

Child Protection Levels Discussion with the Children's Justice Act (CJA) Task Force and Act 154 Workgroup

November 19, 2025

Please be advised that these meeting notes do not constitute decisions formally made by the Division, although they may be implemented into the final Act 154 policies and procedures. The information included herein comprises input from multiple agencies, the Act 154 Core Team, and stakeholders.

Today's Overview:

The Act 154 Workgroup convened to discuss refining child protection levels, emphasizing transparency in rules and policies for assessing risk. The focus was on the child protection registry tiers, which determine the duration before a substantiated individual can request expungement.

Child Protection Levels/Tiers:

- Level 1: Represents the most serious risk.
- Level 2: Includes sexual abuse, physical abuse, and neglect of a child under 3.
- Levels 3 & 4: Discussed potential adjustments to timeframes and criteria.

Questions, Comments, and Clarifications:

- Discussion occurred surrounding an "off-ramp" if automatic expungement is being considered.
- Points were raised that individuals can re-petition for expungement after 3 years if they are initially denied.
- There was a consensus from stakeholders that encouraging treatment to expedite expungement should occur, especially for younger individuals placed on the Child Protection Registry (CPR).
- A decision has not been made regarding who will determine the level at the time of substantiation.
- Concerns were raised about including the risk of sexual abuse in Level 1. Stakeholders reported that this substantiation category is challenging for many reasons. Family Services staff referred the group to Family Services Policy #57 and McGrath Psychological Services for information on the Risk of Sexual Abuse of Children (ROSAC) tool used in these cases.
- Discussion occurred surrounding the intersection between neglect and poverty. Statute does not allow poverty to be the sole basis of substantiation. Family Services staff discussed case examples and approaches to mitigate neglect concerns in cases primarily based on poverty.
- Specific concerns for the 0-3 population were discussed, including the risk of fatalities: "[Within Our Reach: A National Strategy to Eliminate Child Abuse and](#)

Neglect Fatalities." There was consensus that children under 3 are especially vulnerable.

- There was consensus that the treatment of the individual must be considered when assessing expungement and substantiation.
- Employment opportunities are impacted by substantiations.
- There was consensus surrounding the need for individualized and case-specific substantiation decisions. There cannot be a "one-size-fits-all" approach.
- A point was raised that an incentive for treatment completion could be considered to shorten expungement timeframes.

December Meetings: The meeting on December 1st is canceled. The next meeting is scheduled for December 10th, focusing on substantiating juveniles with problematic sexual behaviors.