What is child maltreatment?

Child maltreatment means abuse, neglect, or abandonment of a child by the caretaker (a parent, guardian, custodian, or foster parent). The caretaker may be anyone who is 14 years of age or older and entrusted with the care of the child. Child maltreatment occurs when the caretaker harms the child, lets harm come to the child, or fails to meet the child's basic needs. Child maltreatment also includes sexual abuse and exploitation of a child whether by a caretaker or by another person.

Who reports child maltreatment?

Anyone who suspects child maltreatment may make a report. Some people (for example, doctors, teachers, and school counselors) are required by law to report suspected child maltreatment.

What happens when there is a report of child maltreatment?

When the Child Abuse Hotline accepts a report of suspected child maltreatment, Arkansas law says that the Division of Children and Family Services (DCFS) or the Arkansas State Police Crimes Against Children Division (CACD) will investigate the report. Generally, CACD will investigate severe maltreatment allegations, referred to as Priority I allegations, but DCFS may help provide services to families involved in these cases if appropriate. DCFS will generally investigate less severe maltreatment allegations that are referred to as Priority II allegations and also provide services to families involved in Priority II cases if appropriate. DCFS and/or CACD will work with you to make sure that children in your care are protected and their basic needs met. If you do not protect the children in your care, court action may be taken and your children could be removed from your home.

What happens if the report is true?

If you are named as an offender in a true investigative determination, you will be provided notice and have thirty (30) days from the day you receive the notice to request an administrative hearing. The administrative hearing is your opportunity to appeal the investigative determination. If you do not request the administrative hearing within thirty (30) days or the judge at the hearing decides the true determination will remain a true finding, your name will be placed in the Arkansas Child Maltreatment Central Registry.

Under certain situations, your name can be removed from the Central Registry. Please contact your local DCFS County Office for more information. If there is a true finding of sexual abuse, but the offender is under 14 years old (Underage Juvenile Offender), his or her name will not be added to the Central Registry.

What if the report is unsubstantiated (not true)?

If you are named as an offender in an unsubstantiated report, your name will not be placed on the Child Maltreatment Central Registry. If you are the

subject* of a report, you may request a copy of the report. See "Obtaining a Copy of the Report" below. Hard copy records of unsubstantiated reports are destroyed at the end of the month in which the determination is made. Therefore, requests for unsubstantiated reports must be made before the record is destroyed if a complete copy of the record is wanted. Information contained in the automated database will continue to be available to authorized recipients even after the hard copy is destroyed. The Division will not release any information regarding a pending child maltreatment report to you. If requested, DCFS can tell the court and the prosecuting attorney about the report.

How can you obtain a copy of the report?

DCFS will tell you in writing. You will not be told who made the report. If you are the subject* of the report, send a written, notarized request to get a copy of your report. The written request must give your name and address and the name of the child(ren) involved.

A true report may be released only if: (1) the offender has failed to request an administrative hearing within thirty (30) days of receiving notification of the investigative finding; or, (2) a hearing has been held and the judge decides that investigative finding of true should remain as a true finding.

If you are a parent requesting a copy of a child maltreatment report on your child(ren), and you are **NOT** a subject* of the report, your request must include a statement attesting to your legal relationship to the child(ren).

The request for a copy of a report must be accompanied by a check or money order made payable to the Department of Human Services (DHS) in the amount of ten dollars (\$10.00).

Thank you for taking the time to review this important information.

Family Service Worker Signature

Phone

Or

CACD Investigator Signature

Phone

*A subject of the report includes the offender, the victim child, and the victim child's parents (custodial and non-custodial), guardians or legal custodians.

Where do I send the request?

You should send the written, notarized request to:

Arkansas Department of Human Services Division of Children and Family Services Central Registry Unit P.O. Box 1437, (Slot S566) Little Rock, Arkansas 72203-1437

If I have more questions, where can I get the answers?

Call your own attorney or Legal Services in your community, if you have any legal questions.

Call your local DHS county office if you have questions about available services.

This information is available in different formats such as: large print, audiotape, etc. If you need another format, contact the Division's ADA Coordinator at 682-8760 or TDD 682-1442.

CHILD PROTECTIVE SERVICES

A Caretaker's Guide

ARKANSAS DEPARTMENT of HUMAN SERVICES

Division of Children and Family Services in partnership with the Arkansas State Police Crimes Against Children Division

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