

TITLE	POLICY NUMBER	
Use of DCS Central Registry Information for Direct Service Employment Decisions	DCS 04-11	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Human Resources	12/16/2017	2

## I. POLICY STATEMENT

The Department of Child Safety (DCS) shall utilize information contained in the DCS Central Registry as a factor in determining an applicant's suitability for employment with the DCS.

## II. APPLICABILITY

This policy applies to any person who has submitted an application for employment and any person submitting an application for a volunteer or intern position.

## III. AUTHORITY

[A.R.S. § 8-201](#)

Definitions

[A.R.S. § 8-804](#)

Central registry; notification

[A.R.S. § 8-807](#)

DCS information; public record use; confidentiality; violation; classification; definition

[A.R.S. § 41-773](#)

Causes for dismissal or discipline for employee in covered service

[A.A.C. R2-5A-501](#)

Standards of Conduct

#### IV. DEFINITIONS

Applicant: A person who submits an application for employment. Applicants also include persons who apply for an internship or volunteer position.

Central Registry: The database of substantiated reports of child abuse or neglect contained within the Department's case management information system.

Child: An individual who is under 18 years of age.

Department or DCS: The Arizona Department of Child Safety.

Hiring Authority: Department employees, or their designees, who are authorized to offer employment to applicants.

Perpetrator: For the purposes of this policy, an individual who commits an act of child abuse or neglect.

Substantiated report: An allegation of child abuse or neglect found to be true by a preponderance of the evidence.

#### V. POLICY

- A. Applicants for employment must certify using the [Consent to Release Information for Employment Purposes](#) form whether they have been identified in any state or jurisdiction as the perpetrator in a substantiated report of child abuse or neglect, or are identified as the perpetrator in a pending investigation or appeal of a report of child abuse or neglect.
- B. The Department shall conduct Central Registry background checks for all applicants. Any applicant identified as the perpetrator in a substantiated report of child abuse or neglect in the Central Registry is ineligible for employment with DCS.
- C. The Department shall use information contained in the Central Registry and/or other available credible sources to confirm information provided by applicants. The Recruitment Manager or designee will review all reports before a final decision regarding employment is made. This information shall be used as a factor, including the frequency, severity, and totality of the circumstances related

to the report(s) in determining eligibility for employment.

- D. Applicants whose children have ever been adjudicated dependent are disqualified from employment. Applicants who have open DCS case will have their application placed on hold by the DCS Human Resources Recruitment Manager. Cases must be closed prior to a final job offer, internship, or volunteer application decision.
- E. Applicants whose parental rights have ever been involuntarily terminated are disqualified from employment.
- F. All information obtained through or as a result of this policy is confidential by law. Department employees who in any way disclose or use information obtained through or as a result of this policy for any purposes other than those authorized by law are subject to disciplinary action up to and including dismissal. Unauthorized dissemination of DCS information is a class 2 misdemeanor.

## VI. PROCEDURES

- A. Human Resources verifies requisitions for open positions and includes in the job announcement that the position requires a Central Registry search.
- B. The Hiring Authority or designee responsible for filling a position ensures that all applicants complete a *Consent to Release Information for Employment Purposes* form as part of the application process to certify whether they are involved in a pending investigation or appeal of a substantiated report of child abuse or neglect, or have been identified in any state or jurisdiction as the perpetrator in a substantiated report of child abuse or neglect.
- C. When an applicant discloses that they are under a pending DCS investigation or appeal, or have been identified in any state or jurisdiction as the perpetrator in a substantiated report of child abuse or neglect, the following actions are taken:
  - 1. The Recruiter will communicate with the applicant to determine if the applicant should be disqualified for the position they applied for based on information provided by the applicant or information located in the Central Registry with substantiated results during the background check. Applicants that report open cases or a substantiated case under appeal may be qualified for a position after further review.
  - 2. Applicants that are recommended for hire are required to complete the *Consent*

*to Release Information for Employment Purposes* form as part of the application process to explain details of the open or closed allegations, substantiated cases under appeal to include what the allegation was, when/where the investigation was conducted and the outcome.

- a. The Hiring Authority or designee contacts the state or jurisdiction where the substantiated act occurred.
  - b. The Hiring Authority or designee uses any information provided to determine the suitability of the applicant for employment.
  - c. If no information is provided by the identified state or jurisdiction, the Hiring Authority may use any credible information and any information that has been provided by the applicant to determine their suitability for employment.
3. Refusal to sign the form will result in disqualification from consideration for employment.
- D. Prior to extending an offer of employment for a position covered by this policy, the Hiring Authority arranges for/verifies that a search of the applicant's name and date of birth is made against the Central Registry.
1. Human Resources staff perform this search.
  2. Based upon need, Human Resources staff may consult with other units within DCS to assist in interpreting the Central Registry information.
- E. For all applicants identified as a perpetrator in an open report that has not been substantiated, the following apply:
1. Human Resources will send the applicant's name and identifying information to the DCS Office of the Ombudsman for further investigation.
  2. The Office of the Ombudsman will forward a summary of their investigation to DCS Human Resources Recruitment Manager to make a determination about the applicant's status.
  3. Human Resources maintains this information in the applicant's recruitment folder, separate from the official recruitment file in the applicant tracking system, for two-and-one-half years from the date of the review.

- F. Current employees are required to notify their immediate supervisor that they have been identified as the perpetrator in a report of child abuse or neglect, according to the following guidelines:
1. The employee notifies the supervisor within three (3) work days of notification by DCS of the DCS report and the specific allegation contained in the report.
  2. Upon notification from the DCS Protective Services Review Team (PSRT) of the administrative decision regarding a DCS report, the employee notifies the supervisor within three (3) work days of PSRT decision and whether or not the employee plans to appeal. Employees who choose not to appeal a substantiated finding will be reported to DCS Human Resources and identified for dismissal.
  3. The employee notifies their supervisor within three (3) work days of their notification of the final outcome of their appeal.
- G. When a current employee discloses to their immediate supervisor that they have been identified as the perpetrator in a report of child abuse or neglect, the following actions occur:
1. The employee's field management may place the employee on desk duty or assign duties that do not require contact with children, or access to confidential information, pending an investigation of the matter by DCS management.
  2. The Department conducts an investigation in accordance with Policy and Procedure Manual Chapter 2: Section 11.6, Investigation Involving Department of Child Safety Employees.
  3. At the conclusion of the investigation, DCS management determines the employee's ongoing suitability for continuing employment.
  4. The supervisor maintains the utmost discretion and confidentiality and discusses only with management on a need-to-know basis. Supervisors or Department employees who divulge or use information disclosed by an

employee who has been identified as a subject of a report of child abuse or neglect, for any purpose other than those outlined in this policy, may be subject to disciplinary action up to, and including, dismissal.  
Impermissible dissemination of DCS information is a class 2 misdemeanor.

## **VII. FORMS INDEX**

[\*Consent to Release Information for Employment Purposes \(DCS-1037A\)\*](#)