

EXPUNGEMENT REVIEW

You may request a review to have your name expunged (*removed*) from the registry once it's been on a certain number of years. How long you have to wait depends on:

- ▶ When you were substantiated, and
- ▶ Your child protection level (*if any*).

Read page 1 of the attached form to learn when you may request an expungement review. You may NOT request one while you're required to be on the sex offender registry.

What happens if I request one?

1. You'll get the chance to present information to a reviewer. They'll consider factors such as the:
 - ⇒ Nature & number of substantiations,
 - ⇒ Amount of time that's passed,
 - ⇒ Likelihood that it will happen again, and
 - ⇒ Things you've done to change.
2. You'll be notified of the decision, which is made by the DCF Commissioner.
3. If your request is denied, you may appeal to the Human Services Board.

REQUEST A REVIEW

1. Read page 1 of the attached form to learn if you may request one at this time.
2. If you may, complete page 2 of the attached form.
3. Answer the questions completely & accurately.
We cannot process your request unless it's complete.
4. Indicate the type of review you're asking for.
5. Mail it to:

Department for Children and Families
Commissioner's Registry Review Unit
HC 1 North, 280 State Drive
Waterbury, VT 05671-1080

If you have questions or need assistance, call (802) 241-2321.

You have the right to:

- ▶ Free interpretation services if you have limited English.
- ▶ Reasonable accommodations if you have a disability.



Vermont's Child Protection Registry

 **VERMONT**
AGENCY OF HUMAN SERVICES
DEPARTMENT FOR CHILDREN & FAMILIES

When DCF investigates a report of child abuse or neglect, we must decide whether a reasonable person would believe that it happened. If the answer is YES, the report is substantiated and the person's name is added to the Child Protection Registry.

What's in a registry record?

1. The person's name.
2. At least one other fact to help identify them (e.g., date of birth).
3. The date & nature of the finding.
4. A child protection level related to their risk of future harm to children — for all records added on or after July 1, 2009.

Can the public access the registry?

No. But current or potential employers may access it if:

- ▶ The person being checked gives their permission, and
- ▶ The work involves children, youth or vulnerable adults.

What if I get substantiated?

Your name will be added to the registry — unless you challenge the substantiation and get it overturned.

How can a record affect me?

It could affect your ability to:

- ▶ Adopt a child,
- ▶ Become a child care provider,
- ▶ Provide foster/respite care, and
- ▶ Work or volunteer in positions involving children, youth or vulnerable adults.

Others may request your record if it's relevant. This includes:

- ▶ Adult/child protection agencies,
- ▶ Board of Medical Practice, and
- ▶ State's attorneys.

SUBSTANTIATION REVIEW

If you were substantiated:

▶ From January 1, 1992 to August 31, 2007:

You may request a review to challenge it — at any time.

▶ On/after September 1, 2007:

You may request a review to challenge it — within 14 days of when we mailed you a letter advising that:

- ⇒ We intend to add your name to the registry.
- ⇒ You have the right to request a substantiation review.

What happens if I request one?

1. We'll contact you to schedule a meeting with an independent reviewer.
2. Once it's scheduled, we'll send you a confirmation letter and copies of redacted investigative documents (*per the law*).
3. After the meeting, the reviewer may:
 - ⇒ Uphold the substantiation,
 - ⇒ Overturn it, or
 - ⇒ Direct DCF to reopen the investigation.
4. You'll be sent a decision letter.
5. If the reviewer upholds the substantiation:
 - ⇒ We'll add your name to the registry (*or keep it on if it's already there*).
 - ⇒ You may appeal the decision to the Human Services Board.

If you don't request a review in the time allowed:

- ▶ Your name will be added to the registry (or stay if it's already there).
- ▶ The decision will be final and you'll have no further right to request a substantiation review.

REQUESTING A REVIEW FROM Vermont's Child Protection Registry

Instructions for making a request:

1. Start by reading the information below to see if you may request one — at this time.
2. If you can, complete the next page.
3. Mail your completed form to the address provided.

SUBSTANTIATION REVIEW

When you were substantiated	When you may request a review
▶ From January 1, 1992 to August 31, 2007	▶ At any time
▶ On or after September 1, 2007	▶ Within 14 days of when we mailed you a letter telling you about the substantiation

EXPUNGEMENT REVIEW

You may NOT request one while you are required to be on the sex offender registry.

When you were substantiated	Your child protection level	How long you have to wait
▶ Before July 1, 2009	No level	3 years
▶ From July 1, 2009 to February 28, 2019	1	7 years
	2	3 years
	1	15 years
	2	7 years
▶ On or after March 1, 2019	3	3 years
	4	1 year

If you were substantiated for behavior that happened before you were 10, your registry record will be automatically expunged when you turn 18 — as long as you have no additional substantiations.

If you were substantiated for behavior that happened before you were 18, you may request a review after your name has been listed on the registry for at least three years.

Request for a Registry Review (page 2)

Check the type of review(s) you're requesting:

- ☐ **SUBSTANTIATION REVIEW** - to challenge the substantiation
- ☐ **EXPUNGEMENT REVIEW** - to have your name expunged (*removed*) from the registry
⇒ If you're asking for an expungement review, is it related to employment? ☐ yes ☐ no

ANSWER THE FOLLOWING QUESTIONS COMPLETELY AND ACCURATELY. PRINT CLEARLY.

Information about the person substantiated

Last name	First name	Middle name
Other names used		
Mailing address	City/town & state	Zip code
Date of birth (mm/dd/yyyy)	Daytime phone (with area code)	Email address

Parent/legal guardian of the person substantiated (if necessary)

Include your information below if you're the parent of the child, or legal guardian of the adult, who is the subject of this request.

Last name	First name	Middle name
Daytime phone (with area code)	Email address	

Signature of the person substantiated or the parent/legal guardian

Signature		Date
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R-02/19

Mail your completed form to:

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Commissioner's Registry Review Unit
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Waterbury, VT 05671-1080