

## Administrative Hearings

### Requesting a Substantiation Hearing

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#### Policy

Any person may request a substantiation hearing if he/she

- has been substantiated as a perpetrator of child abuse or neglect, or is the parent or guardian of a minor who has been substantiated as a perpetrator, and
- has received notice of the decision of the internal review and disagrees with the finding or
- has not received notice of the internal review results within thirty (30) days of the date the request was received by the department

NOTICE: Pursuant to Conn. Gen. Stat. Sec. 17a-101k(i), draft Regulations related to substantiation policy are currently under review. Since this review includes entities outside of the agency, as well as the public, the final version of the Regulations may vary from this Policy. This Policy will be updated when the Regulations are finalized.

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#### Time Frame for Request

A request for a substantiation hearing must be made within thirty (30) days of receiving the written notice of the internal review decision.

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#### Written Request

A request for a substantiation hearing shall be made in writing by the appellant or his/her legal representative, and sent to:

Administrative Hearings Unit  
Department of Children and Families  
505 Hudson Street  
Hartford, Connecticut 06106

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#### Stay of Action Pending the Hearing Decision

While a substantiation hearing is pending, the department shall not disclose that a person is on the Central Registry pursuant to a background check except as permitted in 33-31 of the Policy Manual.

Legal Reference: Public Act 05-207.

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#### Referral for Technical Assistance

If the appellant requests technical assistance, he/she shall be referred to the manager of the Hearings Unit. However, nothing in this section shall require the Department to provide legal representation to the person.

The hearing officer assigned to the hearing shall not provide technical assistance on the hearing.

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#### **Deferral of a Request for a Hearing**

A request for a substantiation hearing may be deferred pending disposition of any civil, probate, criminal court or administrative proceeding that may result in a finding by the court or administrative tribunal that the appellant has committed the act of child abuse or neglect that is the subject of the substantiation.

If the hearing is deferred, it shall be the appellant's responsibility to notify the Department that the court or administrative matter is no longer pending and that the appellant would like to proceed with the appeal.

If the appellant does not notify the Department within three years of the deferral of the case, the allegations shall appear on the Central Registry as substantiated.

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#### **Denial of a Request for a Hearing**

A request for a substantiation hearing shall be denied by the Department when a criminal, civil, probate court or administrative proceeding has resulted in a finding that the perpetrator has committed the act of child abuse or neglect that is the subject of the substantiation.

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