

CHAPTER 74

An Act to amend and reenact § 63.2-1515 of the Code of Virginia, relating to central registry of founded complaints; checks for certain volunteer organizations.

[S 185]

Approved March 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1515 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1515. Central registry; disclosure of information.

The central registry shall contain such information as shall be prescribed by 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 licensed, registered or approved family day home, a private or public school, or a children's residential facility, 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 Board regulations.

The Department shall respond to requests for a search of the central registry made by (i) local departments 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~~ 10 business days of receipt of such requests. In cases where there is a match within the central registry regarding applicants for employment, the Department shall respond to requests made by local departments and local school boards within ~~thirty~~ 30 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) *Virginia affiliate of Childhelp USA®*, (d) volunteer fire company or volunteer rescue squad, or ~~(d)~~ (e) with a court-appointed special advocate program pursuant to § 9.1-153 shall be conducted at no charge.