## What Right Does CPS Have To Talk To My Child?

In order to provide an objective child safety assessment, Section 63.2-1518 of the *Code of Virginia* allows a CPS worker to speak with a child and his siblings without parental consent and outside the presence of the parent/caretaker.

If the CPS worker talks with your child or his siblings without your prior knowledge, you will be notified about the interview as soon as possible.

## What About Examining My Child?

The CPS worker will observe the child for injuries or signs of abuse or neglect. Under Section 63.2-1520 of the *Code of Virginia*, the CPS worker is permitted to take photographs and make the necessary arrangements to X-ray the child as part of a medical evaluation. This can be conducted without parental/caretaker consent.

Photographs of the living conditions in which the child reside may also be taken with the consent of the parent/caretaker, or under the direction of the local Commonwealth Attorney's Office.

## What Happens If I Move?

Viriginia law requires you to notify CPS BEFORE you move and provide the new address.

## What Happens After A Family Assessment?

If your family needs services, the CPS worker will offer to develop a service plan with you, and link you to available community resources such as family counseling, parent support groups, substance abuse services, children's programs, day care, etc.

You may also choose to decline services for your family that are offered as a result of the family assessment. The case will be closed if there is no threat to your child safety. If your child's safety is compromised, the CPS worker will consider petitioning the court to require additional services to ensure the safety of your child.

If you believe that the report was made maliciously or in bad faith, Section 63.2-1514 of the *Code of Virginia* gives you the right to petition the Circuit Court for the identity of the reporter.

## May I See The Family Assessment?

After the family assessment is complete, you may request to review a copy of your personal information in the CPS record in the custody of the local department of social services. Your request should be granted unless there is an ongoing criminal investigation or criminal proceeding; or the personal information in your file could endanger the well-being of your child or other persons.

Date: _____

To: _____

_____

A report of suspected child abuse or neglect has been received about:

_____

_____

_____

_____

_____

_____

(Child or Children)

The concerns are:

_____

_____

_____

_____

_____

_____

Please call:

_____

(CPS Worker)

at : _____

_____

(Agency Name & Telephone)

to discuss the report, answer your questions, discuss your family's need for services and immediately notify any change of address.

## Child Abuse Hotline
## 1-800-552-7096

(Language Line available)


VIRGINIA DEPARTMENT OF SOCIAL SERVICES

**Division of Family Services**
**801 East Main Street**
**Richmond, Virginia 23219**
**www.dss.virginia.gov**



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# Child Protective Services

## A Guide To Family Assessments

The purpose of this brochure is to help you understand the Child Protective Services (CPS) reporting and response process. Please contact your CPS worker if you have additional questions that are not answered by the information provided in this brochure.

## What Is Child Protective Services?

CPS, which operates under the Virginia Department of Social Services (VDSS), has the responsibility under Section 63.2-1500, et seq of the *Code of Virginia* to respond to reports of suspected child abuse or neglect.

Local departments of social services are required by law to:

- Act in response to valid reports of suspected child maltreatment.
- Evaluate child safety.
- Support and strengthen families, wherever possible.
- Facilitate services to families to help ensure the safety of their children.
- Prevent future abuse or neglect.

## What Is Child Abuse And Neglect?

Section 63.2-100 of the *Code of Virginia* defines an abused or neglected child as any child under 18 years of age whose parent, guardian, or other person responsible for the child's care:

1) Causes or threatens to cause a non accidental physical or mental injury.
2) Causes or threatens to cause a non accidental physical or mental injury during the manufacture or sale of certain drugs.
3) Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care.
4) Abandons the child.
5) Fails to provide adequate supervision in relation to the child's age and level of development.
6) Commits or allows to be committed any illegal sexual act upon a child including incest, rape, fondling, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.
7) Knowingly leaves a child alone in the same dwelling with a person who is not related to the child by blood or marriage and who is required to register as a violent sexual offender.

An abused or neglected child is also defined as a child who has been identified as a victim of sex trafficking in the recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person for the purpose of a commercial sex act.

Additionally, the law requires health care providers to contact CPS regarding newborns affected by substance abuse or experiencing withdrawal symptoms as a result of being exposed to drugs or alcohol during pregnancy.

## Why Has A Child Protective Services (CPS) Worker Contacted Me?

You have been contacted because CPS received a report of possible abuse or neglect of a child or children in your care.

## Why Would Someone Make A Report?

The purpose of reporting is to identify abused or neglected children as soon as possible so that the child's safety and well being can be addressed. Some signs that people notice and may report to CPS include, but are not limited to:

- A child with questionable injuries.
- A young child who is left alone.
- A child who has unattended health care problems or medical needs.
- A child who is consistently hungry or appears malnourished.
- A child who is exposed to domestic violence.

## Who Made The Report?

Anyone can make a report of suspected child abuse or neglect. Certain professionals who work with children are mandated by law to immediately report suspected child abuse or neglect. The person making the report is not required to provide his name. Because of confidentiality laws, the name of the reporter will not be released unless there is a court order or during court testimony.

## What Happens After A Report Is Made?

CPS will respond to valid child abuse or neglect reports by conducting either a family assessment or an investigation. The goals of both responses are to:

- Assess child safety.
- Strengthen and support families, whenever possible.
- Prevent future child maltreatment.

### Family Assessment Response

A family assessment is conducted when:

- The report is valid, but is not required by law or policy to be investigated.
- There is no immediate threat to the child's safety or well being.
- The family may benefit from services.

Reports which are initially determined to be appropriate for a family assessment response may be reconsidered for an investigation, if there is evidence of serious abuse or neglect, or child safety concerns.

## What Happens During A Family Assessment?

In most cases, the CPS worker and family members work together to complete a child safety and family needs assessment. Meeting with the CPS worker provides an opportunity for you, as a parent, to share your concerns and perspectives on how to raise your child, to identify family needs, to ask questions, and to obtain immediate feedback. If you elect not to participate in a family assessment, the CPS worker will proceed with conducting a child safety assessment, as required by Virginia law. The CPS worker will provide you with written feedback concerning your child's safety and related needs, including recommended services.

During a family assessment, the CPS worker will:

- Conduct an initial safety assessment and develop a safety plan with the family for the child, if needed.
- Talk face to face with you, your child and others who may live with you.
- Look for signs of injury, abuse, or neglect.
- Observe your home environment.
- Check for prior reports of abuse or neglect.
- Complete a risk assessment with your family and determine what services, if any, are needed to prevent future abuse or neglect.
- Request your assistance in identifying other individuals who may be able to help your family if services are needed to keep your child safe.
- Arrange for services to support your family.

The *Code of Virginia* requires a CPS family assessment be completed in 45-60 days from the date of the report.