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

**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 *[Alleged Perpetrator’s Name]:*

 Following an investigation, the Delaware Division of Family Services (DFS) has determined that you 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]*.

 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**.**

You have a right to file a Petition for Limited Purpose Hearing to determine whether the above conviction meets the requirements of 16 *Delaware Code* §922(1). Your petition must be filed in Family Court within 30 days of the date of this Notice of Substantiation and shall include a copy of this Notice. The petition shall explain the reasons why the conviction does not meet the requirements set forth in 16 *Delaware Code* §922(1). If a Petition for Limited Purpose Hearing is not filed within 30 days of the date of this Notice of Substantiation, you shall remain automatically placed on the registry pursuant to 16 *Delaware Code* §922(1).

Finally, 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 31*Delaware Code* §309, or any other purpose set forth in 16 *Delaware Code*, §906(b).

Sincerely,

 *Caseworker’s Name*

 *Job Title*

DFS/Investigation Unit

 *Supervisor’s Name*

 *Job Title*

 DFS/Investigation Unit

Pc: Case Record

# NO FAMILY COURT HEARING REQUEST FORM