105 last session, SRS staff are currently investigating all the reports of child abuse/neglect, with the exclusion of reports concerning SRS employees or reports concerning abuse/neglect in our state institutions.

Our major concern that we would share with you this morning in regard to those investigations is that we investigated a total of 11,651 reports in the first six months of this fiscal year. If we continue in that trend during the second six months of this year, we will have investigated over 23,000 reports by the end of the year. This is a significant increase over the previous year. We have provided you with an eleven year history of reports in the State of Kansas so that you can see the continual rise in the number of reports needing to be investigated yearly. As the number of reports increase, the problem of appropriate allocation of staff has become more difficult. While adjustments have been made, these assets can only be stretched so far.

Another factor of increasing concern is the increase in the percentage of the reports that are confirmed by SRS staff. Historically, up until two years ago the confirmation rate held fairly steady at about 25%, with the percentage of at risk holding at approximately 18%. In the last two or three years, we have seen both percentages increase to a confirmation rate of 34% and an at risk rate of 25-27%. In the first six months of this fiscal year the confirmation rate held steady at 34%, but the at risk rate increased to 36%. This means that roughly 70% of the children being reported are living in families about which we have some concern. These families need services. Again, with fixed staff, it becomes increasingly difficult to provide the follow-up services needed by these families. We have attempted to deal with the problem by creating the Family Support Worker program and implementing that program statewide last year. This utilizes PTI para-professionals which

Attch. #4

Attch #4

are not counted in our fixed head count. They have made a significant contribution in dealing with at risk families.

Highlighted on the eleven year summary sheet is the rising number of reports of sexual abuse. Sexually abusing families require very specific services. These cases are labor intensive and needs fall outside the scope of the capabilities of a para-professional family support worker. Therefore, many times we must purchase from private agencies the services for these families.

As stated, our ever present concern centers on availability of staff to deal with the problems of child abuse/neglect, both in investigation and follow-up services, and the appropriate financial resources in regard to the purchase of follow-up family services. The administration has acknowledged these needs and is requesting seventeen additional protective service positions and approximately \$500,000 over the B Level budget submission for the Family Support Worker Program in the FY 85 budget.

Robert C. Barnum, Commissioner
Youth Services
Social and Rehabilitation Services
296-3284
January 30, 1984

Attach. # 4

FAMILY STRESS FACTORS*

State-Wide

	<u>Confirmed</u>	<u>At Risk</u>
1 - Mental Health Problems	263	141
2 - Alcohol/Drug Dependency	283	197
3 - Parenting Skills Lacking	988	675
4 - Social Isolation	134	92
5 - Financial Problems	572	562
6 - Health Problems	109	95
7 - Housing Problems	168	183
8 - Marital Problems	338	262
9 - Spouse Abuse	66	28
10 - Chronic Family Violence	119	67
11 - Mental Retardation	34	44
12 - Unknown	217	215
13 - Other	401	335

* Three factors may be shown for each family.

Attach. 4

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

July 1, 1983 thru December 31, 1983

MONTHLY CHILD ABUSE/NEGLECT STATISTICS

1-30-84

Barham

Attached # 5

Total No. of Children for Whom SCAN Reports Rec'd. 11,651

Physical Abuse	<u>2782</u>
Sexual Abuse	<u>894</u>
Emotional Abuse	<u>693</u>
Other	<u>211</u>
Total	<u>4580</u>

Physical Neglect	<u>2783</u>
Medical Neglect	<u>440</u>
Child in Need of Supervision	<u>2699</u>
Other	<u>1149</u>
Total	<u>7071</u>

Total No. of Children Reported at Risk of CAN 4,158

Physical Abuse	<u>881</u>
Sexual Abuse	<u>210</u>
Emotional Abuse	<u>246</u>
Other	<u>86</u>
Total	<u>1423</u>

Physical Neglect	<u>991</u>
Medical Neglect	<u>162</u>
Child in Need of Supervision	<u>965</u>
Other	<u>617</u>
Total	<u>2735</u>

Total No. of Children with Confirmed CAN Reports 3,945

Physical Abuse	<u>1022</u>
Sexual Abuse	<u>495</u>
Emotional Abuse	<u>287</u>
Other	<u>59</u>
Total	<u>1863</u>

Physical Neglect	<u>775</u>
Medical Neglect	<u>159</u>
Child in Need of Supervision	<u>867</u>
Other	<u>281</u>
Total	<u>2082</u>

Total No. of Families with Confirmed Abuse/Neglect 2310

Total No. of Families at Risk of Abuse/Neglect 2274

Total No. of Families Unfounded Abuse/Neglect 2008

Total No. of Families 6592

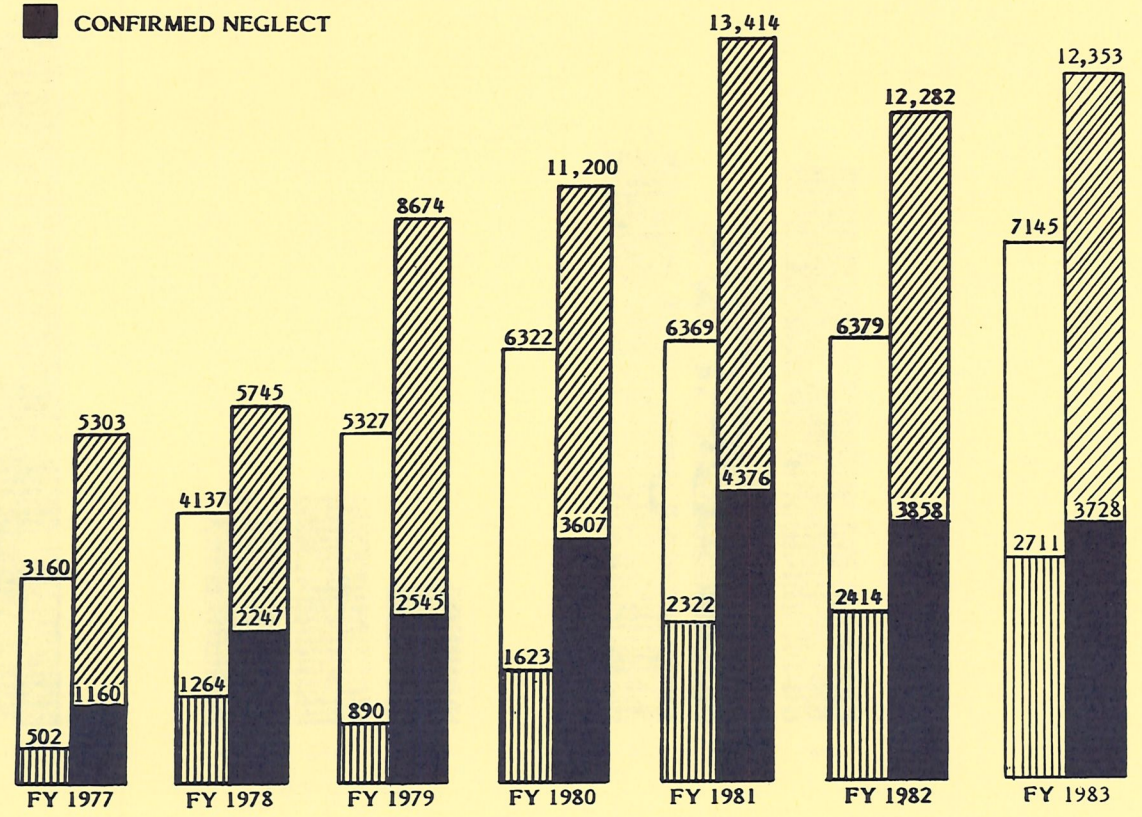
Source: CY-2880

The Division of Children In Need of Care
Smith-Wilson Building
2700 W. 6th Street
Topeka, KS 66506

Attch-5

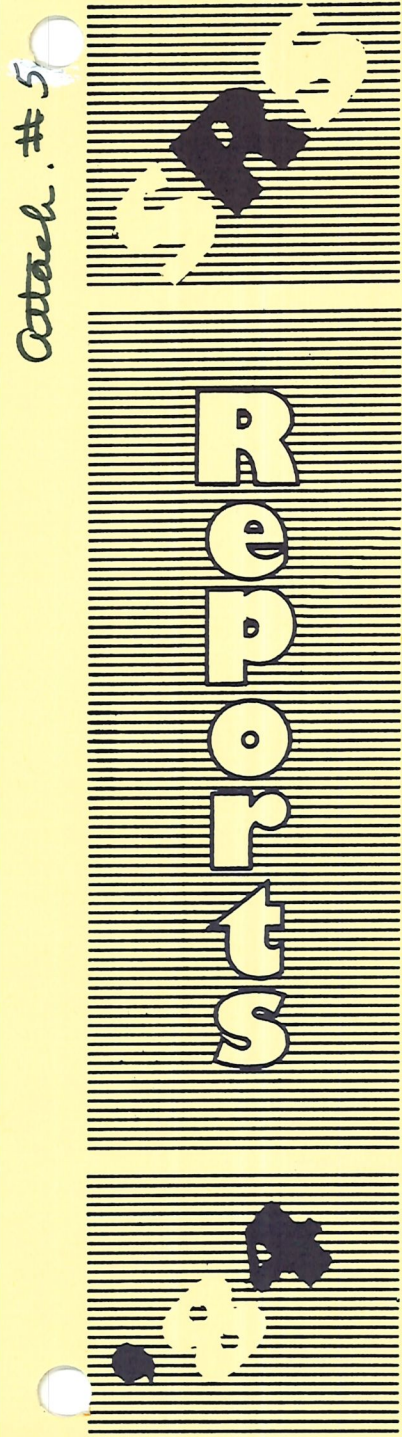
CHILD ABUSE AND NEGLECT FISCAL YEAR 1977 - FISCAL YEAR 1983

- REPORTED ABUSE
- ▨ CONFIRMED ABUSE
- ▩ REPORTED NEGLECT
- CONFIRMED NEGLECT

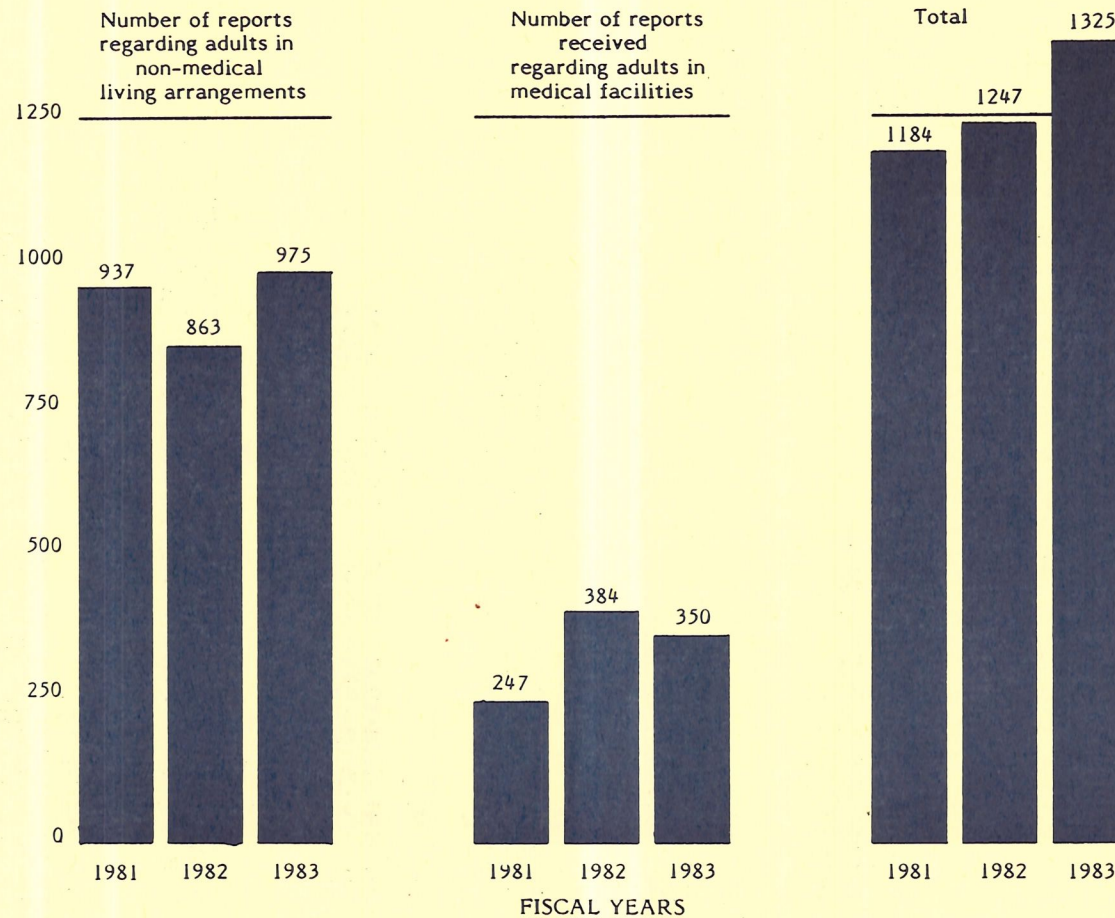


The incidence of reported child abuse has more than doubled since FY 1977, with increases of about one thousand incidents each year through FY 1980. There was little change in the number reported from FY 1980 through FY 1982; however, there was an increase of 766 reported cases in FY 1983. The rate of confirmation has risen from 16-17% in the earlier years to 36-37% in more recent years.

Reported instances of child neglect have risen more quickly than those for abuse, having doubled between FY 1977 and FY 1980. Reports have averaged 12,600 over the last three fiscal years. The rate of confirmation has been stable, ranging from 29% to 32% during the last five fiscal years.



ADULT PROGRAMS ADULT ABUSE NEGLECT & EXPLOITATION REPORTING, INVESTIGATION AND PREVENTION



Prior to FY 1981, services were provided to adults suspected of being abused, neglected or exploited in non-medical facilities. During the 1980 session, legislation was passed extending these services to residents of medical facilities, such as adult care homes, hospitals and institutions. In addition, the 1983 Legislature made provision for reporting abuse and providing protective services to persons in adult family homes.

The number of reports received of adult abuse or neglect has risen more than 5% in each of the last two fiscal years. Between 21% and 31% of these reports have involved adults in medical facilities, while the majority affected persons with other living arrangements. The need for services requiring the investigation and prevention of adult abuse and neglect is expected to increase with the number of elderly in the state's population.

CHILD ABUSE/NEGLECT 1972 - 1983

1-30-84
Bucham

FISCAL YEAR 1983

with #5

	Abuse	*	Neglect	*	Total Abuse/ Neglect Reports
July, 1982	594	207	1,190	348	1,784
August	522	192	1,147	348	1,669
September	534	172	1,167	353	1,701
October	632	255	1,117	342	1,749
November	447	211	1,037	300	1,484
December	571	234	1,035	362	1,606
January, 1983	524	211	960	331	1,484
February	523	225	766	203	1,289
March	752	320	1,071	323	1,823
April	611	257	1,018	293	1,629
May	681	255	971	243	1,652
June	754	172	874	282	1,628
Total	7,145	2,711	12,353	3,728	19,498

REPORTS OF SEXUAL ABUSE

FY 1973	53
FY 1974	112
FY 1975	153
FY 1976	207
FY 1977	340
FY 1978	503
FY 1979	768
FY 1980	866
FY 1981	982
FY 1982	1,043
FY 1983	1,133

DEATHS AS RESULT OF
ABUSE/NEGLECT

FY 1973	5
FY 1974	7
FY 1975	9
FY 1976	17
FY 1977	10
FY 1978	16
FY 1979	13
FY 1980	13
FY 1981	10
FY 1982	10
FY 1983	8

TOTAL REPORTS OF SUSPECTED ABUSE/NEGLECT BY FISCAL YEAR

Fiscal Year	Abuse	*	Neglect	*	Total Abuse Neglect Reports
1973	950		1,503		2,453
1974	1,213	98+	2,574	244	3,787
1975	1,571	526	3,148	677	4,719
1976	2,054	459	4,059	744	6,113
1977	3,160	502	5,306	1,160	8,466
1978	4,137	1,264	5,745	2,247	9,882
1979	5,147	823	8,563	2,545	13,710
1980	6,322	1,623	11,200	3,607	17,522
1981	6,369	2,322	13,414	4,376	19,783
1982	6,379	2,414	12,282	3,858	18,661
1983	7,145	2,711	12,353	3,728	19,498

FISCAL YEAR 1982

Month	Abuse	*	Neglect	*	Total Abuse/ Neglect Reports
July, 1981	559	198	1,195	329	1,754
August	505	182	1,062	257	1,567
September	567	223	1,138	396	1,705
October	480	165	1,120	362	1,600
November	472	178	865	317	1,337
December	540	199	970	346	1,510
January, 1982	402	177	759	201	1,161
February	546	212	1,031	359	1,577
March	555	228	1,030	312	1,585
April	574	231	1,009	343	1,583
May	611	249	958	276	1,579
June	568	172	1,135	360	1,703
Total	6,379	2,414	12,282	3,858	18,661

* Confirmed Reports

+ Data Collection Began 11-1-73

Source: Child Abuse and Neglect Central Registry
Division of Youth Services
Social and Rehabilitation Services

Format for Testimony
January 31, 1984

Attach # 6

Relating to: Child Abuse/Neglect Issues

My testimony today comes primarily from a local perspective. I am a section supervisor for the Topeka Area Office of SRS and supervise SRS Child & Family Services in Lawrence, Kansas.

My testimony will be in two parts. First a couple of recommendations for minor revisions of the Juvenile Code and second, some comments about local trends and their implications for the funding out of home care if Abused/Neglected children.

A. Code Change Recommendations

- 1. "Imminent Danger" KSA 1982 Supp. 38-1524(a)
KSA 1982 Supp. 38-1527(b)

I believe the words "Imminent Danger" used in the statutes cited above are too inhibiting to Law Enforcement Officers who should be encouraged and allowed by law to act prudently to assure the safety of children rather than only acting on behalf of children who are obviously in "imminent danger." For example, an officer who has just settled a violent family dispute precipitated by heavy drinking might feel the temporary placement of children out of that home would be a prudent act to assure their safety for the night. The language of the current code that ~~states~~ "imminent danger" must exist, however, might cause some officers to hesitate in the situation described above. I would recommend specific changes as follows:

- a. In 38-1524(a), sentence one, the phrase ". . . a child in imminent danger," would be changed to ". . . the safety of a child is threatened,. . ."
- b. In 38-1524(a), sentence two, the phrase ". . . child in imminent danger, . . ." becomes ". . . child's safety is at risk. . ."
- c. In 38-1529(b), the phrase ". . . an imminent danger to. . ." would be replaced by ". . . a threat to the safety of . . ."

- 2. Dispositional Options for Ex Parte (KSA Sec. 35, 38-1542) and Temporary (KSA Sec. 36, 38-1543) Custody Orders Should be Expanded

In the course of investigating child abuse/neglect complaints, we are finding more families where divorced parents have joint custody of their children. One of these parents may commit

Atch. 6

a serious act of abuse while the other custodial parent demonstrates no behavior that would warrant abridging their rights. Currently, if it becomes necessary for a Judge to issue an Ex parte order (and often subsequently a Temporary Order) of protective custody, he/she only has three dispositional alternatives under the current code:

(1) Some person, other than the parent. . . (2) a youth residential facility; or (3) the Secretary.

Thus the child is often put in the custody of the secretary with physical custody to the non-perpetrator parent when in fact the custody of the child should go directly to the non-perpetrator natural parent. There is no need to abridge the parental rights of the non-perpetrator parent or legal custodian.

I would recommend the specific change as follows:

- a. In KSA Sec. 35, 38-1542 (c) (1) omit the phrase
", other than the parent or other person have custody,"
- b. Create a new option, perhaps becoming new option #2,
which states:
 - (2) With a natural parent or custodian who has legal custody of the child in question and who can reasonably assure the safety of the child.

B. Funding Concerns

To deal with the increasing demands on limited placement resources (92% increase in the number of children in group residential care in Lawrence, Kansas 10/82 to 1/84), we must continue to look at positive alternatives to out of home care for children.

- 1) We must expand funding to the family support worker program. It has proved to be an effective tool to both maintain "at risk" children in their own home as well as facilitate the early return to their natural home, of children who have been removed due to confirmed child abuse/neglect.
- 2) We need to support funding for programs which provide effective crisis counseling, especially those programs that provide counseling in the family home where the dynamics that lead to the abuse can be most clearly seen. (Currently medicaid will not reimburse such in-home counseling of families.)

While looking to expand prevention efforts we cannot, however, afford to immediately and concurrently place unrealistic limits on funds necessary to place the children who cannot be safely left in their natural homes.

Currently, Foster Care funds are allocated to the 17 SRS

administrative areas based on the expenditures of the previous fiscal year. The administrative expectation is that SRS management areas will stay within their allocation. SRS Administrators are evaluated, in part, based on their success in staying under budget. This is not an unusual practice, and in general, it encourages careful and ongoing examination of program expenditures.

There does not, however, seem to be adequate allowance made for legitimate increases in the demand on foster care funds such as that which occurred in Lawrence and Topeka during fiscal year 1984. In the face of increased demand such as that which occurred in Lawrence (92% increase in children who needed placement in residential care from 10/82 to 1/84), the only concrete alternative left is to "reprioritize" which children go into or remain in placement. As we have been "reprioritizing" for the last three years there is not much fat left to trim. Thus the Topeka Area Office is left with several unpleasant options:

- (a) Moving children out of placement earlier than planned risking premature return of children to their natural homes;
- (b) Resisting the placement of new children in out of home placement, again increasingly running the risk of violating the standards of good child welfare practice; and
- (c) Notifying providers that we cannot meet our obligations for the entire 1984 fiscal year.

There are no villains or dragons to be slain here, simply an extremely complex situation that demands a more sophisticated solution. Unlike a program with a concrete means test such as General Assistance, a child's "eligibility" for out of home placement involves a decision commonly made in a staffing with the input of many community professionals. Thus an SRS child welfare social worker or supervisor cannot unilaterally modify "eligibility standards" to match the availability of a pre-determined level of foster care funding.

To oversimplify a complex solution, there are two general steps to be taken on the way to solving this problem.

- (1) Clarify for everyone involved in making placement decisions what children the State of Kansas will and will not assume the financial responsibility for placing in out of home care. This will always be a relatively subjective decision but more can be done to develop a multi-agency standard for making placement decisions.
- (2) When we get a better state wide consensus on which children should be placed in out of home care, it should then follow that funding will be provided to meet the legitimate need should a documented increase occur. If no such funds are available, changes in placement criteria should be made at a state level, not by individual child welfare social workers.