

VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

CHAPTER 371

An Act to amend and reenact § 63.1-248.8 of the Code of Virginia, relating to the child protective services' central registry.

[H 406]

Approved April 1, 2002

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-248.8 of the Code of Virginia is amended and reenacted as follows:

§ 63.1-248.8. Central registry; disclosure of information.

The central registry shall contain such information as shall be prescribed by State Board regulation; however, when the founded case of abuse or neglect does not name the parents or guardians of the child as the abuser or neglecter, and the abuse or neglect occurred in a licensed or unlicensed child day center, a regulated family day home, a private or public school, a child-caring institution or a residential facility for juveniles, the child's name shall not be entered on the registry without consultation with and permission of the parents or guardians. If a child's name currently appears on the registry without consultation with and permission of the parents or guardians for a founded case of abuse and neglect that does not name the parents or guardians of the child as the abuser or neglecter, such parents or guardians may have the child's name removed by written request to the Department. The information contained in the central registry shall not be open to inspection by the public. However, appropriate disclosure may be made in accordance with State Board regulations.

The Department shall respond to requests for a search of the central registry made by (i) local departments of social services and (ii) local school boards regarding applicants for employment, pursuant to § 22.1-296.4, in cases where there is no match within the central registry within ten business days of receipt of such requests. In cases where there is a match within the central registry, the Department shall respond to requests made by local departments of social services and local school boards within thirty business days of receipt of such requests. The response may be by first-class mail or facsimile transmission.

Any central registry check of a person who has applied to be a volunteer with a (a) Virginia affiliate of Big Brothers/Big Sisters of America, (b) *Virginia affiliate of Compeer*, (c) volunteer fire company or volunteer rescue squad, or (d) with a court-appointed special advocate program pursuant to § 9.1-153 shall be conducted at no charge.