**\*\*\*Remove or replace all red and italicized content before sending to client\*\*\***

**MINOR PERPETRATOR – CRIMINAL CONVICTION**

**NOTICE OF SUBSTANTIATION (CRIMINAL CONVICTION BASED ON SAME CHILD ABUSE AND NEGLECT INCIDENT)**

DFS LETTERHEAD

*Date of Notice*

*Name*  **(Notice sent via certified mail,**

*Street Address* **return receipt requested**

*City, DE and Zip Code*  **and First Class U.S. Mail)**

FOCUS Case Number:

NOTICE OF SUBSTANTIATION FOR ABUSE OR NEGLECT AND ENTRY ON CHILD PROTECTION REGISTRY

Dear [*Custodial Parent’s Name*] and [*Name of Alleged Child Perpetrator (Do not address the child as Master/Miss)]*:

 Following an investigation, the Delaware Division of Family Services (DFS) has determined that you, [*insert child’s name*]*,* were responsible for an incident of abuse or neglect regarding [*child’s name*]. This incident occurred on or about *[month, day, year],* at which time DFS has determined that you *[describe the incident of abuse or neglect]*. Your case will be *[transferred/closed; if closed explain why]*.

 Because of your conviction for *[insert charge] [insert* by plea *or* after trial*]* on [*insert conviction date*]involving the same incident of abuse or neglectinvestigated by the Division and described above, it is not necessary for the Divisionto initiate Child Protection Registry proceedings. As provided in 11 *Delaware Code* §8563(b), employers that are required to do criminal background and Child Protection Registry checks will be advised that as a result of this conviction, you are placed at [*Insert Level*]and are ***[ADD THE* *FOLLOWING INFORMATION IF THE CRIME FITS IN LEVELS I or II*:*]*** eligible for employment in a child care facility, health care facility, or public school; ***[add the following* *Information if THE crime fits in level III:]*** ineligible for employment in a child care facility, health care facility, or public schoolfor seven years after the convictiondate because the offense involved a child victim; ***[ADD THE FOLLOWING INFORMATION IF THE CRIME FITS IN LEVEL IV*:*]*** ineligible for employment in a child care facility, health care facility, or public school after the conviction date because the offense involved a child victim**.** In addition, your name and other case information will remain in the DFS internal information system and will be reported in response to inquiries related to application for employment in the Department of Services for Children, Youth and Their Families, foster and adoptive parent decisions, child care licensing decisions, reporting pursuant to Section 309 of Title 31, or any other purpose set forth in Title 16, Section 906(b) of Chapter 9.

A minor who is entered on the Child Protection Registry on any level as a result of a civil or criminal proceeding may file a Petition for Removal from Child Protection Registry for One Entered as a Juvenile any time after his/her 18th birthday. The petition must be filed in Family Court in the county where the civil substantiation or criminal proceeding occurred.

Sincerely,

 *Caseworker’s Name*

 *Job Title*

DFS/Investigation Unit

 *Supervisor’s Name*

 *Job Title*

 DFS/Investigation Unit

Pc: Case Record