

**MEMORANDUM OF UNDERSTANDING
BETWEEN
KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES (DCF) - Wichita Region
AND
SEDGWICK COUNTY DEPARTMENT OF CORRECTIONS –
JUVENILE INTAKE AND ASSESSMENT CENTER (JIAC)**

This Agreement is made and entered into effective this 26 day of Feb, 2020 by and between the Kansas Department for Children and Families - Wichita Region, hereinafter referred to as "DCF" and the Sedgwick County, Kansas by and through its Department of Corrections - Juvenile Intake and Assessment Center, hereinafter referred to as "JIAC."

TERM OF AGREEMENT:

The term of this Agreement shall be from the 26 of Feb, 2020 until the 25 day of Feb, 2025. This Agreement shall be reviewed at least every five years.

MODIFICATIONS:

This Agreement may be amended or modified in writing with signatory approval by representatives of both entities.

TERMINATION:

Either party may terminate this Agreement by providing the other parties with 30 days written notice of such termination.

That it is the intent and purpose of this agreement that there be the fullest of cooperation among signatories to ensure the maintenance of a collaborative and professional relationship in addressing the work and processes required of the partners inclusive of, but not limited to, the following:

I. Roles and Responsibilities of Sedgwick County Juvenile Intake and Assessment Center

- A. JIAC is available to provide continuous access to local law enforcement agencies and families for intake and assessment services for youth brought to the facility for the following reasons: Juvenile Offenses, Status Offenses, Out of State Runaways, District Warrants, JV Commitment Orders, JV Court Ordered Sanctions, Agreement to Appear, and Notice to Appear. When the youth arrives at JIAC, intake and assessment processes are completed. This consists of gathering information about the youth concerning family, school and/or employment, peer relationships, substance use, mental and physical health and other factors. Based on this process, recommendations and referrals are made that could be helpful for the youth. The strategy is to intervene early and prevent youth from getting more deeply involved in the juvenile justice system. When making placement decisions, JIAC staff consider the safest and least restrictive environment.

- B. JIAC operates in accordance with the Kansas Juvenile Justice Code (specifically, but not exclusively, K.S.A. 75-7023), Juvenile Intake and Assessment System (JIAS) Standards of the Kansas Department of Corrections – Division of Juvenile Services of the State of Kansas, and Sedgwick County policy.

II. Roles and Responsibilities of Department for Children and Families (DCF) and DCF Contracted Child Welfare Case Management Providers (CWCMP)/Sedgwick County

- A. Kansas Department for Children and Families (DCF): DCF is responsible to address the needs of children and youth placed in the custody of the Secretary of DCF. The day-to-day case management and placement services for children and youth in DCF custody are provided through contracts/grants with Child Welfare Case Management Providers (CWCMP), which includes Family Preservation Services and out of home placement/care. In Sedgwick County, the DCF contractor (current)/grantee (as of October 1, 2019) is Saint Francis Ministries (SFM) for out of home placement/care services and DCCCA (as of January 1, 2020) will provide Family Preservation Services. DCF assesses child abuse/neglect concerns when an intake is made to the Kansas Protection Report Center (KPRC) and the report meeting criteria is assigned for further assessment/investigation. This may include intakes made for youth who have been assessed at JIAC.
- B. DCF will ensure that their CWCMP adhere to the following:
 - 1. Understand the role of JIAC as an intake assessment and referral program under Kansas Department of Corrections (KDOC);
 - 2. Understand that secure care youth can no longer be placed in detention facilities and the need for prompt response collaboration to pick up these youth and arrange placement; and,
 - 3. Understand the need for prompt response to remove children/youth in DCF custody from JIAC who do not meet detention criteria.

III. Processes for addressing situations with youth in DCF custody who have an open Child in Need of Care (CINC) case in the 18th Judicial District or have identified child welfare related concerns:

- A. JIAC staff are Mandatory Reporters and, as such, are required to report all suspected cases of child abuse and/or neglect. Child abuse and/or neglect reports shall be made regardless of where the abuse occurred. Reports of suspected child abuse and/or neglect shall be made to the Kansas Protection Report Center (KPRC).
- B. JIAC can refer youth and families for services within the community as appropriate to address identified areas of concerns. This may include referral to DCF for services, follow up and/or investigation as a child in need of care.

- C. In situations where there are new alleged juvenile of status offenses, intake staff shall complete the Kansas Detention Assessment Instrument (KDAI) prior to making any release/placement decisions. If a youth is in the legal custody of the DCF, release/placement shall be to return the youth to the placement they were in whenever possible. If, due to safety or other extenuating circumstances, return is not an option, the youth shall be released to the DCF grantee/contractor on behalf of DCF, the custodial agency.
- D. If JIAC staff have reason to believe it is in the youth's best interest not to release or conditionally release, a request shall be made to law enforcement to place the youth in police protective custody (PPC). JIAC staff shall notify DCF when initiating PPC. DCF will work with Law Enforcement and DCF contractor/grantee to assess the concerns that resulted in PPC and to identify the appropriate placement option for the youth, once the youth is released from PPC.
- E. Local Runaways (In State Runaways) – The Wichita Children's Home is the identified initial placement by a law enforcement agency for Runaways (including children/youth currently in custody of DCF). This includes youth with court orders pursuant to Kansas statute, such as: Order to Remain in Placement ("no-run orders"), Application for Secure Placement, Order Authorizing Secure Placement for Violation of Valid Court Order to Remain in Placement. The DCF contractor/grantee shall notify the court of the youth's return from being on the run and make application for a secure care placement, when appropriate.
- F. Effective July 1, 2019, no youth alleged or found to be a child in need of care may be placed in the Juvenile Detention Facility (JDF) unless the child is also alleged to be a juvenile offender and such placement is authorized by statute. JIAC administers the KDAI for every youth brought in by law enforcement who allegedly committed a juvenile offense or status offense or were brought to JIAC for mandatory detention. The KDAI is not administered on youth who are Child in Need of Care cases of abuse and neglect. JIAC staff shall obtain court approval on all overrides of the KDAI according to the process established by the 18th Judicial District.
- G. A child/youth who is in the custody of a law enforcement officer because of suspected abuse or neglect, including a suspected victim of human trafficking, shall be taken directly to the Wichita Children's Home (WCH). When JIAC staff identify a youth with suspected human trafficking involvement, the Exploited and Missing Child Unit (EMCU) shall be contacted to conduct appropriate assessments regarding the youth's potential involvement with human trafficking. JIAC staff shall send an Assessment Summary to KPRC for all intakes with suspected human trafficking involvement. Staff secure facility beds at the Wichita Children's Home (WCH) may be utilized by DCF for placement of children/youth in DCF custody, when criteria is met and it is determined that is in the child's best interest.
- H. When a child/youth who has been reintegrated and is still in DCF custody presents at JIAC for an intake, the parent shall be contacted once the JIAC assessment is completed and it is determined the child can be released. If the parent refuses to pick up the youth from JIAC, the DCF contractor/grantee shall be contacted to pick up the youth to work with the parent on accepting the youth back in their home or to find alternative placement for the youth.



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- I. The Interstate Compact for Juveniles (ICJ) process shall be followed for youth who are assessed at JIAC and are runaways from another state. DCF may be contacted to assist with that process, when needed. Youth may be held in detention until arrangements can be made to transport them to their home state.
- J. JIAC may request an override to detention with authorization for immediate placement to the Crossover Youth Emergency Shelter/Juvenile Residential Facility for alleged juvenile offenders when a victim is in the home, detention criteria is not met and the guardian refuses custody. In these cases, JIAC reports the matter to KPRC and notifies DCF of the detention hearing.
- K. Youth meeting admission criteria for Crossover Youth Emergency Shelter/Juvenile Residential Facility will be released by JIAC to the foster care provider who shall receive the youth and take responsibility for placement.

IV. Information sharing by JIAC and DCF:

- A. Information shared will be relevant to the roles of the agencies and adhere to applicable federal and state laws and agency policies.
- B. JIAC shall provide the JIAC Daily Summary on business days (not weekends or county holidays) to appropriate DCF contacts maintained in a distribution list approved by the JIAC program manager. This report identifies dually-involved youth and KPRC notifications.
- C. It is understood by the staff of each agency that the information shared concerning any youth is confidential and is not to be shared outside of the agencies except to the extent allowed by applicable federal and state law and agency policy for the benefit of the child/youth.

SIGNATURES:

Thomas J. Stolz
 Thomas J. Stolz, Sedgwick County Manager

2/13/20
 Date

Thomas A. Buell
 Kansas Department for Children and Families- Wichita Region

2/26/20
 Date

Approved As To Form

Justin M. Waggoner
 Justin M. Waggoner
 Assistant County Counselor

ATTEST:

Kelly B. Arnold
 Kelly B. Arnold, County Clerk



**FIRST AMENDMENT
to the
MEMORANDUM OF UNDERSTANDING
BETWEEN
KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES (DCF) - Wichita Region
AND
SEDGWICK COUNTY DEPARTMENT OF CORRECTIONS –
JUVENILE INTAKE AND ASSESSMENT CENTER (JIAC)**

This First Amendment Memorandum of Understanding is made and entered into this 20th day of May, 2021, by and between Sedgwick County, Kansas, (“County”) and the Kansas Department for Children and Families - Wichita Region, hereinafter referred to as "DCF" (“Provider” or “Contractor”).

WITNESSETH:

WHEREAS, the parties hereto entered into a Memorandum of Understanding (MOU) (“Original Agreement”) on February 26, 2020; and

WHEREAS, the parties hereto now find it necessary to enter into this First Amendment to the Original MOU; and

WHEREAS, the parties agree that all terms and conditions of the Original MOU are incorporated herein and remain in full force and effect, except as explicitly modified by the terms of this Amendment.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties do hereby agree to amend the Original MOU as set forth below:

III. Processes for addressing situations with youth in DCF custody who have an open Child in Need of Care (CINC) case in the 18th Judicial District or have identified child welfare related concerns:

C. In situations where there are new alleged juvenile or status offenses, intake staff shall complete the Kansas Detention Assessment Instrument (KDAI) prior to making any release/placement decisions. If a youth is in the legal custody of the DCF, release/placement shall be to return the youth to the placement they were in, whenever possible. If, due to safety or other extenuating circumstances, return is not an option, the youth shall be released to the DCF grantee/contractor on behalf of DCF, the custodial agency.

J. JIAC may request an override to detention with authorization for immediate placement to the Juvenile Residential Facility for alleged juvenile offenders when a victim is in the home, detention criteria is not met and the guardian refuses custody. In these cases, JIAC reports the matter to KPRC and notifies DCF of the detention hearing.

IN WITNESS WHEREOF, County and the Kansas Department for Children and Families- Wichita Region have executed this First Amendment as of the day and year first above written.

SEDGWICK COUNTY, KANSAS:

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES (DFF) – WICHITA REGION

TC TA
Thomas J. Stolz
County Manager

Thomas A. Buell
THOMAS A. BUELL
REGIONAL DIRECTOR - DFF

APPROVED AS TO FORM ONLY:

Patricia J. Parker
Patricia J. Parker
Deputy County Counselor

ATTESTED TO:

KBA
Kelly B. Arnold
County Clerk

