

Approved Thomas F. Walker - ff
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m./p.m. on Wednesday, March 16, 1988 in room 522-S of the Capitol.

All members were present except:

Representative Schauf - Excused

Committee staff present:

Avis Swartzman - Revisor
Mary Galligan - Legislative Research Dept.
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Robert Barnum, Commissioner, Youth Services
Jan Waide, SRS

The meeting was called to order by Representative Thomas F. Walker, Chairman. He stated the minutes would stand approved at the end of the meeting if there were no additions or corrections. He reminded the committee of the Governmental Organization dinner this evening at John Peterson's residence. He announced the agenda for the day; Youth Services Commissioner, Robert Barnum.

Mr. Barnum distributed an attachment concerning the makeup of the Youth Services division and child care and foster care services. (Attachment 1)

There are two divisions within Youth Services: Children in Need of Care and Juvenile Offender Programs, which includes the youth centers at Atchison, Beloit, Larned and Topeka. There are 17 area SRS offices in the state. The majority of staff are located in these offices, with 75% in youth services and 25% working on adult services.

Of 5500 children placed in care and custody, 4,000 were children in need of care, and 1500 were juvenile offenders. Mr. Barnum explained the child in care situation as where the court has placed the child in care until the family can get back on track and the child is dealt with in a residential or foster care home. He explained the juvenile offender has to commit a criminal type offense and, as a result of this action, comes to the attention of the court.

Mr. Barnum was asked if there was a classification needed that would be between the child in need of care and the juvenile offender. The problem with runaways was mentioned. Mr. Barnum replied that he would not like to see an additional classification as they were trying to address the problem without it.

Mr. Barnum was asked to run through the foster care placement situation. He replied that there is an adverse family situation; this is investigated. If the child needs to be taken out of the home they look at the list of foster people available. Whatever reservoir of resources is available is where the child is placed. Once the child is placed, the social worker works with the child. The family is also worked with and if the foster home does not work out, another placement is found for the child.

The question was asked how often is a child placed and moved. Mr. Barnum replied that it would be his estimation it is 4 or 5 times in an 18 month period. In the majority of cases a child will return home. If after an 18 month period of time there is still a problem at home or with the child, either termination of parental rights will take place or the child might have a problem whereby they need institutional care.

Mr. Barnum said because a child runs or runs often, this will not change their status to a juvenile offender.

The drug problem was discussed. This is a problem that is faced by not only the Youth Services division but Adult Services, as well as the Alcohol and Drug Abuse division.

One of the committee members told Mr. Barnum he had asked for a definition of child abuse and was told he would receive the information, but as yet he has received nothing from the department. Mr. Barnum said he had not received a direct request, but could get the information.

The central registry was discussed. How many names are on it and who has access to the registry. Mr. Barnum was asked about two situations where 'hackers' had gotten into the system which contained the registry names.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

room 522-S Statehouse, at 9:00 a.m./p.m. on Wednesday, March 16, 1988

Mr. Barnum called on Jan Waide to provide more information on the registry. She provided the committee with an attachment. (Attachment 2)

Ms. Waide told how the names are put on the list. A report is received of alleged child abuse or neglect. They are mandated by law to investigate each and every report. An investigation is conducted by a social worker, sometimes in conjunction with law enforcement officers. The alleged perpetrator is interviewed and has the right to respond. Others who might shed light on the incident are also brought into play such as family members, physicians, school teachers or others knowledgeable about what has happened. The decision on the allegation cannot be made by the worker or supervisor alone.

If the situation leads them to believe it is a confirmed incident, the alleged perpetrator receives a written notice. This person has the right to appear before a high ranking member of management of the SRS area office. If the situation warrants further viewing, the hearing officer can go back to question the staff or to redirect the situation further. There are further appeal rights for the alleged perpetrator. This type of session would be conducted by a law trial hearing officer. (It is a lay person at the area level). No name is entered into the central registry until all appeals are satisfied. This means until all appeals are run or the alleged perpetrator does not avail himself to be heard. The procedure per rules and regulations is the fair hearings appeal section. Prior to September or October, there was not a dual type of due process right. It was the Attorney General's opinion that this violated due process. Thereby federal due process legislation was initiated.

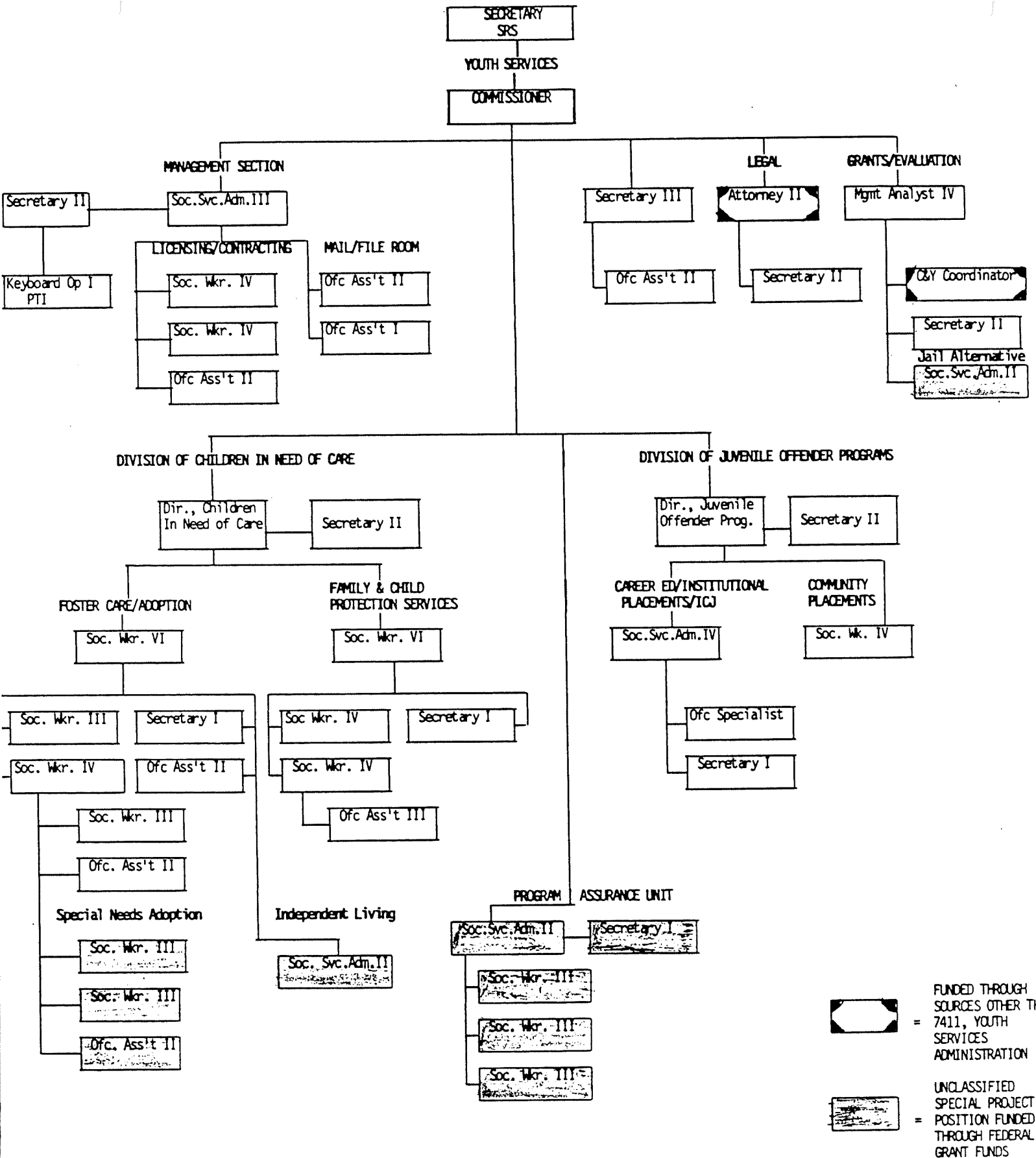
Licensed child care providers have access to the names on the registry as does law enforcement. There is also an expungement procedure whereby a person who has his name on the list has the right to action to expunge the name from the register. This is the result of a bill passed by the Legislature last year.


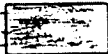
Families can be traced who move from state to state, although states that do not meet the high confidentiality standards are not included in the tracking system.

The names of anyone connected with an incident are segregated. Only the alleged perpetrators' files can be screened.

As time ran out, Chairman Walker told Mr. Barnum that the committee might want him and his staff to return. The Chairman is working with Commissioner Duncan to get as much information as it can.

The meeting was adjourned.



 = FUNDED THROUGH SOURCES OTHER THAN 7411, YOUTH SERVICES ADMINISTRATION
 = UNCLASSIFIED SPECIAL PROJECT POSITION FUNDED THROUGH FEDERAL GRANT FUNDS

SOCIAL AND REHABILITATION SERVICES YOUTH SERVICES

Youth Services is one of seven commissions within the State Department of Social and Rehabilitation Services. There are two divisions within Youth Services: Children In Need of Care (which includes Foster Care and Child Protection and Family Services) and Juvenile Offender Programs (which includes the Youth Centers at Atchison, Beloit, Larned, and Topeka). The Youth Services organization also includes the Legal Services Section, Grants/Evaluation Section, and Management Section.

DIVISION OF CHILDREN IN NEED OF CARE

The Division of Children In Need of Care is comprised of two program sections: Child Protection/Family Services and Foster Care Services. The Division of CINC is responsible for planning, developing, implementing, monitoring and directing the programs by which the Department of SRS will respond to the needs of Kansas children who are defined by the Kansas Code for Care of Children as children in need of care.

Foster Care Services

Foster Care

The Foster Care Program provides services to families with children when the child has been placed in the custody of SRS through court action. When a child is placed in foster care, the agency provides services to the family so that the child can be returned to the family as soon as possible. Services are also provided to the child in the foster care setting to ensure that his/her social and educational needs are met while in foster care.

If the child cannot be returned, then the goal is to provide the child an alternative permanent home in the most family-like setting possible, i.e., relatives, adoptive homes, or permanent foster care; or for older youth, preparation for self-support and independence.

Guardianship

The purpose of the guardianship program is to administer and monitor services provided for children who have been relinquished or committed by the courts to the Secretary of Social and Rehabilitation Services with parental rights terminated. The Secretary has delegated guardianship rights and responsibilities to the Commissioner of Youth Services and the program carries out these tasks. It also maintains a central registry system for state wards, monitors and coordinates agency policies and procedures, reviews case plans and provides consultation in behalf of children in out-of-home placements prior to adoption or independence.

DIVISION OF JUVENILE OFFENDER PROGRAMS

This program division has responsibility for the development, implementation and monitoring of programs for juvenile offenders who are placed in the custody of SRS, or committed to one of the four Youth Centers. Services and programs include residential/group home placement, foster care, youth center placement, and often supervision in the home of parents or relatives. Programming, whether in a vocational-technical school or special aftercare project, focuses on the youths' accountability for their own behavior and responsibility for their own future.

There are two sections within JOP. They are (1) Community Placements, and (2) Institutional Placements, Career Education, and Interstate Compact on Juveniles.

Community Placements

The Division of Juvenile Offender Programs provides a continuum of care for youth. The continuum is characterized by the ability and the need of their community. The community-based program incorporates all youth not placed in youth centers (1,000-1,200 youth). Some programs, such as community supervision, foster care placement and purchase of treatment services, are based on traditional child welfare concepts. There are three formal aftercare projects, one in Kansas City, one in Salina, and one in Wichita, and a specialized project in the Garden City area. The conditional release program provides for youth leaving the youth centers, and is implemented by a social worker in one of the 17 SRS Areas in Kansas. These programs facilitate the development of non-criminal behavior, independent living skills, community living skills, job seeking, job procurement, and job maintenance skills. The program serving younger youth has heavier emphasis on community living and education, as is appropriate for the younger population.

Career Education

The major focus of the Youth Centers program is Career Education. It is a programmatic effort to help youth recognize and appreciate the values of a work-oriented society, to implement these values into their lives, and to acquire competencies so that work becomes possible, meaningful, and satisfying to them. To accomplish this initiative, the Youth Centers focus their efforts to develop youth competency in five basic areas:

1. Basic education skills of reading, comprehension, and practice mathematics;
2. Work ethic/work place behaviors;
3. Specific marketable work skills;
4. Independent living skills;
5. Community living skills.

Management

Some duties which encompass Management responsibility are: the budget process for Youth Services and the Youth Centers; personnel transactions; payroll; purchasing; ordering of materials and supplies; maintenance of building and equipment; and supervision of the mail/file room.

Licensing/Certification and Contracting

Licensing/Certification and Contracting encompasses foster care and residential facilities which are licensed/certified to do business in the State of Kansas.

KANSAS DEPARTMENT OF SOCIAL & REHABILITATION SERVICES
YOUTH SERVICES
DIVISION OF CHILDREN IN NEED OF CARE

CHILD ABUSE & NEGLECT INVESTIGATIONS

FY 87 -- 27,814 reports
14,601 abuse (52.5%)
13,213 neglect (47.5%)
5,156 confirmed (18.5%)
250 hospitalizations
12 deaths

CHILD IN NEED OF CARE

FY 87 -- 5,027 reports other than truancy
638 reports of truants under 13

FAMILY SERVICES

FY 87 -- 5,077 families served either FSW or POS
2,747 children = preventive services
403 children received reunification services

Average cost of service: \$828.45/family/year
334.80/child/year

FOSTER CARE

FY 87 -- 5,382 children in custody of SRS
2,696 children in paid placements
64% of placements in family foster homes
36% of placements in residential and group care
35% paid with federal funds
65% paid with state funds

20% of children in custody with own families
31% of children in custody in family foster homes
17% of children in custody in residential and group care

\$ 650/month average cost of paid placements
\$7,800/year average cost of paid placements

3,853 CINC in custody
2,215 CINC in paid placements
50% plus - turnover rate

A CINC is more likely to be under 13, more likely to be female, and more likely to come from a single parent household and therefore be eligible for ADC-FC.

ADOPTION SERVICES

FY 87 -- 221 total number placed in adoption
75 new cases of adoption support
34% of children placed needed adoption support
623 total number drawing adoption support
\$ 163/month/average child cost of adoption support
\$1,956/year/average child cost of adoption support
122 families assessed/approved
17 homes purchased from private agencies

CUSTODY & GUARDIANSHIP

FY 87 -- 248 children came into the guardianship of SRS and were
thus free for adoption

INTERSTATE COMPACT ON PLACEMENT OF CHILDREN

FY 87 -- 1,274 children were protected when they were moved across
state lines
475 came into Kansas
799 left Kansas (includes Kansas City metro area)