

July 1, 2020

Manual – Child and Family Services Manual, Chapter C, Child Protective Services

Transmittal # - 287

The purpose of this transmittal is to provide new, revised, and clarified guidance for the Child Protective Services (CPS) Program. Unless otherwise stated, the provisions included in this transmittal are effective upon release.

This release includes updates to guidance as a result of changes to the Code of Virginia and other programmatic updates.

Guidance has been updated to reflect the legislation passed during the 2020 session of the Virginia General Assembly that becomes effective on July 1, 2020. Those updates include:

- Retention time of unfounded investigations.
- Family assessment time frame.
- Designation of any athletic coach, director, or other person 18 years of age or older employed by or volunteering with a public sports organization or team as mandated reporters.
- Changes the name of the sex trafficking assessment to the human trafficking assessment.
- Authority to interview alleged victim or their siblings without the consent of the parent or guardian during the course of a human trafficking assessment.

Other updates to guidance include programmatic changes and best practices.

Those updates include:

- Training requirements for CPS workers and supervisors.
- Clarifies guidance related to the timeliness of initial response and provision of safety related services as part of the Program Improvement Plan.
- Adds guidance on the COMPASS Mobile Application.
- Provides guidance on the time frame for family assessment and investigation documentation.
- Clarifies guidance regarding Out-of-Family Investigations.
- Updates guidance on CPS Ongoing cases.

When the language in a section is italicized, it signifies new, revised, or clarified guidance. All Structured Decision Making (SDM) Tools have been removed from the appendices in anticipation of the release of the updated tools later this year. Additionally, all electronic links have been updated throughout the chapter.

This transmittal and manual are available on FUSION at [CPS Guidance](#).

Significant changes to the manual are as follows:

| Section(s) Changed | Significant Changes |
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| Section 1 | |
| 1.5.1.2 First three months training requirement | Adds CWSE5011: Case Documentation to the list of training mandated during the first three months of employment. |
| 1.5.1.3 First twelve months training requirement | Adds the following courses to the list of mandated trainings during the first 12 months of employment: <ul style="list-style-type: none"> • CWS5011: Case Documentation • CWSE4000: Identifying Sex Trafficking in Child Welfare • CWSE6010: Working with Families of Substance Exposed Infants |
| 1.5.1.4 First twenty-four months training requirement | Adds the following courses to the list of mandated trainings during the first 24 months of employment: <ul style="list-style-type: none"> • CWS4015: Trauma-Informed Child Welfare Practice: Identification and Intervention • CWSE4015: Introduction to Trauma-Informed Child Welfare Practice |
| 1.5.1.5 Additional training requirement for CPS Supervisors | Adds SUP5705: Trauma-Informed Leadership and Developing Organization Resilience Culture. |
| Section 2 | |
| 2.4.2.10 Labor trafficking | Adds new subsection to include labor trafficking as a category of physical neglect. Subsequent subsection is re-numbered. |
| Section 3 | |
| 3.3.1.1 Who are mandated reporters? | Updates guidance to reflect change to § 63.2-1509 of the Code of Virginia regarding the designation of employees and volunteers of public sports organizations or teams as mandated reporters. |
| 3.3.1.6 Mandated reporters may make report electronically | Updates year to 2020. |
| 3.8 Screen valid complaints and reports for priority | <ul style="list-style-type: none"> • Changes time frame for Response 3 (R3) to within 40 work hours. • Provides example of time frames for all three response priorities. |
| 3.8.7 Initiating a response to a valid report | <ul style="list-style-type: none"> • Reorganizes sub-section. • Clarifies the initial response is the first completed contact with the alleged victim. |

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| | <ul style="list-style-type: none"> • Adds guidance on the use of reasonable diligence to ensure the completion of the face-to-face interview with the alleged victim within the determine response priority. • Removes guidance on the permissibility of telephone and attempted contacts to satisfy the timeliness of initial response mandate. • Adds guidance on the new supervisory consultation required to ensure completion of the initial response within the determined response priority. |
| 3.13 Appendix D: CPS Intake Tool | Removes the SDM CPS Intake Tool in anticipation of the release of the updated tool later this year. |
| Section 4 | |
| 4.2.1 Track decision | Updates guidance to reflect name change of sex trafficking assessment to human trafficking assessment in § 63.2-1506.1 of the Code of Virginia. |
| 4.2.3 Human trafficking assessment | Updates guidance to reflect name change of sex trafficking assessment to human trafficking assessment in § 63.2-1506.1 of the Code of Virginia. |
| 4.2.3.4 Timeliness of response | Changes time frame for Response 3 (R3) to within 40 work hours for human trafficking assessments. |
| 4.2.3.6.2 Safety assessment tool | <ul style="list-style-type: none"> • Clarifies that the safety assessment tool is completed at the first meaningful contact with the family and documented in the child welfare information system within 24 hours of the first meaningful contact. • Adds reference to Sections 4.5.7 and 4.6.16 regarding additional guidance on first meaningful contact. • Adds link to Safety Assessment Tool on the public DSS website. |
| 4.2.3.6.3 Safety decision | Updates guidance to reflect name change of sex trafficking assessment to human |

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| | trafficking assessment in § 63.2-1506.1 of the Code of Virginia. |
| 4.2.3.6.4 Development of safety plan | <ul style="list-style-type: none"> • Clarifies that the Safety Plan must be completed and documented in the child welfare information system. • Provides guidance that the Safety Plan template will be available in the child welfare information system and on the public DSS website. |
| 4.2.3.7 Risk assessment | <ul style="list-style-type: none"> • Re-numbers sub-section. • Adds link to the Risk Assessment Tool on the public DSS website. |
| 4.2.3.8 Referrals for services | <ul style="list-style-type: none"> • Re-numbers sub-section. • Changes name of sex trafficking assessment to human trafficking assessment. • Subsequent subsections are re-numbered. |
| 4.2.3.11 Legal authorities | Adds guidance on the worker’s ability to interview the child or child’s siblings without the permission of the parents or guardians pursuant to § 63.2-1506.1 of the Code of Virginia. |
| 4.3.3.8 Placement requirements when CPS has assumed emergency custody of the child | Provides guidance that the LDSS must consider relatives or fictive kin as a possible emergency agency-approved foster home for the child. |
| 4.4.4.5 What constitutes reasonable diligence | Updates social networks to include Instagram. |
| 4.4.4.8 LDSS must continue periodic checks for missing child | <ul style="list-style-type: none"> • Provides guidance that LDSS must document their reasonable diligence efforts to locate the missing child each month. • Clarifies that periodic checks must be conducted monthly for at least 90 days and documented in the child welfare information system. |
| 4.5.1 Time frame to complete family assessment | <ul style="list-style-type: none"> • Renames subsection. • Updates guidance to reflect the changes to § 63.2-1506 of the Code of Virginia regarding time frame to complete family assessment. |

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| 4.5.1.1 Fifteen-day extension to complete family assessment | Removes sub-section as family assessments can no longer be extended. |
| 4.5.1.2 Notification of extension | Removes sub-section as family assessments can no longer be extended. |
| 4.5.6.2 Interviewing the child | <ul style="list-style-type: none"> • Updates the Response 3 (R3) time to within 40 work hours. • Clarifies that attempted interviews do not satisfy the requirement to interview the alleged victim child within the determined response priority. |
| 4.5.7 First meaningful contact in family assessments | <ul style="list-style-type: none"> • Clarifies that the focus of the first meaningful contact is with the family to assess the safety of the child. • Provides guidance that the Safety Assessment Tool must be completed at the first meaningful contact. |
| 4.5.8.2 Immediate child safety and family needs | Clarifies that the Safety Assessment Tool must be completed at the first meaningful contact with the family or any time safety changes. |
| 4.5.9 Protective interventions and safety services | <ul style="list-style-type: none"> • Renames sub-section. • Provides guidance on safety services. |
| 4.5.12 Develop a safety plan | <ul style="list-style-type: none"> • Removes reference to Safety Plan form in Appendix F. • Provides guidance that the Safety Plan template will be available in the child welfare information system and on the public DSS website. • Clarifies that safety plan must be completed and documented in the child welfare information system within 24 hours. |
| 4.5.13 Reassessing safety | Changes time frame to within 24 hours. |
| 4.5.16 Assessment summary of strengths and needs | Clarifies that the summary must include the rationale for why the LDSS is not opening a case if the risk is high or very high. |
| 4.6.6 Face-to-face interview with the alleged victim child | Clarifies that attempted interviews do not satisfy the requirement to interview the alleged victim child within the determined response priority. |

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| <p>4.6.16 First meaningful contact in an investigation</p> | <ul style="list-style-type: none"> • Clarifies that the focus of the first meaningful contact is to assess the safety of the child. • Provides guidance that the Safety Assessment Tool must be completed at the first meaningful contact. |
| <p>4.6.18.2 Immediate child safety and family needs</p> | <p>Clarifies that the Safety Assessment Tool must be completed at the first meaningful contact with the family or any time safety changes.</p> |
| <p>4.6.19 Protecting interventions and safety services</p> | <ul style="list-style-type: none"> • Renames sub-section. • Provides guidance on safety services. |
| <p>4.6.22 Develop safety plan</p> | <ul style="list-style-type: none"> • Removes reference to Safety Plan form in Appendix F. • Provides guidance that the Safety Plan template will be available in the child welfare information system and on the public DSS website. • Clarifies that safety plan must be completed and documented in the child welfare information system within 24 hours. |
| <p>4.6.23 Reassessing safety</p> | <p>Changes the time frame for the completion of a new safety assessment.</p> |
| <p>4.6.25 Determine risk level in an investigation</p> | <p>Removes reference to Appendix H.</p> |
| <p>4.6.26 Assessment summary of strengths and needs</p> | <p>Clarifies that the summary must include the rationale for why the LDSS is not opening a case if the risk is high or very high.</p> |
| <p>4.6.30.1 Notifications in unfounded investigations</p> | <p>Updates guidance to reflect the change to § 63.2-1514 of the Code of Virginia regarding the retention period for unfounded investigations.</p> |
| <p>4.7.1.1 Audio recordings</p> | <ul style="list-style-type: none"> • Creates a new sub-section. • Provides guidance that audio recordings are part of the case record and must be stored at the case level in the child welfare information system. |
| <p>4.7.1.2 Photographs</p> | <ul style="list-style-type: none"> • Creates a new sub-section. • Provides guidance that photographs are part of the case record and must |

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| | be stored at the case level in the child welfare information system. |
| 4.7.2 Family assessment or investigation documentation | <ul style="list-style-type: none"> • Adds guidance that all case documentation must be entered or updated within five business days. • Clarifies that documents, forms, audio and digital image files from the child welfare information system should be included in the hard file. |
| 4.8 CPS child welfare information system | Provides guidance that the child welfare information system includes OASIS, COMPASS Mobile Application, and COMPASS Portal. |
| 4.9.4.1 Purge unfounded disposition after three years | <ul style="list-style-type: none"> • Renames sub-section. • Updates guidance to reflect the changes to § 63.2-1514 of the Code of Virginia regarding retention period for unfounded investigations. |
| 4.14 Appendix D: CPS Safety Tool | Removes Appendix D: CPS Safety Tool in anticipation of the release of the updated tool later this year. Subsequent appendices are re-lettered. |
| 4.16 Appendix F: Safety Plan | Removes Appendix F: Safety Plan in anticipation of the release of the Safety Plan Template later this year. |
| 4.17 Appendix G: Family Service Agreement | Removes Appendix G: Family Service Agreement as it is now available on FUSION. |
| 4.18 Appendix H: CPS Risk Assessment Tool | Removes Appendix H: CPS Risk Assessment Tool in anticipation of the release of the updated tool later this year. |
| 4.17.1 Extension to 60 days for investigations | <ul style="list-style-type: none"> • Renames and re-numbers sub-section. • Removes code reference to Family Assessment. • Subsequent subsections are re-numbered and re-lettered. |
| 4.22 Appendix L: Sample Letters for Investigations | <ul style="list-style-type: none"> • Re-numbers and re-letters Appendix. • Updates guidance to reflect the change to § 63.2-1514 of the Code of Virginia regarding the retention period for unfounded investigations |
| Section 5 | |

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| 5.1 Introduction | Provides clarification that the designation of an investigation as out-of-family is based on the setting type and not whether the alleged abuser or neglector lives in the child's home. |
| 5.2 Authorities | Expands citation for 22VAC40-730 Investigation of Child Abuse and Neglect in Out of Family Complaints to include the newly added Section 140-Protocol for Out of Family Investigations to the Administrative Code. |
| 5.9.4.1 Unfounded disposition | Updates guidance to reflect the change to § 63.2-1514 of the Code of Virginia regarding the retention period for unfounded investigations. |
| 5.16 Appendix D: Sample Letters of Notification for OOF Investigations | Updates guidance to reflect the change to § 63.2-1514 of the Code of Virginia regarding the retention period for unfounded investigations. |
| Section 6 | |
| 6.2.2 Case opening in the child welfare information system | Adds guidance that the case must have a primary worker assigned within three days of case opening. |
| 6.5.1 What constitutes reasonable diligence | <ul style="list-style-type: none"> • Adds link to the Reasonable Diligence checklist on FUSION. • Removes reference to MySpace and adds Instagram. |
| 6.5.2 Conducting periodic checks for missing child/family | Clarifies that periodic checks must be conducted monthly for at least 90 days and documented in the child welfare information system. |
| 6.7.3 Additional information | Updates name of Section 4 Appendix M: Human Trafficking of Children Indicators and Resources. |
| 6.14.1 Update safety assessment | Clarifies a final safety assessment must be completed within 30 days of case closure. |
| 6.14.2 Update risk assessment | <ul style="list-style-type: none"> • Renames sub-section. • Provides guidance that a final risk reassessment must be completed within 30 days of case closure. • Subsequent subsections are re-numbered. |
| 6.22 Appendix E: Family Strengths and Needs Assessment (FSNA) | Removed Appendix E in anticipation of the release of the updated tool later this year. Subsequent appendices are re-lettered. |

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| 6.25 Appendix H: Risk Reassessment Tool | Removed Appendix H: Risk Reassessment Tool in anticipation of the release of the updated tool later this year. Subsequent appendix is re-lettered. |
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Questions about this transmittal should be directed to Shannon Hartung, CPS Program Manager, at (804)726-7554 or by email at shannon.hartung1@dss.virginia.gov.

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Commissioner