

AUG 30 2022

SCOTT SCHWAB
SECRETARY OF STATE

Proposed

State of Kansas**Office of the Attorney General****Notice of Public Hearing on Proposed Administrative Regulations**

A public hearing will be conducted on Thursday, November 10, 2022 at 1:00 p.m. in the Auditorium of Memorial Hall, 120 SW 10th Ave, 2nd floor, Topeka, Kansas, to consider the adoption of proposed amended rule and regulation K.A.R. 16-12-4, regarding the certification of batterer's intervention programs.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the Victim Services Division, Office of the Attorney General, 120 SW 10th Ave., 2nd floor, Topeka, KS 66612 or by email to Danae.Nelson@ag.ks.org.

All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Danae Nelson at (785) 296-3367. Individuals with hearing and/or speech disabilities should contact the Kansas Relay Center at 1-800-766-3777 for communication accommodations. The main entrance to Memorial Hall is accessible. Accessible parking is located on 10th Ave., at the front entrance of Memorial Hall.

Copies of the proposed regulation and the Economic Impact Statement for the proposed regulation can be viewed at the following website: <https://ag.ks.gov/victim-services/bip> or by contacting Danae Nelson at (785)296-3367, or by emailing danae.nelson@ag.ks.gov.

Summaries of the proposed regulation and its economic impact follow.

K.A.R. 16-12-4—Program requirements: Amendments to K.A.R. 16-12-4 make effective revisions to two documents incorporated by reference, “the essential elements and standards of batterer intervention programs in Kansas” and the “certified batterer intervention program statistical report.”

“The essential elements and standards of batterer intervention programs in Kansas” specifies minimum standards for batterer intervention programs certified to provide batterer intervention program (BIP) services in Kansas. The proposed changes include the addition of minimum standards for juvenile BIP due to recent changes in the Kansas Juvenile Code that allow for juveniles to be ordered in BIP classes. There are also changes in allowing unlicensed professionals who are trained as described to assist in the completion of specific forms used in the assessment process as long as the full domestic violence offender assessment is reviewed and completed by a licensed professional, who meets all training requirements of an assessor as laid out in the standards. Only a licensed professional can complete the Kansas Domestic Violence Offender Assessment (KDVOA). Additional changes include adding parameters for virtual

programming and a new requirement for new and certified programs to complete KBI criminal record checks for all BIP direct service staff as part of new or renewal certification processes.

The “certified batterer intervention program statistical report” is a document identifying specified statistical information submitted by certified BIPs twice yearly to the Batterer Intervention Program Unit. The proposed changes include reformatting the document and the addition of demographic and referral information categories.

Economic Impact

Certified Batterer Intervention Programs are responsible for setting the cost for services for participants. This includes the cost of assessments and group fees, which can include materials. The Office of the Kansas Attorney General does not dictate how much these services cost for each program. Programs set up their payments depending on the type of business program operated. These programs can be private business, non-profit agencies, or local, state and federal government agencies.

The cost for a KBI criminal record check for all BIP direct service staff as part of new or renewal certification is \$20.00 per individual. For programs not already performing a record check, this will be an added cost. In 2021, BIPs reported a total of approximately 130 direct service BIP staff in 41 certified BIPs, with an average of 3.2 (median 2) direct service staff per program. $\$20 \times 130 \text{ staff} = \$2600 / 2 \text{ years} = \$1300/\text{year}$ (or $\$20 \times 3.2 = \$64 / 2 \text{ years} = \$32/\text{year}/\text{program}$, based on average number of direct service staff reported by BIPs in 2021).

Revisions also include minimum operating requirements for those programs seeking to provide virtual/tele or juvenile BIP services, but does not mandate programs provide these services. If programs choose to provide services in these capacities, those programs may incur additional operational costs.

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16-12-4. Program requirements. Each holder of a temporary permit, initial certification, renewal certification, or certification reinstatement shall perform the following:

(a) Adopt and follow the standards, elements, and other program requirements described in the document titled “the essential elements and standards of batterer intervention programs in Kansas,” ~~dated December 17, 2012~~ revised on July 12, 2022, by the Kansas attorney general’s office, which is hereby adopted by reference except for the acknowledgements, table of contents, philosophy and purpose, and theoretical overview of batterer intervention programs; and

(b) submit the attorney general’s document titled “certified batterer intervention program statistical report” with the required information. This document, ~~dated June 13, 2012~~ revised on July 12, 2022, is hereby adopted by reference. The “certified batterer intervention program statistical report” shall be completed and submitted to the attorney general on or before January 5 and July 5 in each year of certification or the first business day following these deadlines if the deadlines fall on a weekend or state or federal holiday. (Authorized by and implementing ~~L. 2012, ch. 162, secs. 5, 11~~ K.S.A. 75-7d01, 75-7d05, and 75-7d11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012; effective Jan. 25, 2013; amended P-
_____.)

APPROVED

JUL 18 2022

DEPT. OF ADMINISTRATION

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Kansas Kansas Administrative Regulations Economic Impact Statement (EIS)

Office of the Kansas Attorney General
Agency

Danae Nelson
Agency Contact

785-296-3367
Contact Phone Number

16-12-4
K.A.R. Number(s)

☒ Permanent ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- ☒ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- ☒ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

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Section I

Brief description of the proposed rule(s) and regulation(s).

Amendments to K.A.R. 16-12-4 make effective revisions to two documents incorporated by reference, "the essential elements and standards of batterer intervention programs in Kansas," revised July 12, 2022, and the "certified batterer intervention program statistical report," revised July 12, 2022. "The essential elements and standards of batterer intervention programs in Kansas: specifies minimum standards for batterer intervention programs certified to provide batterer intervention program (BIP) services in Kansas. The "certified batterer intervention program statistical report" is a document identifying specified statistical information submitted by certified BIP's twice yearly to the Batterer Intervention Program Unit.

Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

This regulation is not mandated by federal law. Amendments to "the essential elements and standards of batterer intervention programs in Kansas," incorporated by reference in K.A.R. 16-12-4, implement policies and procedures applicable to certified batterer intervention programs in Kansas, and the "certified batterer intervention program statistical report" is generated by certified programs and submitted to the Office of the Attorney General twice yearly. Contiguous states Colorado, Oklahoma, and Missouri have similar methods of implementing policies and procedures and tracking data related to domestic violence intervention programming in their state (Colorado's "Standards and Guidelines for the Assessment, Evaluation, Treatment, and Behavioral Monitoring of Domestic Violence Offenders" policy and procedure document is promulgated by the Colorado Domestic Violence Offender Management Board pursuant to § 16-11.8-102, C.R.S. ; Missouri Batterer Intervention Program credentialing is regulated by the Missouri Dept. of Corrections, with the policy and procedure document "Batterers Intervention Programming Guide" incorporated by reference in 14 CSR 80-6.020; and Oklahoma Batterer Intervention Programs certification is via the Oklahoma Office of Attorney General, with program policies and procedures outlined in OAC 75:15, Standards and Criteria for Domestic Violence and Sexual Assault Programs).

Section III

Agency analysis specifically addressing the following:

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- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The Kansas Attorney General's office created and adopted the domestic violence offender assessment to be used in criminal convictions or diversion agreements resulting in the domestic violence designation, as required by K.S.A. 22-4616 and K.S.A. 21-6604(p). As part of the development of domestic violence offender services, the Office also developed "the essential elements and standards of batterer intervention programs in Kansas," which provides operating procedure guidance for entities certified by the Office of the Kansas Attorney General to provide the domestic violence offender assessments to the court. Updates in best practices for battering intervention programming has necessitated revisions to this original document. To this end, the Office of the Attorney General, in consultation with the Batterer Intervention Program Advisory Board, amended "the essential elements and standards of batterer intervention programs in Kansas," and the "certified batterer intervention program statistical report."

Updates to these documents do not prescribe or modify how certified programs conduct financial operations. Recent changes to the Kansas Juvenile Code have resulted in the possibility of juveniles being referred to certified BIPs for services. Updates to "the essential elements and standards of batterer intervention programs in Kansas" include minimum standards for those certified BIPs seeking to implement BIP services for juveniles. It is at the discretion of the program whether or not to provide services to juveniles. Additionally, updates to "the essential elements and standards of batterer intervention programs in Kansas" create minimum standards for those programs seeking to provide virtual/tele BIP services. It is at the discretion of the program whether or not to provide virtual/tele BIP services.

It is not anticipated amendments to this regulation will directly enhance or restrict business activities or growth.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

Office for the Attorney General BIP Unit staff time is spent providing capacity building training and technical assistance, as well as monitoring the providing entities for compliance with the Standards, Statute and Regulations. Monitoring certified programs requires an initial site visit, reviewing applications and supporting documentation, contacting collateral sources of information, and bi-annual renewals of this process. Training and technical assistance practices include providing an average 10 (ten) trainings per year, and technical assistance as requested. These functions involve the BIP Unit of the Victim Services Division of the AG's Office, at an estimated cost of \$80,000-\$100,000 annually, including salary, supplies, and travel expenses.

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Assessment and group participation costs are paid for by the offender, unless otherwise specified by the courts or KDOC. The actual cost of BIP services is set by the agency designated as the entity completing the assessment. Any difficulties in paying this cost will likely be negotiated between the offender and the agency providing the service. The agencies providing this service typically include mental health centers, private practice counselors, or other appropriate non-profit agencies.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Certified Batterer Intervention Programs in Kansas.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

Failure to update the documents incorporated by reference could result in Kansas falling behind other states in implementing best practices in domestic violence intervention.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The Office previously considered the option of distributing an assessment without implementing policies and procedures for monitoring providers' compliance with minimum standards. However, after consulting a multi-disciplinary committee of stakeholders who strongly urged that these providers be monitored, this idea was rejected. The committee members and this Office support the idea that the providers of the Kansas Domestic Violence Offender Assessment must meet minimum standards, including training and education requirements. It has been 10 years since the Kansas Legislature passed the Kansas Batterer Intervention Program Certification Act, creating the mandate that batterer intervention programs statewide meet minimum standards. Ongoing review with stake-holders and providers, as well as advancements in the field, indicated the necessity to implement revisions to these minimum standards.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$1300

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

Total Annual Costs – \$1300

(sum of above amounts)

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Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Revisions to “the essential elements and standards of batterer intervention programs in Kansas,” revised July 12, 2022, require certified programs obtain a KBI criminal record check for all BIP direct service staff as part of the new or renewal certification process, every two (2) years. For those programs not already performing a record check, this will be an added cost. Cost of a name-based record check is \$20.00 per individual. In 2021, BIPs reported a total of approximately 130 direct service BIP staff in 41 (current) certified BIPs, with an average of 3.2 (median 2) direct service staff per program. $\$20 \times 130 \text{ staff} = \$2600 / 2 \text{ years} = \$1300/\text{year}$ (or $\$20 \times 3.2 = \$64 / 2 \text{ years} = \$32/\text{year}/\text{program}$, based on average number of direct service staff reported by BIPs in 2021).

Required “Kansas Domestic Violence Offender Assessment” and “Making Victim Contact Within A Batterer Intervention Program” trainings are offered by the BIP Unit of the Kansas Attorney General’s Office at no cost to trainees. Standards require employees in various roles within the program obtain these and other trainings/experience. Revisions include the addition of two new roles within the BIP, however it is not mandated that the BIP have staff specific to these two roles, as staff meeting the requirements of previously established roles can continue to provide the services specific to the newly identified roles. If programs choose to assign staff specific to these roles, those programs may incur additional training/experience costs for those staff.

Revisions to Standards include minimum operating requirements for those programs seeking to provide virtual/tele or juvenile BIP services, but does not mandate programs provide these services. If programs choose to provide services in these capacities, those programs may incur additional operational costs.

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- ☐ No
- ☒ Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

none

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate

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can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

Batterer Intervention Programs are responsible for setting the cost for services for participants. This includes the cost of assessments and group fees and can also include materials. The Office of the Kansas Attorney General does not dictate how much these services cost for each program. Programs set up their payments depending on the type of business program operate. These programs can be private business, non-profit agencies, or local, state and federal government agencies.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The Essential Elements and Standards of Batterer Intervention Programs were initially developed over seven years through the hard work of many professionals who are dedicated to ending domestic violence in Kansas. The Kansas Coalition Against Sexual and Domestic Violence convened the initial work group. The Office of the Attorney General Batterer Intervention Program and Advisory Board carried on that work, to include the current revisions to the Standards and assessment tools utilized by BIPs in the assessment process. The Advisory Board is comprised of current and former BIP providers, representatives from KCSDV, KDOC, County and District Attorneys, Judges, Legislators, and other community stakeholders.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

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- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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The Essential Elements and Standards of Batterer Intervention Programs in Kansas

REVISED July 12, 2022
By the Kansas Attorney General's Office

Acknowledgements

The Essential Elements and Standards of Batterer Intervention Programs were developed over seven years through the hard work of many professionals who are dedicated to ending domestic violence in Kansas. The Kansas Coalition Against Sexual and Domestic Violence convened the initial work group. The Office of the Attorney General Batterer Intervention Program and Advisory Board wishes to thank the following organizations for their work during this process:

Alternatives to Battering, Topeka
Correctional Counseling of Kansas, Wichita
Family Crisis Center, Great Bend
Governor's Domestic Violence Fatality Review Board
Halley Counseling, P.A., Girard
Johnson County Office of Court Services
The Family Peace Initiative, Girard
Kansas District Judges' Association
Kansas Attorney General Carla Stovall
Kansas Attorney General Paul Morrison
Kansas Attorney General Steve Six
Kansas Attorney General Derek Schmidt
Kansas Coalition Against Sexual and Domestic Violence
Kansas County and District Attorney Association
Kansas Department of Corrections
The Mental Health Consortium
Office of Judicial Administration
Sexual Assault/Domestic Violence Center, Hutchinson
Wyandotte Mental Health Center
The 2012 Kansas Legislature

In 2007, The Governor's Domestic Violence Fatality Review Board (GDVFRB), chaired by former Attorney General Robert Stephen appointed a subcommittee to review and update the Essential Elements and Standards of Batterer Intervention Programs. The GDVFRB adopted these as best practice standards in providing batterer intervention programming in Kansas, and recommended that the Office of Attorney General implement a training and certification program for providers of batterer intervention programs.

Attorney General Paul Morrison accepted this recommendation and the Office of the Attorney General began to train and certify batterer intervention providers in Kansas using the Essential Elements and Standards of Batterer Intervention Programs in Kansas.

The 2012 Kansas Legislature passed the Kansas Batterer Intervention Program Certification Act, creating the mandate that batterer intervention programs statewide meet these minimum standards.

In 2021, the BIP Advisory Board voted to adopt revisions to the Essential Elements and Standards.

For more information about this initiative, contact the
Director of Victim Services in the office of
Kansas Attorney General
120 S.W. 10th Avenue
Topeka KS 66612-1597
785/368-8445

Table of Contents

I. Philosophy and Purpose	4
II. Theoretical Overview of Batterer Intervention Programs	4
III. Standards.....	5
A. Framework	5
B. Program Goals	5
IV. Essential Elements of a Program.....	6
A. Elements.....	6
V. Program Role in Community	7
A. Community-wide Coordination.....	7
B. Victim Service Program	7
VI. Technical Considerations	8
A. Selection of Participants.....	8
B. Assessment of Participants	8
C. Expectations of Participants.....	8
D. Group Participants.....	9
E. Facilitation	9
F. Curriculum	10
G. Prohibited Practices	11
H. Restricted Practices	11
I. Confidentiality and Safety Checks.....	12
J. Length of Program.....	13
K. Victim Notification.....	13
L. Notification of Participant's Progress.....	13
M. Notification of Safety Concerns.....	13
N. Documentation.....	14
VII. Victim Involvement.....	15
A. Victim Generated Information and Participation.....	15
VIII. Public Relations Efforts.....	15
A. Public Statements and Materials	15
IX. Research.....	15
A. Notice of Research	15

X. Agency Structure.....	15
A. Supplemental Requirements.....	15
XI. Personnel Qualifications.....	16
A. Employees	16
XII. Training Requirements for Program Staff	17
A. Training/Experience of Facilitators	17
B. Training/Experience of Co-facilitators.....	17
C. Training/Experience of Program Supervisors, Coordinators, or Directors.....	18
D. Training/Experience Requirements for Assessors.....	18
E. Training/Experience Requirements for Victim Contact Staff	20
F. Continuing Education Requirements	21
XIII. Conflict of Interest.....	21
A. Avoidance of Conflict of Interest Issues	22
XIV. Juveniles.....	22
A. Framework	22
B. Elements.....	22
C. Program Role in Community	23
D. Technical Considerations.....	23
E. Personnel Qualifications.....	25
F. Training Requirements for Program Staff	25

I. Philosophy and Purpose

The Kansas Essential Elements and Standards for Batterer Intervention Programs set minimum required standards for all agencies that operate intervention programs for those who batter.

The mission of batterer intervention in Kansas is to hold those who batter accountable, create nonviolent behavior, and promote safety for victims. On a wider scale, batterer intervention seeks to create social norms that reject rather than affirm or ignore battering within intimate partner and household relationships. Batterer intervention participants may also need additional services for mental health/psychiatric assistance, drug and alcohol treatment, parenting education, or other issues. Those who batter should be screened for these issues and referred to appropriate resources but these treatments should be in addition to, not in lieu of, a batterer intervention program.

II. Theoretical Overview of Batterer Intervention Programs

The following information is presented to give an understanding of the essential theoretical perspective on which these standards are based.

- Violence is part of a strategy for creating and maintaining domination and control at home, work, and in public.
- Battering within an intimate relationship is a systematic pattern of physical, sexual, and psychological abuse predominantly directed by men against women, and often children and pets. Rather than a series of independent acts or events, it is most often part of a process by which one who batters maintains control and domination over the victim.
- Underlying issues of psychiatric disorder, mental health issues, drug and alcohol abuse, childhood trauma, etc. may be present in those who batter and treated appropriately, but those treatments should not substitute for batterer intervention. In rare cases, the mental health professional and batterer intervention provider may determine one who batters is not appropriate for batterer intervention and recommend other treatment first, which will then enable them to later participate in an intervention program.
- Domestic violence and battering are analogous terms. Abuse refers to specific categories of tactics used by one who batters such as, economic abuse, emotional or psychological abuse, sexual abuse, etc.
- Battering crosses all social categories, including race, gender, ethnicity, education level, social and economic class, sexual orientation, religion, and physical and mental ability.
- Battering causes fear and may result in profound psychological damage, permanent injury, or death.
- Battering has adverse long-term psychological, emotional, physical, and economic effects on all family members and affects the community at large.
- Children who grow up in violent homes have higher risks for behavioral problems, including suicide, substance abuse, and juvenile delinquency; boys who witness battering are more likely to batter their female partners as adults than boys raised in non-violent homes.

- There is a high co-occurrence of child abuse and partner abuse.
- Battering may escalate over time, increasing in frequency and severity. Dangerousness is impacted by many factors.
- Battering contributes to the overwhelming state of violence in our society and is frequently related to other forms of violence including gang violence, homicide, drug crimes, hate crimes, and child abuse.
- Those who batter strongly defend their violence by denying, minimizing, blaming, justifying, and rationalizing their behavior. They often appear logical and rational when convincing others of their innocence.
- Battering involves choices by those who batter and they must choose to be non-violent and non-abusive in order to ensure the safety of their victims/partners.

III. Standards

A. Framework

1. Batterer intervention programs shall operate within a framework of the following fundamental tenets:
 - a. Batterer intervention programs shall, above all, be committed to the safety of victims of domestic violence and their children.
 - b. Battering is a pattern of behavior, not a singular event.
 - c. Battering is not an addiction or disease.
 - d. Those who batter are not powerless over "persons, places, or things".
 - e. "Codependency" and "enabling" are inaccurate, inappropriate and victim blaming terms for survivors of battering.
 - f. Those who batter are solely responsible for their violence and abuse.
 - g. Those who batter must be held accountable for their violence and abuse.
 - h. Alcohol and substance abuse do not diminish responsibility for battering and are not causal agents for violent behavior. However, because alcohol and drug abuse is an aggravating factor, it should be addressed.
 - i. Batterer intervention services may provide factual information, but must never take on an advocacy role for those who batter in the legal arena due to the inherent possibility of collusion.
 - j. "Family" and "couples" interventions to address battering behavior are not appropriate as the primary intervention and should never be used in the following circumstances: 1) in the beginning stages of the intervention program, or 2) while violence is still occurring.

B. Program Goals

1. Batterer intervention programs should focus on interrupting, avoiding, and ending violence and abuse and on the participant's capacity to change.
2. Batterer intervention programs shall utilize the following goals in program implementation:
 - a. To increase the safety of victims, family members, and the community as a whole.
 - b. To enable the participant to understand that acts of violence, abuse and use of domination and privilege are a means of controlling the victim's actions, thoughts and feelings.
 - c. To encourage the participant to acknowledge the battering and recognize it as a behavior choice, and to accept responsibility for its impact on the victim and others.
 - d. To increase the participant's willingness to change the battering behavior by examining the negative effects of the behavior on all relationships with the victim, children, friends, community, and self.
 - e. To expand the participant's understanding of the cause of personal violence and battering by examining the cultural, social, and personal factors that influence the choice to be violent.
 - f. To teach the participant practical skills for non-controlling and non-violent ways of relating in interpersonal relationships.
 - g. To encourage the participant to become accountable to those who are battered, children, and/or others who are impacted, to take whatever actions are necessary to comply with the safety needs of the victim(s) and to make reparations for the effects of the battering.

IV. Essential Elements of a Program

A. Elements

1. Program intervention methodology shall primarily consist of the group processing approach using education and intervention, since groups:
 - a. Provide greater opportunity for confrontation and accountability than does individual work;
 - b. Are more successful in decreasing the participant's isolation and dependence on their partner; and
 - c. Are more cost effective.
2. The program shall challenge the participant's belief system of domination and control.
3. Violence shall not be condoned under any circumstances. Abusive behaviors, intentional or unintentional, shall be challenged and reported to the court or appropriate authorities.
4. The program shall maintain the philosophical beliefs that:

- a. Criminal consequences may result from battering behavior;
 - b. Those who batter choose to be abusive; and
 - c. Those who batter shall be held accountable for personal actions and violence.
5. Payment is an indicator of responsibility. It is suggested that fees be based on a participant's ability to pay (i.e. sliding scale), thus enabling the participant to afford the program. If the program utilizes a sliding scale, income based payment system, or offers scholarships/grants, documentation of fee determination and source of payment shall be included in the participant file.
 6. Couples counseling, family counseling, marital counseling, pastoral counseling or mediation may be used only as an adjunct to the primary program, and only after careful screening.

V. Program Role in Community

A. Community-wide Coordination

1. The program shall not exist in isolation and shall have a responsibility for developing a community-based approach. The program shall work in cooperation with victim services and domestic violence programs as well as with other key agencies such as courts, prosecutors, law enforcement and probation officers. It is also recommended that programs participate in domestic violence community response initiatives.
2. The program shall have linkages with other service providers in order to make appropriate referrals.
3. The role of the program within the criminal justice system shall be either a diversion or post-conviction sentencing condition. When mandated by the court, the program can provide pre-sentencing services with a warning that services provided pre-sentencing could impact the accuracy of the assessment and the effectiveness of the intervention.
4. Batterer intervention programs shall develop relationships with the judicial system to increase offender accountability. Batterer intervention programs should provide the judicial system with information regarding the intervention program and batterers of domestic violence.

B. Victim Service Program

1. Programs shall make active efforts to establish a formal cooperative relationships with local domestic violence victim service programs in order to ensure support, information and advocacy for victims. Cooperative relationships shall be in the form of: participating in cross-training efforts, creating cooperative outreach efforts, and signing a collaboration agreement or memorandum of understanding. Programs shall notify the OAG in writing if they are unable to develop or maintain a formal cooperative relationship with the local domestic violence victim service program.

2. Services to partners/victims shall be provided as a separate and distinct service and not only as a part of the batterer intervention program.
3. Batterer intervention programs should not be the primary resource to victims of domestic violence. This does not suspend the batterer intervention program of its duties to provide safety and referral services to victims.
4. Programs shall allow, upon request from the local domestic violence victim service program, staff representatives from the domestic violence victim service program to observe 24 consecutive weekly group sessions. The expectations of both parties regarding group observation shall be stated in a memorandum of understanding.
5. Programs shall attempt to notify all domestic violence victim service agencies operating in the area(s) served by the BIP of their victim contact policy and procedure, to include names of all staff making victim contacts, on an annual basis.

VI. Technical Considerations

Treatment for substance abuse and other problems, which may be deemed necessary as a part of a total intervention program, does not replace intervention for domestic violence. It is understood that intervention may require more than confronting and educating those who batter on violent and/or battering behavior and may include referrals to develop a sober and drug free lifestyle, social skills, self-esteem, employment training, mental health treatment and parenting skills.

A. Selection of Participants

1. Intervention is appropriate when there is reason to believe that an individual is/has been controlling and/or abusive in an interpersonal relationship(s). The assessment process is essential and should be designed to identify those who use abusive tactics in an attempt to control and disempower their victim/partner. Those who do not fit this category should not be recommended for batterer intervention programs.
2. The batterer intervention program shall accept only those participants assessed as appropriate.

B. Assessment of Participants

1. The program shall assess individuals prior to accepting them into a batterer intervention program. The program shall use the Kansas Attorney General Domestic Violence Offender Assessment (KDVOA) to make this determination. The program shall receive training from the Office of the Attorney General on the KDVOA prior to its use, and follow instructions.
2. The process of assessing a participant shall continue after the participant has been allowed to enter the intervention program. If at any time the individual is determined to not be appropriate for batterer intervention, action should be taken to refer for appropriate services. If it is determined through ongoing assessment that additional services are needed, the action to extend or change services shall be reported to the referring agency.

C. Expectations of Participants

1. After reviewing the program rules, the participant must sign an agreement that includes the rules, goals, responsibilities, confidentiality restrictions, and fees. This agreement should also include a statement that all information they have given is true, correct, and current. Withholding or giving false information, or not informing the program of any changes may result in termination and referral back to the court or referring agency.
2. For continued participation and completion of the program, the minimum standards for participation shall include:
 - a. Attendance at sessions;
 - b. Attitude and cooperation with program rules;
 - c. Active participation;
 - d. Freedom from violent and abusive behavior. (Note: coordination with law enforcement, probation, and victims is necessary to determine the participant's freedom from violence); and
 - e. Compliance with financial responsibility.

D. Group Participants

1. Composition of the groups shall be restricted to batterers of domestic violence.
2. Great caution and professional judgment should be used in combining participants of different genders. This requires programmatic components that ensure all participants' needs are met. If combining these participants, programs must have a curriculum and structure that meets the needs of all participants. This includes, but is not limited to, having two group facilitators of different genders, unless previously approved by the Office of the Attorney General.
3. Combining participants who were referred due to battering their intimate partner with those who were referred due to abuse of their children requires programmatic components that ensure all participants' needs are met. If combining these participants, programs must have a curriculum and structure that meets the needs of both types of participants.

E. Facilitation

1. It is best practice to have co-facilitators for the purpose of modeling healthy egalitarian relationships, reducing the potential for collusion, and to monitor the group process, groups should be co-facilitated, when possible. When a group consists of participants of different genders, it is required to have two group facilitators of different genders, unless previously approved by the Office of the Attorney General.
2. The size of each group shall not exceed 20 participants. A group of 8 to 15 participants is preferred. When a group is facilitated a single primary facilitator, the size of each group shall not exceed 10 participants.
3. The program shall have the responsibility to impose any reasonable conditions on participation in the intervention program that it deems appropriate.

4. The exclusive use of electronic communications to facilitate group is not preferred and group format should be determined based on individual participant needs. Programs utilizing electronic communications, including but not limited to telephones and computers, to facilitate any groups remotely or allow participants to participate in a group remotely, shall develop specific written policies and procedures regarding the use of such programming. Policies and procedures shall include, at a minimum, electronic specific considerations of the following: victim safety, group size, and group rules and expectations.
 - a. Programs shall document reason(s) as to why an individual was placed in a virtual group instead of an in-person group offered by the program, including evaluation of individual participant needs, and victim safety. Reasons for placement in a virtual group may include: distance from program, transportation, health and safety, public health, etc. Programs not offering an in-person group option shall not be an appropriate reason to place a participant in a virtual group.
 - b. To the extent possible, group format should remain consistent for the duration of the participant's time in the program.
 - c. To the extent possible, virtual group rules and expectations shall require participant environment equivalent to that of in person groups.

F. Curriculum

1. Each program shall have specific written curriculum incorporating a cognitive-behavioral approach, which includes a minimum of the following:
 - a. Identification, discussion, confrontation and change of abusive and controlling behavior to victims, including partner, and children. All forms of domestic violence shall be identified and challenged, with specific attention to physical, emotional, verbal, mental, sexual, and economic abuse, as well as intimidation and the destruction or damage of pets or property. Other methods of control shall be included.
 - b. Identification and discussion of the effects battering has on victims, including children who witness such violence. The short and long term effects of abuse and violence are to be presented. Those who batter shall be expected to take responsibility for creating these consequences. The goal of these exercises shall be to build empathy.
 - c. Confrontation of excuses for battering. This shall include a philosophical stance that violence and abuse are the sole responsibility and choice of one who batters, and are never justified.
 - d. Identification and discussion of non-cooperative and abusive forms of communication and quick fix responses.
 - e. Identification and practice of cooperative and non-abusive forms of communication, positive communication skills, long term solutions and responsible ways of treating partners, children, and others.
 - f. Identification of cultural and social influences that contribute to battering behavior. The program shall not allow these issues to excuse or justify individual responsibility of abuse and violence.

G. Prohibited Practices

1. Batterer intervention programs shall not use the following intervention approaches:
 - a. **Victim Blaming:**
Any intervention approach that blames the victim or places the victim in danger is prohibited. There is no behavior on the part of the victim which causes or excuses abuse. Those who batter bear sole responsibility for their actions.
 - b. **Victim Coercion or Mandates:**
Any approach that coerces or mandates participation of the victim is inappropriate.
 - c. **Couples, Marriage or Family Therapy:**
Couples, marriage, or family therapy is prohibited as the primary curriculum.
 - d. **Circular Process or Family Systems Approach:**
Any approach that uses a systems theory model that treats the violence as a mutually circular process, or any other model that minimizes the responsibility of those who batter and places responsibility for the violence upon the victim is prohibited.
 - e. **Addiction Models:**
Addiction counseling models, which identify the violence as an addiction and the victim and children as enabling or codependent in the violence, are prohibited.
 - f. **Containment Approaches:**
Any approach that attempts to use containment methods in an attempt to de-escalate the violence is prohibited.
 - g. **Impulse control Models:**
Use of theories or techniques that identify poor impulse control as the primary cause of violence is prohibited.
 - h. **Psychopathology:**
Any approach that identifies psychopathology on the part of either party as the primary cause of violence is prohibited.

H. Restricted Practices

1. Batterer intervention program shall not use the following techniques as primary educational approaches.
 - a. Psychodynamic interventions that link violence to past experience and unconscious motivation may not be used as the program's primary experience approach. This may be used as one technique within a broader educational approach.
 - b. Communication enhancement or anger management techniques may not be used as the program's primary educational approach. This may be used as one technique within an educational approach described in these standards.

- c. Fair fighting techniques, getting in touch with emotions or alternatives to violence and non-threatening ventilation techniques may not be used as the program's primary educational approach. This may be used as one technique within a broader educational approach.

I. Confidentiality and Safety Checks

1. Victim safety and participant accountability are central to effective batterer intervention programs. Therefore, confidentiality is limited. Programs must advise participants of the specific limitations of confidentiality. Programs must also keep in mind that victim safety is paramount to all information sharing. The information that must be made available to courts, appropriate authorities, victims, previous victims, partners, and ex-partners includes, but is not limited to, assessment findings, attendance, any use of violence or threats, reasons for suspension or termination, recommendations, and completion from the program.
2. Probation and parole violations must be reported to the appropriate authorities.
3. To facilitate necessary communication for periodic safety checks and case monitoring the program shall require the participant to sign the following releases:
 - a. Inform the victim(s) and if unavailable, the victim advocate, within 24-hours that the participant is assessed for admission in the program.
 - b. Provide information for safety purposes to the victim(s) and if unavailable, the victim advocate within 24-hours of assessment. If no victim advocate, provider must document attempts made.
 - c. Prior and current treatment agencies to provide information on the participant.
 - d. Provide information on the participant to relevant legal entities including the Courts, parole and probation officers, community corrections, and court services.
 - e. Provide information to any person whose safety appears to be at risk from the participant's potential violence and lethality, i.e. the current and past intimate partner.
 - f. The program is permitted to disclose information to the court or to litigants regarding a participant when his/her heir, executors or administrators file suit of complaint against the batterer intervention program which arises out of, or is connected with, the intervention rendered or denied to such participant by the program.
4. Programs may require a participant to sign additional releases including, but not limited to:
 - a. Provide the victim and if unavailable, the victim advocate within 24-hours, periodic updates regarding the participant's progress.
 - b. Discuss group attendance arrangements with the participant's current employer.
5. Transferring Programs

- a. When clients transfer from one certified BIP provider to another, a cooperative effort shall be made on the part of each certified provider to assist in effecting the transfer.

J. Length of Program

1. The program shall be a minimum of 24 weekly group sessions. Intake and orientation are in addition to these sessions. Each session shall be a minimum of 90 minutes, and not exceed 2 hours. Completion of the program shall not be based on the completion of 24 weeks alone—but based on the demonstration of goal completion and skill acquisition as determined by the program.

K. Victim Notification

1. Upon admission of the participant, the intervention program shall attempt to notify the victim in a face-to-face interview if the victim permits such contact. A minimum of three attempts to notify victim(s) in face-to-face contact must be documented. Phone and mail contact may be used only after assessing victim safety or if the victim does not permit a face-to-face interview. The contact should provide:
 - a. The purpose of the program;
 - b. The procedure for reporting further offenses;
 - c. A preliminary assessment for the victim's own use in determining risk;
 - d. Limitations of the program;
 - e. Resource information regarding victim services; and
 - f. Opportunity for the victim to provide input in the assessment process.
2. Programs shall, either directly or through a domestic violence victim service program, assist victims in developing a safety plan. If it is necessary for the batterer intervention program staff to assist the victim, they should receive training in safety planning development from the Kansas Coalition against Sexual and Domestic Violence or a member domestic violence victim service program in safety plan development.

L. Notification of Participant's Progress

1. The intervention program shall notify victims, and if unavailable the victim advocate, of any change in the status of the participant within the program, including the denial of admission or termination of the participant from the program. Batterer intervention programs shall also notify victims, and if unavailable the victim advocate, of the participant's completion of the program and any recommendations.

M. Notification of Safety Concerns

1. The intervention program shall have a written policy, which ensures that any potential victim of a batterer in the program is warned regarding any threats to his/her life within at least 24

hours. If the potential victim cannot be contacted, it must be documented that all reasonable avenues to contact the potential victim have been exhausted. In addition to notifying the potential victim, appropriate reports shall be made to law enforcement and/or the courts when prudent.

N. Documentation

1. Programs shall maintain for each individual assessed for BIP a file which includes, but is not limited to, the following:
 - a. a unique identifying number or other method for specific identification;
 - b. the offender's initial reason for seeking the provider's services;
 - c. specific information concerning the offender's condition, including the Kansas domestic violence offender assessment, affidavits, police reports, and other documents related to criminal activity as allowed by law and available to the provider, or requests for such information;
 - d. documentation of the intervention, tests, procedures, and services that were obtained, performed, ordered, or recommended and the findings and results of each;
 - e. documentation of the offender's progress during the course of intervention, to include: attendance, participation, attitude and cooperation with program rules, freedom from violent and abusive behavior, and compliance with financial responsibility;
 - f. the date and nature of any professional service that was provided;
 - g. documentation of the manner and process by which the professional relationship terminated;
 - h. documentation of the following communications with the referral source:
 - i. completed Assessment Recommendation Form;
 - ii. progress/attendance reports;
 - iii. reasons for termination; and
 - iv. completion of the program.
2. Programs shall maintain a separate file for each victim which includes, but is not limited to, the following:
 - a. a unique identifying number or other method for specific identification;
 - b. the victim interview guide, or documentation as to why the victim interview guide was not utilized in the assessment process;
 - c. documentation of all victim contacts and/or victim contact attempts in accordance with Standards, including but not limited to:
 - i. Contact as a component of the Assessment process, or a minimum of three attempts at contact prior to the completion of the KDVOA;
 - ii. Notification of KDVOA determination;

- iii. Notification of any change in status within the program;
 - iv. Notification of completion of the program;
 - v. Notification of any identified safety concerns;
 - vi. Or, reason(s) as to why required contact(s) did not occur.
3. Files may be maintained in a variety of media, if reasonable steps are taken to maintain confidentiality, accessibility, and durability.

VII. Victim Involvement

A. Victim Generated Information and Participation

1. Victims shall not be obligated to participate in any way in the intervention program. The role of the victim in relation to the program shall be solely that of providing information. Information shared by the victim shall be used only with the victim's documented written consent and only after a discussion of the victim's safety pertaining to the disclosure of the information shared and after authorization is given from the victim. The victim has the right to refuse further information about the batterer.

VIII. Public Relations Efforts

A. Public Statements and Materials

1. Batterer intervention programs shall consult with a domestic violence victim service program in the development of any public relations material pertaining to domestic violence.

IX. Research

A. Notice of Research

1. The Office of the Attorney General shall be notified of all research studies done with certified batterer intervention programs to ensure that the research design accounts for victim safety and supports best practice.

X. Agency Structure

A. Supplemental Requirements

1. The agency/organization shall offer an environment conducive to safe business practices that shall include, but not be limited to:
- a. Proof of insurance (general/professional liability, fire, etc.).
 - b. Policies and procedures addressing employee safety such as when entering or leaving the premises, being alone with participants, etc.

- c. Policies and procedures addressing the presence of weapons on the premises, including any parking areas.
2. The location of the batterer intervention program must not create additional safety concerns for victims.

XI. Personnel Qualifications

Those who batter are a separate category of offenders that require specialized training for appropriate management and intervention.

A. Employees

1. No program shall hire any individual who has been:
 - a. A batterer of domestic violence or abuse, to include child abuse; unless the program director is satisfied that the candidate has successfully completed an intervention program and remained violence free. In order for one who has battered to be a primary facilitator they must be free from any criminal convictions, diversions, or similar agreements in his/her life for the preceding five (5) years and co-facilitators for the preceding two (2) years. The candidate must have a clear and present view of the focus of the program and what is expected of them. The program must also seek input from the candidate, victims and partners and the intervention program the individual completed. When such input is not available, attempts to obtain it must be documented.
 - b. A victim of domestic violence; unless the program director is satisfied that the candidate has successfully dealt with issues related to the domestic violence. The candidate must be free of violence, battering relationships and free from relevant criminal convictions, and have a clear and present view of the focus of the program and what would be expected of them.
2. No program shall have as a supervisor, director, or coordinator any individual who has been a batterer of domestic violence or abuse unless the individual: has been free from any criminal convictions, diversions, or similar agreements for the preceding five (5) years; completed a certified batterer intervention program; submitted to the OAG a minimum of three (3) professional references; and worked for a certified BIP in Kansas for a minimum of three (3) years.
3. All new staff members or current staff shall be required to sign a statement they are violence free, as stated in the previous section. This statement should include a list of specific behaviors that disqualifies them for employment.
4. The program shall have a policy which seeks to ensure that staff employed by the program shall not abuse alcohol, use illicit drugs or abuse prescription drugs and never allow alcohol or drugs to impair their individual ability to function in a responsible and professional manner while performing work duties.
5. Staff members employed by the program shall have a background free of conduct that bears adversely on his/her ability to provide required services. Staff shall not engage in conduct resulting in a criminal conviction, or any other conduct, criminal or otherwise, deemed to

impair the individual's ability to provide services or which jeopardizes the purposes of the program.

6. Any staff member of the program who has allegedly engaged in conduct described above shall be placed in a position which involves no contact with either participants or victims of domestic violence until it can be verified that such charges are unsubstantiated.
7. The program shall have a written ethics policy covering unprofessional conduct as defined in K.A.R. 16-12-2.
8. The program shall have a policy requiring a KBI background check be maintained on file for all staff providing direct service, which shall be renewed thirty (30) days prior to the submission of a new or renewal certification application.

XII. Training Requirements for Program Staff

A. Training/Experience of Facilitators

1. Each facilitator must have experience and training in interpersonal skills, group dynamics and specific issues in domestic violence as it relates to both victims and those who batter.
 - a. Primary facilitators must have:
 - i. A baccalaureate degree or two (2) years of experience involving direct contact work with victims and/or those who batter, AND
 - ii. Forty (40) hours of direct, face-to-face co-facilitating experience in batterer intervention groups, AND
 - iii. Forty (40) hours of domestic violence specific training that is approved by the Office of the Attorney General including, but not limited to: facilitation skills with batterer intervention groups (minimum fifteen (15) hours), completing the KDVOA, and, completing Making Victim Contacts in a Batterer Intervention Program. Additional training hours may be completed on: dynamics of domestic violence, legal issues surrounding domestic violence, characteristics of those who batter, victim safety and sensitivity to victims.
 1. Training for new primary facilitators must have been completed in the preceding five (5) years.
2. Programs shall provide documentation of the required training and experience for all facilitators. Documentation shall be provided prior to facilitators engaging in group facilitation.

B. Training/Experience of Co-facilitators

1. Co-facilitators must have experience and training in specific issues in domestic violence as it relates to both victims and those who batter.
 - a. Co-facilitators must complete the following:

- i. Forty (40) hours of domestic violence specific training that is approved by the Office of the Attorney General including, but not limited to: facilitation skills with batterer intervention groups (minimum fifteen (15) hours), completing the KDVOA, and completing Making Victim Contacts in a Batterer Intervention Program. Additional training hours may be completed on: dynamics of domestic violence, legal issues surrounding domestic violence, characteristics of those who batter, victim safety and sensitivity to victims
2. After initial certification is granted to a program, any new co-facilitator must complete the forty (40) hours of training within the first year of co-facilitation.
3. Programs shall provide documentation of qualifying training and experience for all co-facilitators.

C. Training/Experience of Program Supervisors, Coordinators, or Directors

1. Except as provided further, the program director, supervisor, or coordinator of any batterer intervention program shall be licensed to practice in Kansas as a licensed psychologist, licensed baccalaureate social worker, licensed master social worker, licensed specialist clinical social worker, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed addiction counselor, licensed clinical addiction counselor, licensed professional counselor, licensed clinical professional counselor, licensed masters level psychologist or licensed clinical psychotherapist.
2. Program directors, supervisors, coordinators, immediately prior to January 1, 2013, may continue if such person remains employed or contracted by the same program, and the program remains a certified program
3. Program directors, supervisors or coordinators shall have an additional two (2) years of intensive work experience in domestic violence.
4. Program directors, supervisors, or coordinators must have:
 - a. Forty (40) hours of domestic violence specific training that is approved by the Office of the Attorney General including, but not limited to: facilitation skills with batterer intervention groups (minimum fifteen (15) hours), completing the KDVOA, and completing Making Victim Contacts in a Batterer Intervention Program. Additional training hours may include but are not limited to: dynamics of domestic violence, legal issues surrounding domestic violence, characteristics of those who batter, victim safety, sensitivity to victims, and the supervisor's role in batterer intervention programs. This training must be approved by the Office of the Attorney General.
 - i. Training for new program supervisors, coordinators or directors must have been completed in the preceding five (5) years.
5. Programs shall provide documentation of qualifying training and experience for all program directors, supervisors, and coordinators.

D. Training/Experience Requirements for Assessors

1. The KDVOA shall be completed by an individual who is licensed to practice in Kansas as a licensed psychologist, licensed baccalaureate social worker, licensed master social worker, licensed specialist clinical social worker, licensed marriage and family therapist, licensed addiction counselor, licensed clinical addiction counselor, licensed clinical marriage and family therapist, licensed professional counselor, licensed masters level psychologist or licensed clinical psychotherapist, or:
2. Any person who is not licensed and who is completing domestic violence offender assessments as an employee of or volunteer for a batterer intervention program immediately prior to January 1, 2013, may continue to complete such assessments on and after January 1, 2013, if such program remains a certified batterer intervention program. When such person is no longer an employee of or volunteer for the program in which they were employed or volunteering immediately prior to January 1, 2013, such person shall not be allowed to complete the Kansas domestic violence offender assessment for any certified batterer intervention program without meeting the license requirements prescribed above.
3. Training for assessors must include:
 - a. Twenty-five (25) hours of domestic violence specific training that is approved by the Office of the Attorney General including, but not limited to: completing the KDVOA and completing Making Victim Contacts in a Batterer Intervention Program. Additional training hours may be completed on: dynamics of domestic violence, legal issues surrounding domestic violence, characteristics of those who batter, victim safety and sensitivity to victims; and
 - b. Observation of four (4) group sessions (or a minimum of six (6) hours) of BIP group from a Kansas certified batterer intervention program. Documentation of completion must be provided and shall include: the dates of observation, and the name, agency, and signature of the primary facilitator; and
 - c. The completion of three (3) assessments which are reviewed by an experienced assessor from a Kansas certified batterer intervention program. Documentation of completion must be provided and shall include: the date the assessment was completed, the date reviewed, and the name, agency and signature of the reviewer.
 - d. Training for new primary assessors must have been completed in the preceding five (5) years.
4. Programs shall provide documentation of qualifying training and experience for all Assessors.
5. Programs may utilize qualified staff to conduct the Offender Interview portion of the KDVOA.
 - a. All components of the assessment (including forms and information generated or obtained before, during, and as a result of the assessment process) are the responsibility of the qualified Assessor. If a program chooses to utilize staff to conduct the Offender Interview, it is the duty of the Assessor to review the Offender Interview with the staff member who conducted the interview as a component of the assessment process. Only those individuals meeting the training and experience requirements of Assessor shall make assessment determinations and complete the Assessment and Recommendations

form. Programs utilizing staff to conduct the Offender Interview shall have written policies and procedures in place regarding this process.

- b. Staff completing the Offender Interview portion of the KDVOA shall have the following training and experience:
 - i. Twenty-five (25) hours of domestic violence specific training that is approved by the Office of the Attorney General including, but not limited to: completing the KDVOA and completing Making Victim Contacts in a Batterer Intervention Program. Additional training hours may be completed on: dynamics of domestic violence, legal issues surrounding domestic violence, characteristics of those who batter, victim safety, and sensitivity to victims; and
 - ii. Observation of four (4) group sessions of a BIP group from a Kansas certified batterer intervention program (all four (4) sessions must be with the same group). Documentation of completion must be provided and shall include: the dates of observation and the name, agency, and signature of the primary facilitator;
 - iii. Observation of three (3) offender interviews conducted by an experienced assessor. Documentation of completion must be provided and shall include: the dates of observation and the name, agency, and signature of the assessor; and
 - iv. The completion of three (3) offender interviews which are supervised and reviewed by an experienced assessor from a Kansas certified batterer intervention program. Documentation of completion must be provided and shall include: the date the interview was completed, the date reviewed, and the name, agency and signature of the reviewer.
 - v. Training for staff completing the offender interview must have been completed in the preceding five (5) years.
- c. Programs shall provide documentation of qualifying training and experience for all staff conducting the Offender Interview.

E. Training/Experience Requirements for Victim Contact Staff

- 1. Programs may utilize agents to conduct victim contacts provided there is a formalized, written relationship describing the responsibilities of both parties. Programs are responsible for ensuring agents meet required standards.
- 2. Victim contact completed as a component of the assessment is the responsibility of the qualified assessor. If a program chooses to utilize victim contact staff to make these contacts, it is the duty of the assessor to review all contacts, contact attempts, and victim generated information that results from these contacts. Programs utilizing victim contact staff to make required victim contacts as a component of the assessment shall have written policy and procedures in place regarding this process, to include how information is communicated between parties.
- 3. Employees or agents of a program having contact, or attempting to make contact, with victims must have experience and training in specific issues in domestic violence as it relates to both victims and those who batter.
 - a. Training for victim contact staff must include:

- i. Twenty-five (25) hours of domestic violence specific training that is approved by the Office of the Attorney General including, but not limited to: completing the KDVOA and completing Making Victim Contacts in a Batterer Intervention Program. Additional training hours may be completed on: dynamics of domestic violence, legal issues surrounding domestic violence, characteristics of those who batter, victim safety and sensitivity to victims; and
 - ii. Observation of four (4) group sessions of a BIP group from a Kansas certified batterer intervention program (all four (4) sessions must be with the same group). Documentation of completion must be provided and shall include: the dates of observation and the name, agency, and signature of the primary facilitator;
 - iii. Observation of three (3) victim interviews conducted by experienced victim contact staff. Documentation of completion must be provided and shall include: the dates of observation and the name, agency, and signature of the victim contact staff; and
 - iv. The completion of three (3) victim interviews which are supervised and reviewed by an experienced assessor from a Kansas certified batterer intervention program. Documentation of completion must be provided and shall include: the date the interview was completed, the date reviewed, and the name, agency and signature of the reviewer.
 1. Training for new victim contact staff must have been completed in the preceding five (5) years.
4. Programs shall provide documentation of qualifying training for all victim contact staff.

F. Continuing Education Requirements

1. Each agent or employee must complete twelve (12) hours of domestic violence specific continuing education during each two (2) year renewal period, except that new agents or employees who join the program after initial certification are not required to earn continuing education credits until the first full renewal period they are with the program.
 - a. The twelve (12) hours of continuing education requirements obtained by program directors and assessors during each two (2) year renewal period shall include: completing the KDVOA and Making Victim Contacts in a Batterer Intervention Program trainings provided by the Office of the Attorney General.
2. Content of continuing education training shall be oriented to the enhancement of a batterer intervention program agent or employee's practice, values, ethics, skills, or knowledge.
3. Content of continuing education must be approved by the Office of the Attorney General.

XIII. Conflict of Interest

It is important that both actual and apparent conflicts of interest among assessment providers, batterer intervention programs, and concurrent treatment providers be avoided.

A. Avoidance of Conflict of Interest Issues

1. Batterer intervention program staff shall be neutral and detached from direct power of court referral of those who batter to intervention programs.
2. Batterer intervention personnel must not be working in other employment that would likely create a conflict of interest.

XIV. Juveniles

In addition to all other Standards not in conflict with those listed below, those programs serving juveniles must meet the following minimum standards:

A. Framework

1. Specialized needs for juvenile population
 - a. Programs must be able to demonstrate their program has relevance to the juvenile population they are serving.
 - b. Programs must consider the safety of youth who may be vulnerable or who may face retaliation in the family, community, or placement.
 - c. Providers do not exist in isolation. Providers should seek opportunities to network with other providers and agencies about current and evolving interventions and research.
2. Home environment
 - a. Parental/caregiver interference or lack of cooperation shall be well documented in the participant file.
3. Need for extra protections, services, and supports
 - a. Programs must develop and maintain relationships with referring agencies to enhance the protection of juvenile participants.
 - b. Programs must document attempts to link juveniles with additional needed services when appropriate.
 - c. Programs must have written policies in place for the sharing of information with other agencies and individuals, particularly in regard to parents/caregivers, the courts, child welfare agencies, and other referring agencies.

B. Elements

1. Protecting children- creating a safe environment
 - a. The location of the program shall not create additional safety concerns for juvenile participants. Programs shall consider the following when developing programming for juveniles:
 - i. Time and transportation (school hours, if youth walk, etc.); and
 - ii. Interaction with adult participants.
 - b. Programs shall develop written policies regarding agency considerations for protecting youth safety.
2. Mandatory reporting

- a. The assessor shall obtain the written consent of the parent/legal guardian and the written informed consent of the juvenile prior to the assessment. The juvenile and parent/guardian shall be informed of the assessment methods and how the information may be used and to whom it will be released. The assessor shall also inform the juvenile and parent/guardian about the nature of the assessor's relationship with the juvenile and with the court. The assessor shall respect the juvenile's right to be fully informed about the assessment procedures.
 - b. Programs must have written policies in place to accommodate mandatory reporting requirements.
3. Payment/accountability
- a. Programs do not have to require juveniles to contribute to the funding of BIP services. Programs requiring payment of services for juvenile participants shall have written policies in place regarding responsibility of payment, to include the documented written consent to payment of services by the responsible party.

C. Program Role in Community

- 1. Programs shall develop and maintain relationships with referring agencies to enhance the protection of the child. Programs shall provide the referral source with participant progress updates on a minimum of a monthly basis. Progress reports shall be maintained in the participant file.

D. Technical Considerations

- 1. Assessment- Specific Considerations
 - a. In addition to the completion of the KDVOA, assessors shall consider the following when making an assessment determination and referrals for additional services:
 - i. Family Functioning
 - ii. Cognitive/Developmental Ability/Functioning
 - 1. History and current
 - iii. School/community functioning
 - 1. Delinquency/truancy
 - 2. Learning/ IEP
 - iv. Social services involvement
 - 1. Placement history/disruptions
 - v. Developmental history/milestones
 - 1. Daily living skills
 - vi. Stability in current living situation
 - vii. Driving/transportation/reliability
 - viii. Extra-curricular activities/Social Supports/other protective factors
 - b. The program shall attempt to obtain those records necessary to make an assessment determination (including when applicable: police reports, court orders, DCF reports, treatment plans, school records), and document those attempts.
- 2. Groups

- a. Not all youth should be placed together in the same group, however not all differences require separate groups. Considerations in serving youth in different groups include:
 - i. Number of youth in group (not to exceed 10)
 - ii. Gender and sexuality
 - iii. Concrete v. abstract thinking ability
 - iv. Age/maturity factors
 - 1. No participant under the age of sixteen (16) shall be permitted in a group with a participant aged eighteen (18) or older.
 - b. Programs must document determinations as to why a juvenile was placed in a particular group. Programs shall report to the referring agency which group the juvenile is placed in.
 - c. Groups facilitated by a single facilitator are strongly discouraged and should be used only when options are limited. Programs utilizing a single facilitator shall make written notice to the OAG BIP Unit regarding the necessity for a single facilitator, and protections in place.
3. Length of program
- a. The program shall be a minimum of 12 weekly group sessions. Intake and orientation are in addition to these sessions. Each session shall be a minimum of 90 minutes, and not exceed 2 hours. Completion of the program shall not be based on the attendance of 12 weeks alone—but based on the demonstration of goal completion and skill acquisition as determined by the program.
 - b. Discharge by the court or other referring agency is not equivalent to completion of the program. Programs shall inform referral sources of the time required to complete the program, and maintain active communication regarding the status of the juvenile in the program.
4. Curriculum
- a. Programs shall utilize curriculum appropriate for the developmental level of the group. Curriculum must be approved by the OAG BIP Unit prior to use.
5. Confidentiality
- a. Programs must be able to demonstrate that forms and policies take into consideration the confidentiality needs of juvenile clients.
6. Documentation
- a. Programs intending to provide BIP services to juveniles shall make written notice to the OAG BIP Unit at least 30 day prior to beginning services, and submit all required documentation for approval.
 - b. In addition to the general documentation requirements, the following documentation shall be maintained in the file of each juvenile assessed for BIP services:
 - i. Monthly progress reports provided to referral source;
 - ii. Juvenile BIP specific confidentiality forms;
 - iii. Juvenile BIP specific group policies and procedures;
 - iv. Documentation of payment source, if provider is receiving payment for services; and

- v. Referrals for additional services, and communications with those referrals regarding coordination of services.

E. Personnel Qualifications

- 1. No program shall hire any individual for a role involving direct contact with a juvenile, who has been convicted of a crime against a child.

F. Training Requirements for Program Staff

- 1. Additional training/experience requirements for working with juveniles
 - a. Fifteen (15) hours of domestic violence specific training related to the enhancement of a batterer intervention program agent or employee's practice, values, ethics, skills, or knowledge of working with juveniles that is approved by the Office of the Attorney General, including juvenile specific BIP training provided by the OAG.
- 2. Additional CEUs for working with juveniles
 - a. Staff in contact with juveniles must obtain an additional eight (8) hours of training during each two (2) year renewal period oriented to the enhancement of a batterer intervention program agent or employee's practice, values, ethics, skills, or knowledge of working with juvenile clients.
 - b. Content of continuing education must be approved by the Office of the Attorney General.

OFFICE OF THE ATTORNEY GENERAL

120 SW 10TH AVE, 2ND FLOOR, TOPEKA KS 66612-1597

FAX:785-296-7796

CERTIFIED BATTERER INTERVENTION PROGRAM STATISTICAL REPORT

DUE ON JAN. 5TH AND JULY 5TH OF EACH YEAR OF CERTIFICATION OR THE FIRST BUSINESS DAY FOLLOWING, IF ON A WEEKEND OR HOLIDAY

Report period (circle one):	Jan.-June	July-Dec.	Year:	Report type (Circle one):	ADULT	JUVENILE
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Assessments:	Men	Women	Nonbinary	Total
BIP Recommended				
<i>Referrals:</i> (In addition to BIP)				
Drug/Alcohol				
Mental Health				
Victim Advocacy				
Other (specify):				
None				
BIP Not Recommended				
<i>Recommendations:</i> (In lieu of BIP)				
Anger Management				
Drug/Alcohol				
Mental Health				
Victim Advocacy				
Other (specify):				
No Recommendations				
Total Assessed:				

Program: _____

Group	Men	Women	Nonbinary	Total
Completed				
Non-completed				
Drop out				
Terminated				
Continuing				
Transfer (to another BIP)				
Other (specify):				

Referral Sources:	Men	Women	Nonbinary	Total
Adult Criminal Court				
CINC/Child Welfare				
Family/Domestic/Civil Court				
Juvenile Criminal Court				
Self Referral				
Other (specify):				

Victim Contacts:	Total
Number of victims completing contact	
Number of victims attempted but no contact	
Total:	

Unduplicated Served:	Total
Total Unduplicated Served During Reporting Period	
(If assessment and group was provided for an individual, only count them one time.)	

Name and Title (Print)

Signature

Date _____