

Child Protective Services Central Registry Information

22 VAC 40-700

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22 VAC 40-700-10. Definitions.

The following words and terms when used in conjunction with this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Central registry" means [a subset of the child abuse and neglect information system and is] the name index [with identifying information] of individuals [named as an abuser and/or neglector in] founded ~~[involved in]~~ child abuse and [/or] neglect [complaints or] reports [not currently under administrative appeal,] maintained by the ~~[Virginia Department of Social Services department]~~.

"Child protective services" means the identification, receipt and immediate investigation of complaints and reports of child abuse and neglect for children under 18 years of age. It also includes documenting, arranging for, or providing social casework and other services for the child, his family, and the alleged abuser.

"Complaint" means a valid report of suspected child abuse or neglect which shall be investigated by the local department of social services.

"Founded" means that a review of all the facts shows ~~clear and convincing~~ by a preponderance of the evidence that child abuse or neglect has occurred.

"Identifying information" means name, race, sex, and date of birth of the subject.

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"Investigating agency" means the local department of social services responsible for conducting investigations of child abuse or neglect complaints pursuant to § ~~63.1-248.6~~ 63.2-1503 of the Code of Virginia.

~~*"Reason to suspect"* means that a review of the facts shows no clear and convincing evidence that child abuse and neglect has occurred. However, the situation gives the worker reason to believe that abuse or neglect has occurred.~~

"Unfounded" means that a review of the facts shows no reason to believe that abuse or neglect occurred.

22 VAC 40-700-30. Maintenance of identifying information.

Identifying information in reports of child abuse and neglect shall be maintained in the central registry as follows:

1. Eighteen years past the date of the complaint for all complaints determined by the investigating agency to be founded, Level 1.
2. Seven years past the date of the complaint for all complaints determined by the investigating agency to be founded, Level 2.
3. Three years past the date of the complaint for all complaints determined by the investigating agency to be founded, Level 3.
4. ~~One year past the date of the complaint for all complaints determined by the investigating agency to be reason to suspect.~~

If an individual is involved in more than one complaint, the information from all complaints will be maintained until the last deletion date has been reached.

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I certify that this regulation is full, true, and correctly dated.

Debra Price Andrews, Chair
State Board of Social Services
December 18, 2002