Chuck,
Based on the automatic reply I got to my last email, I think I guessed right! Attached and below are several examples of some clarifications we’re looking for – Essentially, there are several examples of a basic miscommunication – perhaps we’re not asking direct enough questions, or they’re being confused in email responses? Basically, we’re asking what color the sky is, and the response is “it might rain today”…. Any help in clarifying these answers would be excellent.
Thanks again,
Denise

Denise,

Please see my additional questions and clarifications regarding the most recent response to my ongoing KORA request, received Friday. I have not yet sent this to Mr. Fertig, PIO, or Ms. Freed, Director of Communications. If you feel it is more appropriate to send this to Mr. Knapp, given your ongoing discussion with him, please forward this to him, or let me know if I should send this directly to Mr. Fertig & Ms. Freed.
Thank you.
Rachel

From: Rachel Sommerfeld
Sent: Sunday, April 19, 2015 10:25 PM
To: Denise Killian
Subject: Additional DCF follow-up questions

Denise,

Please see my additional questions and clarifications regarding the most recent response to my ongoing KORA request, received Friday. I have not yet sent this to Mr. Fertig, PIO, or Ms. Freed, Director of Communications. If you feel it is more appropriate to send this to Mr. Knapp, given your ongoing discussion with him, please forward this to him, or let me know if I should send this directly to Mr. Fertig & Ms. Freed.
Thank you.
Rachel

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Mr. Fertig, Ms. Freed,

Please see the additional questions regarding ongoing KORA request below. In order to make my questions more clear, as the below text includes many original questions, responses from DCF and follow up questions, I have typed my most recent questions in BOLD. I have taken my original follow-up questions and placed them in ITALICS. The responses I have received from DCF are in QUOTATION MARKS. I have also attached a PDF with all the prior communication regarding this KORA request.

Given the continuing confusion (thus the need to try to differentiate questions, answers and follow-up questions) I feel an on-camera interview would be the best way to help give us clear answers to our questions.

In response to my original KORA, I requested response times for the past 5 years. After for several clarification emails back and forth, I received an email with data for FY2014 and FY2015 for initial assessment and timely contact with victim/family. (See continued questions about those definitions below and whether those details are a direct response to the data I requested in the KORA.) I have not
yet seen any documentation for years prior to 2014. Please provide me with the data for the past 5 years.

In response to question 2a below: I am still unclear about what “timely contact with the victim/family” means. Is it the same thing as “Reasonable efforts to determine safety” and “Safety determination at initial contact?” I was pointed to those policies (2310 and 2312) for my answer. Do I assume that “timely contact with the victim/family” is the same thing? I spoke with Brittany Glas, who did a pre-interview Friday in Topeka, and she indicated that she was also unclear about the definition. She said she was told several times that things are determined on a "case-by-case basis." Is there a standard? I also asked for an explanation of what constitutes “timely contact” – is it in hours? How many hours? Is it different for a 24-hour response time case and a 72-hour response time case? Is the “timely contact” in fact 24 and 72 hours? What are the specific requirements to be considered “timely”? In PPM2310 it discusses how a social worker determines the initial safety of the child who is the subject of the report, contacting a parent, caregivers, siblings, alleged perpetrators, etc. may be needed to determine the safety of the child. It all says this should be done “within the response time.” Is this within 24 or 72 hours? Is that the specific time that is allowed? This policy also does not specify a time frame for what is “timely contact” with the family and these other individuals. To be clear: Can I assume, after my multiple questions on this issue, that this is the meaning: After a call comes in to the office, a social worker or other DCF worker has 24 hours (or 72 hours depending on the case) to speak with parents, siblings, caregivers, alleged perpetrators, etc. to determine if that child is in immediate danger. Is that in fact the the requirement for a 24-hour (or 72) response time? *If that is the case, then is it correct to say (given the details I was given in one of the responses from DCF) that of the reports that are assigned for further assessment of abuse neglect concerns in 2015 thru Jan., in 97% of cases, social workers contacted these individuals within 24 or 72 hours (as permitted) to determine whether the child was in a safe place. Is that an accurate assumption? The answer I was given to my question was:

Please see PPM 2310 for Safety Determination at Initial Contact and 2312 Reasonable Efforts to Determine Safety.
http://www.dcf.ks.gov/services/PPS/Pages/PPSpolicies.aspx

My question listed in 2b below goes to the same question. What are the requirements that need to be met on cases with a “same day or 72 hour” response time. Are the requirements the entirety of the PPS PPM2310 – discussing “Safety determination at initial contact.” Is that safety determination the requirement to have an on-time response time? Are there other factors that go into the requirements of meeting that response time? Do they have to discuss more with the reporting party? Any law enforcement? Are there documents that must be obtained in that time?

In response to 2c (listed below) – I am still wondering what this means. Do you track the timeliness of 20-day response time cases? Because that report is not readily available does that mean it can be made available? Is there a time frame for receiving such information? I would like to formally request additional information on the response times for 20-working day response times.

In reference to question 2) above, would cases that do not meet the criteria for same day or 72 hour response time, be applicable for a 20-day response time? What is the on-time percentage and documentation for those CINC/NAN with a 20-day response time?

"A 20 working day response time is only on non-abuse/neglect reports. A report for timeliness on non-abuse/neglect reports is not readily available."
In response to question 3, I asked for the documentation of the response times. I was told the following to my question:

"I would also like to see documentation of the response times listed, for preliminary inquiry, initial assessment and reports assigned for abuse/neglect. I would like to formally request the documentation process for how DCF tracks these policies."

"Our system tracks the time reports are received and the time the initial assessment decision is completed. Our system does not track the time a report is determined to need a preliminary inquiry."

What does this response mean? I understand you have a policy (PPM 1320) that states that “Preliminary Inquiry information shall be obtained as soon as practical and shall not exceed three working days from the date the report is received by the agency.” Then what does the statement “our system does not track the time a report is determined to need a preliminary inquiry” mean? Does that mean the system does not if a Preliminary Inquiry is done within the required 3-day response time? I also requested the documentation for how these reports are tracked.

I have additional questions about the below question from me, and the response from DCF:

The original response to my KORA said “DCF does not track the time from the beginning of the report to the completion of each step.” It is unclear to me how DCF does not track this time, but has percentages on how many are done on time. Can you better explain to me the process of how DCF tracks its policies on timely responses? What documentation exists that shows the progression of timely responses?

"Each step in the process has a time frame set in policy. The system tracks each step separately per intake. We do not track the time from the report received to safety determination in one time frame."

I am still very unclear about how DCF keeps track of whether or not cases are being handled according to policy, and according to the specific deadlines required in the PPM. Original response to my KORA said "DCF does not track the time from the beginning of the report to the completion of each step." The above response says "the system tracks each step separately per intake."

"I would like to formally request the timeliness that the system tracks for each separate step. If the system does not track the average response times, please provide me with the function by which the system keeps track of the response times, as I would like to request that information.

I have another question regarding the below Q and A:

You state in a previous email that “The maximum time allowed to make an Initial Assessment decision or request a Preliminary Inquiry is the end of the next half work day from the time the report is received.” You have also previously stated that “The Preliminary Inquiry information shall be obtained as soon as practical and should not exceed three (3) working days from the date the report is received by the agency.” What is the on-time percentage and documentation regarding when Preliminary Inquiries are completed? I would like to also formally request the documentation for determining the response time for Preliminary Inquiries.

"Our system does not capture the completion of a preliminary inquiry. For more details regarding the practice and policy for preliminary inquiries see PPM 1320 and 1330. http://www.dcf.ks.gov/services/PPS/Pages/PPSpolicies.aspx"

To be completely clear: I understand that DCF has a requirement for completing a preliminary inquiry within three days, but your saying that DCF does not track that? Or are you saying that the system does not track it? If the system does not track this, how does DCF ensure that preliminary inquiries are
completed within the required 3 days? How do supervisors know if their employees are completing this step on time, if there is no tracking?

I have spent a considerable amount of time since my initial contact with Ms. Freed in February going through the Policy Procedure Manual (PPM). I simply cannot be expected to understand the inner workings of the entire manual, when Ms. Freed, of her own admission, says that it is possible for her own staff to misspeak and that my questions require research. (“It is far more likely even the most knowledgeable staff member could misspeak during an on-camera interview under the pressure of being put on the spot.” “You have asked a long list of questions and follow up questions that require research.”) So I do not find it unreasonable that we are asking for further clarification of confusing documents. I have had ample time to read hundreds of the policies listed online. I spent approximately one month reading and researching those policies. I put in a KORA request after that extensive research to get specific data and clarification to my questions. And nearly a month after that initial KORA request I am still awaiting many answers. Many of my questions have been answered with "see xxxx policy" -- yet I continue to ask these questions because the PPM did not make it clear to me how such things were tracked and also does not provide the answers to the specific questions I have asked regarding data. I believe an on-camera interview would allow the kind of follow-up questions that would allow for more clear understanding of DCF policies.

Thank you.
Rachel

Rachel Schrag Sommerfeld
Executive Producer
KSN | ksn.com
833 North Main St. Wichita, KS 67203
Newsroom: 316-292-1111
Direct: 316-292-1141   Cell: 316-

From: Todd Fertig [mailto:Todd.Fertig@dcf.ks.gov]
Sent: Friday, April 17, 2015 8:52 AM
To: Rachel Sommerfeld
Subject: Responses to your follow-up questions

April 17, 2015

Rachel Sommerfeld
Rachel. Sommerfeld@ksn.com
316-

Dear Ms. Sommerfeld:

Below are responses by one of our staff to several of your follow-up questions. Your words are in blue, the DCF staff person’s words are in red.
1) You indicate that “of all child and adults reports received through the Kansas Protection Report Center (KPRC)”, 97% of initial assessment decisions were completed by the end of the next half working day. Do all reports go through the KPRC? Would this include reports from the public, reports from law enforcement, etc.? Are there other ways that DCF receives reports? If that is the case, what is the percentage of on-time responses for initial assessment to those cases that do not go through the KPRC?

Yes all reports regarding suspected child and adult abuse/neglect come to the KPRC. There are no other ways for DCF to receive a report.  

2) You indicate that in both 2014 and 2015 through January, “of all reports assigned for abuse/neglect concerns with either a same day or 72 hour response time,” 97% had a timely contact with victim/family. What is the response time for reports that were *not assigned for abuse/neglect concerns with either a same day or 72 hour response time?

All abuse/neglect concerns either have a Same Day or 72 hour response time. 20 working day is only allowed for non-abuse/neglect reports.

   a. Additionally, I would like further clarification on what “timely contact with the victim/family” means. I have looked through the policy manual online and have been unable to locate the policy that states what the timeframe is to be considered “timely.” Is this 24 hours, 72 hours, etc.? I presume the requirements are different for a same-day response time and a 72 hour response time. What are those specific requirements to be considered “timely” contact with the victim or family?

Please see PPM 2310 for Safety Determination at Initial Contact and 2312 Reasonable Efforts to Determine Safety.
http://www.dcf.ks.gov/services/PPS/Pages/PPSpolicies.aspx

   b. Additionally, what are the requirements to be met for the deadline of “same day” or “72 hour” response time? Is contact with victim/family the only thing considered to ensure that the reports are being handled in a timely matter? Are there other factors that are included in that same day/72 hour response time? If so, what are the on time responses for those other factors, beyond contact with victim/family?

PPS PPM 2310: Determining the safety of the child requires an in-person contact with the child, at a minimum. Telephone or letter contact with the child is not sufficient. The parent/caregiver of the child(ren) shall be notified the same day as the interview with the child or, as soon as practical and an explanation provided for the interview. Additional contacts and observations with caregivers, siblings, alleged perpetrators and others may be required to gather sufficient information to determine the safety of the child. In-person contact may be made by a DCF social worker or authorized collateral, i.e., child protective service special investigator, law enforcement officer or licensed child welfare case management provider assigned case responsibility. If authorized collateral makes the in-person contact the DCF social worker shall request the information needed to determine the safety of the child within the response time. If the DCF social worker determines additional information is needed to make a safety determination, the DCF social worker shall follow-up to gather the additional information to determine the safety of the child within the response time. The date and time of the safety determination is when the DCF social worker has reviewed the information and determines the child is safe.
http://www.dcf.ks.gov/services/PPS/Pages/PPSpolicies.aspx

3) I would also like to see documentation of the response times listed, for preliminary inquiry, initial assessment and reports assigned for abuse/neglect. I would like to formally request the documentation process for how DCF tracks these policies.

Our system tracks the time reports are received and the time the initial assessment decision is completed. Our system does not track the time a report is determined to need a preliminary inquiry.

4) The original response to my KORA said “DCF does not track the time from the beginning of the report to the completion of each step.” It is unclear to me how DCF does not track this time, but has percentages on how many are done on time. Can you better explain to me the process of how DCF tracks its policies on timely responses? What documentation exists that shows the progression of timely responses?

Each step in the process has a time frame set in policy. The system tracks each step separately per intake. We do not track the time from the report received to safety determination in one time frame.

5) You state in a previous email that “The maximum time allowed to make an Initial Assessment decision or request a Preliminary Inquiry is the end of the next half work day from the time the report is received.” You have also previously stated that “The Preliminary Inquiry information shall be obtained as soon as practical and should not exceed three (3) working days from the date the report is received by the agency.” What is the on-time percentage and documentation regarding when Preliminary Inquiries are completed? I would like to also formally request the documentation for determining the response time for Preliminary Inquiries.

Our system does not capture the completion of a preliminary inquiry. For more details regarding the practice and policy for preliminary inquiries see PPM 1320 and 1330.

http://www.dcf.ks.gov/services/PPS/Pages/PPSpolicies.aspx

6) There are places in the DCF policy manual that make reference to PPS forms. A google search led me to this link: http://www.dcf.ks.gov/services/PPS/Pages/PPSFormsandAppendices.aspx Am I correct in understanding that these are blank copies of the forms required to document various stages of an investigation/inquiry, etc.?

Yes these are blank forms for viewing, but actual forms used are system generated versions.

We hope this information will help you. Please feel free to contact me with any questions.

Sincerely,

Theresa Freed
Director of Communications
Kansas Department for Children and Families
785-296-0537
Theresa.freed@DCF.KS.GOV
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