 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Child Welfare
	Chapter No./Name	4 – Child Protective Services (CPS)
	Part No./Name	2 – Louisiana Central Registry
	Section No./Name	Louisiana State Repository and Central Registry
	Document No./Name	4-230 Louisiana State Central Registry
	Effective Date	April 15, 2023

I. STATEMENT OF POLICY

It is the policy of the Department of Children and Family Services (DCFS) that a State Central Registry (SCR) is maintained which is a listing of individuals who are found to be a perpetrator in certain valid investigations. The SCR will be maintained in accordance with Louisiana law and Administrative Code.

II. PROCEDURES

A. STATE CENTRAL REGISTRY INFORMATION

The SCR is a sub-system of ACESS and the State Repository. The Repository includes information on all reports and investigations of child abuse/neglect. Beginning July 1, 2018, the SCR **only** includes the following information:

- Individuals who have valid findings for Tier I, II or III allegations; and,
- An involvement of perpetrator of abuse or neglect; and,
- The individual's appeal rights have been exhausted (case status of appeals exhausted).

The information is automatically placed on the SCR ACESS System when the administrative appeal rights of the individual are exhausted. The investigation case status changes from either "Notification Sent" or "Pending Appeals" to "Appeals Exhausted" when this occurs. Prior to the exhaustion of the individual's appeal rights, they are **not** listed on the SCR.

Refer to Section 4-220, Tiered Validity System, for information on the tiers


B. MAINTENANCE OF INFORMATION PRIOR TO JULY 2018

1. Valid Findings for Family Investigations

Information on non-fatality family investigations with valid final findings prior to July 1, 2018 will be maintained on the SCR for the lesser of:

- The length of time as determined for the allegation in accordance with the SCR Tier System; or,
- The retention period in effect at the time of the valid/justified determination.

Information on non-fatality family investigations with valid final findings prior to July 1, 2018, was maintained on the SCR until the youngest child in the victim's family at the time of the investigation, identified on the Registry, reached the age of 18 or for 10 years from the final finding, whichever was longer.

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When there was a subsequent investigation or Alternative Response Family Assessment (prior to July 1, 2018) involving the same perpetrator, the valid findings were maintained until the longest retention period for the investigations with valid findings and assessments had elapsed.

Information on child fatality investigations with valid final findings both prior to July 1, 2018 and beginning July 1, 2018 will be maintained indefinitely.

2. Valid Final Finding for Restrictive Care Facilities, Day Care Centers and Registered Family Child Day Care Homes

Information on non-fatality family investigations with valid final findings prior to July 1, 2018 will be maintained on the SCR for the lesser of:

- The length of time as determined for the allegation in accordance with the SCR Tier System; or,
- the retention period in effect at the time of the valid/justified determination.

Information on investigations of restrictive care facilities, child day care centers and registered family child day care homes with valid final findings prior to July 1, 2018, were maintained for 10 years, unless there was another report and investigation involving the same perpetrator. In those cases, the valid findings were maintained until the longest retention period for the investigations with valid findings.

3. Valid Final findings for Family Foster Homes

Information on individuals in non-fatality family foster investigations with valid final findings prior to July 1, 2018 will be maintained on the SCR for the lesser of:


- The length of time as determined for the allegation in accordance with the SCR Tier System; or,
- the retention period in effect at the time of the valid/justified determination.

Information on investigations of family foster homes with valid final findings for child abuse or neglect of a foster child prior to July 1, 2018 will be maintained on the State Central Registry in accordance with the Tiered Validity System.

C. MAINTENANCE OF INFORMATION BEGINNING JULY 2018

Beginning July 1, 2018, information will be maintained on the SCR based on the Tiered Validity System for all types of investigations as follows:

- Tier I allegations will remain on the SCR permanently;
- Tier II allegations will remain on the SCR for 18 years;

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- Tier *** III** allegations will remain on the SCR for seven years;

Individuals in investigations who have been determined to be valid as a perpetrator of child abuse and/or neglect subsequent to July 1, 2018, will be maintained on the SCR in accordance with the application of the SCR Tier level. Each valid allegation shall be assigned a Tier level for each perpetrator and child victim combination. At the time of the case closure, the highest Tier of all valid allegations shall be assigned to that perpetrator.

D. NOTICE OF SCR AND APPEAL RIGHTS

Individuals in investigations who have been determined to be valid as a perpetrator of child abuse and/or neglect for a Tier 1, 2, or 3 finding, as defined in LAC 67:V.1103.A, subsequent to July 1, 2018, shall be provided written notice of the SCR and the rules governing maintenance and release of SCR records.

The written notice shall also inform the individual of their right to an administrative appeal pursuant to LAC 67:V.1111.

Individuals with a valid final finding prior to July 1, 2018, will also have the right to an administrative appeal of their finding, if their appeal rights have not been exhausted.

E. PLACEMENT ON THE SCR


The individual's name is not placed on the SCR until they have exhausted their right to an administrative appeal. If the individual fails to request an administrative appeal within **20 **** days of the written notification of the justified/valid finding; withdraws their request for an administrative appeal; or, the valid finding is upheld by an administrative law judge, the individual's name will be immediately placed on the SCR, if applicable.

Once an individual has exhausted their administrative appeal rights, their name is listed on the SCR, if at least one valid finding that meets the criteria for a Tier I, II or III finding, as defined in LAC 67:V.1103.A is upheld.

F. SUBSEQUENT INVESTIGATIONS

Information on individuals in child abuse or neglect investigations that appear to be invalid or inconclusive used as a part of the basis of a later, related and valid Tier I, II or III determination shall become part of the file for the justified/valid report and shall cease to be a separate report. The information will be maintained on the SCR for the length of the time for the valid determination.

When there are subsequent investigations with valid findings for Tier I, II or III allegations, the information on the individual perpetrator will be maintained on the SCR in accordance with the applicable Tier for the valid allegations.

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III. FORMS AND INSTRUCTIONS

There are no forms and instructions associated with this policy.

IV REFERENCES

Children’s Code Article 616

LAC 67:V.1103

LAC 67:V.1111