

**PART I: INTRODUCTION TO CHILD PROTECTIVE SERVICES
UNIFORM TRAINING PLAN
MULTIDISCIPLINARY TEAMS**

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The *Code of Virginia* authorizes the Department of Social Services to establish the Child Protective Services (CPS) Program. The purpose of CPS is to identify abused and neglected children and to provide services to prevent further abuse and neglect and to strengthen families by enhancing parental capacity to nurture their children in a safe environment. The CPS Program is based on the following assumptions and values:

- CPS is a process that incorporates past, present and future.
- Implicit in the definition of abuse or neglect is the assumption of harm to the child or children, both real and threatened.
- CPS services and interventions should support the family.
- People can and do change, within the limitations of the individual, his or her environment, time and a worker's skills and perception.
- CPS services are available without regard to income.
- CPS services can be provided to children and their families when no formal complaint has been made, but for whom potential or threat of harm exists.

A. Legal Authority and Definitions

Child Protective Services are provided by local departments of social services under the supervision of the Department of Social Services as authorized by § [63.2-1501](#) et seq of the *Code of Virginia*. The *Code of Virginia* prescribes that each local department maintain the ability to receive and respond to reports alleging abuse or neglect of children.

To further clarify and support the *Code of Virginia*, the State Board of Social Services has promulgated regulations to guide the operation of CPS programs in Virginia.

The Department of Social Services has developed and maintains this chapter within the larger guidance manual to assist local departments in administering the CPS program.

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The Virginia Administrative Code 22VAC40-705-10 provides the following definitions.

"Department" means the Virginia Department of Social Services.

"Local department" means the city or county local agency of social services or department of public welfare in the Commonwealth of Virginia responsible for conducting investigations or family assessments of child abuse and/or neglect complaints or reports pursuant to § [63.2-1503](#) of the Code of Virginia.

"Child protective services" means the identification, receipt and immediate response to complaints and reports of alleged child abuse d/or neglect for children under 18 years of age. It also includes assessment, and arranging for and providing necessary protective and rehabilitative services for a child and his family when the child has been found to have been abused or neglected or is at risk of being abused or neglected.

"Child protective services worker" means one who is qualified by virtue of education, training and supervision, and is employed by the local department to respond to child protective services complaints and reports of alleged child abuse and/or neglect.

1.0 Services for Persons With Limited English Proficiency

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal funding from discriminating against individuals on the basis of race, color, or national origin. This has been interpreted to require meaningful access to information and services for those persons with limited English proficiency. Agencies receiving federal funding are mandated to comply with these requirements. Go to this link for information about the Department wide policy applicable to serving persons with limited English proficiency. http://localagency.dss.virginia.gov/broadcasts/docs/2005/11/03/gen_11_3_05.pdf

2.0 Services for Native American or Alaskan Eskimo Children

All children who have Native American or Alaskan Eskimo heritage may also be subject to the Indian Child Welfare Act. In the event such a child is in imminent danger and does not live on a recognized reservation, the child protective services worker has the authority to exercise emergency removal of the child. Local departments must immediately contact the Child Protective Services Unit in the Division of Family Services

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before taking any action to place one of these children. Local departments must also immediately contact the Bureau of Indian Affairs. For further discussion of this issue see the Appendix.

B. CPS Guidance Manual Format

The CPS Guidance Chapter, which is Chapter A of Section III within the larger VDSS manual (Volume VII) is organized in the following order:

Pertinent *Code of Virginia* sections are cited for easy reference, but usually not quoted verbatim – if it is quoted, it will be in a box. The online version of this chapter provides linkages to the *Code of Virginia*. Most relevant *Code of Virginia* sections are included in the Appendix. Familiarity with and access to the laws of Virginia are important to local departments, because the CPS program is based on state and federal law.

The federal **Child Abuse Prevention and Treatment Act (CAPTA)** is one of the key pieces of legislation that guides child protection. CAPTA, in its original inception, was signed into law in 1974 (P.L. 93-247). It was reauthorized in 1978, 1984, 1988, 1992, and 1996, and with each reauthorization, amendments have been made to CAPTA that have expanded and refined the scope of the law. CAPTA was most recently reauthorized on June 25, 2003, by the Keeping Children and Families Safe Act of 2003 (P.L. 108-36).

The basis for government's intervention in child maltreatment is grounded in the concept of *parens patriae*—a legal term that asserts that government has a role in protecting the interests of children and in intervening when parents fail to provide proper care. It has long been recognized that parents have a fundamental liberty, protected by the Constitution, to raise their children as they choose. The legal framework regarding the parent-child relationship balances the rights and responsibilities among the parents, the child, and the State, as guided by Federal statutes. This parent-child relationship identifies certain rights, duties, and obligations, including the responsibility of the parents to protect the child's safety and well-being. If parents, however, are unable or unwilling to meet this responsibility, the State has the power and authority to take action to protect the child from harm. Over the past several decades, Congress has passed significant pieces of legislation that support the States' duty and power to act on behalf of children when parents are unable or unwilling to do so.

The **Virginia Administrative Code** has the impact of law for social services departments in Virginia. Regulations are approved by the State Board of Social Services and either restate law or provide clarification.

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Relevant CPS Regulation will be inset in Bold. The four most relevant regulations for CPS are:

- **22VAC40-700-10 et seq.** Child Protective Services Central Registry Information
- **22VAC40-705-10 et seq.** Child Protective Services Regulations
- **22VAC40-720-10 et seq.** Child Protective Services Release of Information to Family Advocacy Representatives of the United States Armed Forces
- **22VAC40-730-10 et seq.** Investigation Of Child Abuse And Neglect In Out Of Family Complaints

CPS guidance will follow the *Code of Virginia* and Regulation to provide further guidance or explanation, if needed. At times, the *Code of Virginia* or CPS Regulation will require no further explanation, so the *Code of Virginia* may only be cited, and/or the regulation provided, and no further guidance given. Anything written in *italics* indicates that it is new with this version of guidance.

Note that this guidance manual is set up to follow a logical sequence based upon how the CPS process proceeds with some generic issues at the beginning and end. There is additional information that supports best practice in the Appendix of this Chapter.

Additional information about CPS guidance:

- A transmittal will be issued when new guidance is developed usually in January and/or July of each year.
- The transmittal itself has three columns – the first column provides the section of guidance that has been revised; the second column provides the page numbers that include the revisions, and the third column provides a brief description of the guidance revisions.
- Note that many CPS users access this information online and it is possible that the page numbers may vary with different printers. This is why the sections of the manual are provided for you on the transmittal.
- Broadcasts advise local departments of transmittals reflecting changes and also provide other important, new information. These broadcasts are available on the DSS website. They should be reviewed and placed in your hard copy guidance manual.

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C. CPS Guidance Development Process

CPS guidance is based on the following:

- The Child Abuse Prevention and Treatment Act (CAPTA) is a federal law that lays the foundation for all state CPS programs.
- The *Code of Virginia* as enacted by the General Assembly builds on federal law and/or addresses issues unique to Virginia.
- The State Board of Social Services approves regulations, and
- Best Practice may dictate guidance changes.

While most guidance comes from law and regulation, VDSS continually receives input from local agencies. The CPS Advisory Committee is composed of local CPS staff who provide input and recommendations to the Department for CPS guidance. The Department also obtains information from three Citizens Review panels, which include the Child Fatality Review Team, Governor's Advisory Board on Child Abuse and Neglect, and the Court Appointed Special Advocate/Criminal Justice Act (CASA/CJA) Advisory Board.

The state regional CPS specialists provide case consultation and technical assistance to local departments, thus providing feedback from each region of the state. Check with your supervisor to determine how to access these specialists.

All CPS regulations are periodically reviewed and amended based on changes to the *Code of Virginia* as well as public comment. The Department issue a broadcast to announce the review of CPS regulations and the public comment period.

D. Uniform Training Plan for Child Protective Services Workers

The Virginia Administrative Code mandates uniform training requirements for CPS workers and supervisors. The uniform training requirements establish minimum standards for all CPS workers *and supervisors* in Virginia.

22VAC40-705-180(A): The department shall implement a uniform training plan for child protective services workers *and supervisors*. The plan shall establish minimum standards for all child protective services workers *and supervisors* in the Commonwealth of Virginia.

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22VAC40-705-180(B): Workers shall complete skills and policy training specific to child abuse and neglect investigations *and family assessments* within ~~the first year~~ *the first two years* of their employment.

22VAC40-730-130. Requirements: A. In order to be determined qualified to conduct investigations in out of family settings, local CPS staff shall meet minimum education standards established by the department including: 1. Documented competency in designated general knowledge and skills and specified out of family knowledge and skills; and 2. Completion of out of family policy training.

1.0 Training Requirements for CPS Workers to Conduct Investigations and Family Assessments

All child protective services staff who are designated to respond to reports of child abuse/neglect, or manage/supervise any CPS investigation or family assessment, shall complete the following as soon as possible after their hire date, but no longer than within their probationary period, or one year, whichever is longer.

1.1 First Year Mandatory Training Requirements

- a. Complete a Professional Development Plan with their supervisor, including the CPS worker designation date.
- b. Complete CWS2000/ Child Protective Services New Worker Policy/Guidance Training with OASIS within the first three months of performing CPS functions.
- c. Complete the following mandatory courses offered by VISSTA:
 - (1) VISSTA Course CWS 2011/Intake, Assessment and Investigation in Child Protective Services
 - (2) VISSTA Course CWS 2021/Sexual Abuse
 - (3) VISSTA Course CWS 2031/Sexual Abuse Investigations

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- d. Complete the following mandatory course offered by VISSTA, if providing CPS on-going services:
- (1) VISSTA Course CWS2010/Ongoing Services in Child Protective Services

1.2 Second Year Mandatory Training Requirements

The following required VISSTA courses shall be completed by all CPS workers within one year after the first one-year period (within 2 years of the start of CPS employment with a local department):

- (1) VISSTA Course CWS5305/Engaging Families
- (2) VISSTA Course DVS 1001/Understanding Domestic Violence
or
VISSTA Course 1031/Domestic Violence and its Impact on Children pursuant to [§63.2-1502](#) of the *Code of Virginia*
- (3) VISSTA Course CWS2141/Out of Family Investigations – if conducting designated out of family investigations pursuant to 22VAC40-730-130

1.3 Additional Training Requirements

In addition the following VISSTA courses shall be completed by all CPS workers *an/or supervisors* within one year after the first one-year period (within 2 years of the start of CPS employment with a local department) if a specific need is assessed by the worker and supervisor. Even when a specific need is not identified, the Virginia Department of Social Services encourages workers to complete the following required courses:

- a. VISSTA Course CWS1002/Exploring Child Welfare (online)
- b. VISSTA Course CWS 1011/Casework Process & Case Planning in Child Welfare
- c. VISSTA Course CWS 1021/Effects of Abuse & Neglect on Child and Adolescent Development
- d. VISSTA Course CWS 1031/Separation and Loss Issues in Human Service
- e. VISSTA Course CWS 1051/Crisis Intervention

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- f. VISSTA Course 5307/Assessing Safety, Risk and Protective Capacities in Child Welfare
- g. VISSTA Course CWS 5701/Child Welfare Supervision
- h. VISSTA Course CWS 5011/Case Documentation

2.0 Local Department Must Ensure Worker Compliance

It is the responsibility of the local department of social services to ensure that staff performing CPS duties within their agency has met the minimum standards.

2.1 Direct Supervision Required When New Worker is Conducting Investigation of Sexual Abuse Allegation

Direct supervision of new CPS staff during sexual abuse investigations must be provided by a supervisor or an experienced CPS worker who has completed the minimum training requirements. Direct supervision requires a close review of all investigation and disposition decisions made in the process of the investigation including documentation of the review.

3.0 Training For Staff Not Designated As CPS But Performing CPS Functions

Local social workers who provide intake functions or respond to reports of abuse or neglect only during nights or weekends while “on call” may attend all the mandated CPS training. However, if these social workers are only responding in order to give the information to a designated CPS worker when one becomes available, they are not required to attend all the mandated CPS training. The following VISSTA course is mandated for these staff:

VISSTA Course CWS2020: On-Call Guidance Training for Non-CPS Workers

E. Multidisciplinary Teams

Child Protective Services are best provided in the context of community-based collaboration and support. The *Code of Virginia § 63.2-1503(J)* provides the statutory authority for local departments to develop multidisciplinary teams. 22VAC40-705-150(E) provides regulatory authority for a local department to support the development of multidisciplinary teams.

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22VAC40-705-150(E). Local departments shall support the establishment and functioning of multidisciplinary teams pursuant to [§ 63.2-1503\(J\)](#) of the Code of Virginia.

The purpose of multidisciplinary teams shall be to promote, advocate, and assist in the development of a coordinated service system directed at the early diagnosis, comprehensive treatment, and prevention of child abuse and neglect. It is the responsibility of the director or superintendent of the local department to foster the creation and coordination of multidisciplinary teams either personally or through his designee. Functions of multidisciplinary teams shall include:

- a. Identifying abused and neglected children;
- b. Coordinating medical, social and legal services for the children and their families;
- c. Helping to develop innovative programs for detection and prevention of child abuse and neglect;
- d. Promoting community concern and action in the area of child abuse and neglect; and
- e. Disseminating information to the general public with respect to the problem of child abuse and neglect and the facilities and prevention and treatment methods available to combat abuse and neglect.

1.0 Composition of Multidisciplinary Teams

The Virginia Administrative Code provides the regulatory framework for the composition of multidisciplinary teams:

22VAC40-705-10: "Multidisciplinary teams" means any organized group of individuals representing, but not limited to, medical, mental health, social work, education, legal and law enforcement, which will assist local departments in the protection and prevention of child abuse and neglect pursuant to [§ 63.2-1503\(J\)](#) of the Code of Virginia. Citizen representatives may also be included.

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2.0 Family Assessment and Planning Teams

The *Code of Virginia* [§ 63.2-1503\(J\)](#) also provides that family assessment and planning teams established by a locality may be considered multidisciplinary teams.

3.0 Investigation Consultation Multidisciplinary Teams

The *Code of Virginia* [§ 63.2-1503\(K\)](#) allows multidisciplinary teams to provide consultation and assistance in conducting investigations. Multidisciplinary teams can provide better coordination between the professionals who are involved in complicated and serious CPS investigations to help avoid repeated interviews of a child.

4.0 Cooperation and Exchange of Information Between Local Departments & Multidisciplinary Teams

The *Code of Virginia* [§ 63.2-1503\(J\)](#) establishes statutory authority for local departments to develop agreements that govern the work of the multidisciplinary teams including the exchange of information among team members. Local departments are encouraged to develop written protocols for the operation of local multidisciplinary teams.

Multidisciplinary teams involved in case consultation can have access to confidential case information. All members of a multidisciplinary team abide by laws and policies related to confidentiality. More information about confidentiality and CPS can be found in the Part IX: Confidentiality of this manual.