**Licensing Policy and Procedures**

**Handbook Revision \_\_**

This revision of the Licensing Policy and Procedures Handbook was published on \_\_\_\_. Summaries of new or revised items are provided below.

For Licensing revisions only: Immediately following signoff, Licensing staff will prepare a highlighted document showing significant changes that we will post with the revision memo.

Investigation Findings (PATS 7762)

The item below is revised to clarify the process for when a designated perpetrator waives his or her right to a due process hearing.

Display of Revisions with Changes Highlighted (Word Document)

See:

6724 Investigation Findings

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#### 6724 Investigation Findings

LPPH ~~December 2012~~ DRAFT 7762-CCL

Procedure

The investigator completes the *Explanation of the Disposition Based on Preponderance* field for all investigations. For a non-abuse or neglect investigation, this documentation explains how the finding of the investigation was determined and how the evidence supports whether citations were issued or not. For abuse or neglect investigations, the documentation includes the evidence that supports the preponderance of the disposition for each allegation. This information must be consistent with the preponderance statement in the *Licensing Investigation Report (LIR)* in IMPACT.

If the preponderance of the evidence indicates child-on-child sexual abuse or child-on-child physical abuse has occurred and there is a *Reason to Believe* (*RTB*) finding for *Neglectful Supervision* (*NSUP*), the appropriate corresponding box must be marked.

If each designated perpetrator involved in the abuse or neglect investigation waives his or her right to a due process hearing, the assigned Licensing supervisor:

a. selects *Reason to Believe* from the *Final Disposition* drop-down menu on the *Investigation Conclusion* page in CLASS; and

b. documents the reason for the final disposition, including the designated perpetrator's decision to waive his or her right the due process hearing, and the date the decision became final in the *Summary of Due Process* narrative box in CLASS.

See:

[7723.3](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_7600.asp#LPPH_7723_3) Waiving the Right to a Due Process Hearing

[7725](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_7600.asp#LPPH_7725) Sustaining a Perpetrator in IMPACT