

Date – January 2025

Manual – Child and Family Services Manual, Chapter C, Child Protective Services (CPS)

Transmittal # - 310

The purpose of this transmittal is to provide new and revised guidance for *Chapter C, Child Protective Services (CPS)* of the Virginia Department of Social Services (VDSS) Child and Family Services Manual. Unless otherwise stated, the provisions included in this transmittal are effective upon release.

All content in each section of *Chapter C, Child Protective Services (CPS)* has been revised to include minor grammatical edits, changing words to person first language, and changing masculine and feminine pronouns and titles to neutral language. All changes are in italics.

PRIOR LANGUAGE	NEW LANGUAGE
Alaskan Eskimo	Alaskan Native
CPS Ongoing	In-Home Services
CPS Regional Consultant	CPS Regional Practice Consultant
CPS Supervisor	Family Services Supervisor
CPS Worker	Family Services Specialist
Indian child	American Indian Child
Maternal	Parental
Substance Abuse	Substance Use
Victim Child	Child Who is a Victim

To streamline this chapter of guidance, all full-text citations of the Code of Virginia and the Virginia Administrative Code have been removed from the manual and replaced with hyperlinks to the associated section of Code. Additional supplemental content and resources have been moved and some are now available on FUSION.

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

Significant changes to the manual are as follows:

Section (s) Changed	Significant Changes	Reason for Change
1.4 CPS guidance development process	This subsection was revised to remove the State Child Fatality Review Team as a Citizen Review Panel.	This change was made because the State Child Fatality Review Team is no longer serving as a Citizen Review Panel.
1.5.1.2, First three months training requirement	This subsection was revised to add MICRO5001: The Safety Process; an Overview, a Holistic Approach to Safety	This change was made to enhance practice related to the safety assessment process.

	Planning to the first three months training requirements.	
1.5.1.3 First twelve months training requirement	<p>This subsection was revised to add the following online courses to the first twelve months training requirements:</p> <ul style="list-style-type: none"> • CWSE5020: Introduction to the Indian Child Welfare Act • CWSE2090: Injury Identification in Child Welfare. 	This change was made to enhance practice related to the Indian Child Welfare Act and injury identification.
1.5.1.4 First 24 months training requirement	This subsection was revised to add CWS2041: Child Fatality Investigations to the first 24 months training requirements.	This change was made to enhance practice related to the investigation of child deaths.
2.4.2.2, Inadequate supervision	<p>This subsection was revised to clarify that inadequate supervision includes substance use by a caretaker that has a demonstrated impact on their ability to care for the child.</p> <p>This subsection was also revised to clarify that reasonable childhood activities do not constitute inadequate supervision.</p>	<p>This change was made based on feedback from the LDSS that clarity was needed around a caretaker’s substance use and that it must have a demonstrated impact on their ability to care for the child to be considered inadequate supervision.</p> <p>This change was made based on legislation passed (SB1367) during the 2023 session of the Virginia General Assembly.</p>
3.9.1, Make the response track decision	This subsection was revised to clarify that if there is a third valid CPS report within 12 months involving the same alleged child who is a victim and/or alleged abuser or neglecter, it must be assigned to the investigation track.	This change was made based on feedback from the LDSS to promote consistent practice amongst the LDSS.
4.2.3.5 Contacts	This subsection was revised to provide guidance that if during a human trafficking assessment it is determined that an interview of the child by a children’s advocacy center is needed and an interview with a children’s advocacy center within the jurisdiction cannot be completed within 14 days, the LDSS may facilitate the	This change was made based on legislation passed (SB 12/ HB 1128) during the 2024 session of the Virginia General Assembly.

	interview with a children’s advocacy center located in another jurisdiction.	
4.4.4.6 When the alleged child who is a victim is not found	This subsection was revised to clarify when a child who is a victim is determined to be missing by the LDSS and provides guidance to the LDSS to submit a CPS Alert to the CPS State Hotline.	This change was made based on feedback from the LDSS and Regional Practice Consultants and to promote consistent practice amongst the LDSS.
4.4.4.9 If missing child is at-risk of being or is a victim of sex trafficking	This subsection was created to provide guidance to the LDSS of the responsibilities of the LDSS when a missing child is at-risk of being or is a victim of sex trafficking. The creation of this subsection renumbers subsequent subsection.	This change was made to comply with 71(a)(35)(B) of P.L. 117-348 (Federal Law).
4.5.9.1 Parental child safety placements	This subsection was created to provide guidance to the LDSS on the use of parental child safety placements as a protective intervention.	This change was made based on legislation (SB 39/HB 27) passed during the 2024 session of the Virginia General Assembly.
4.5.9.1.1 Assessment of alternate caregiver	This subsection was created to provide guidance to the LDSS on the assessment of proposed alternate caregivers.	This change was made based on legislation (SB 39/HB 27) passed during the 2024 session of the Virginia General Assembly.
4.5.9.1.2 Parental child safety placement for seven calendar days or less	This subsection was created to provide guidance to the LDSS on the documentation of parental child safety placements for seven calendar days or less.	This change was made based on legislation (SB 39/HB 27) passed during the 2024 session of the Virginia General Assembly.
4.5.9.1.3 Parental Child Safety Placement Program	This subsection was created to provide guidance to the LDSS on the Parental Child Safety Placement Program and includes information on: <ul style="list-style-type: none"> • Documentation of parental child safety placement prior to entry into Parental Child Safety Placement Program. • Parental child safety placement time frame • Out-of-Home Staffing • Family Partnership Meeting • Parental Child Safety Placement Agreement • In-Home Services Case 	This change was made based on legislation (SB 39/HB 27) passed during the 2024 session of the Virginia General Assembly.
4.5.15.1 Risk level	This subsection was revised to provide	This change was made based on

guides decision to open a case	<p>guidance that:</p> <ul style="list-style-type: none"> • Risk level must be used to inform the decision whether or not to open a case. • Case opening must occur within five (5) work days of risk assessment completion and the primary in-home services or prevention worker must be assigned within five (5) work days of case opening. 	feedback from the Regional Practice Consultants and to promote consistent practice amongst the LDSS.
4.6.6 Face-to-face interview with the alleged child who is a victim	This subsection was revised to provide guidance that if a local multidisciplinary team has determined that an interview of the child by a children’s advocacy center is needed and an interview with a children’s advocacy center within the jurisdiction cannot be completed within 14 days, the LDSS may facilitate the interview with a children’s advocacy center located in another jurisdiction.	This change was made based on legislation passed (HB 1768) during the 2023 session of the Virginia General Assembly and legislation passed (SB 12/HB 1128) during the 2024 session of the Virginia General Assembly.
4.6.19.1 Parental child safety placements	This subsection was created to provide guidance to the LDSS on the use of parental child safety placements as a protective intervention.	This change was made based on legislation passed (SB 39/HB 27) during the 2024 session of the Virginia General Assembly.
4.6.19.1.1 Assessment of alternate caregiver	This subsection was created to provide guidance to the LDSS on the assessment of proposed alternate caregivers.	This change was made based on legislation passed (SB 39/HB 27) during the 2024 session of the Virginia General Assembly.
4.6.19.1.2 Parental child safety placement for seven calendar days or less	This subsection was created to provide guidance to the LDSS on the documentation of parental child safety placements for seven calendar days or less.	This change was made based on legislation passed (SB 39/HB 27) during the 2024 session of the Virginia General Assembly.
4.6.19.1.3 Parental child safety placement program	<p>This subsection was created to provide guidance to the LDSS on the Parental Child Safety Placement Program and includes information on:</p> <ul style="list-style-type: none"> • Documentation of parental child safety placement prior to entry into Parental Child Safety Placement Program. • Parental child safety placement time frame • Out-of-Home Staffing • Family Partnership Meeting • Parental Child Safety Placement 	This change was made based on legislation passed (SB 39/HB 27) during the 2024 session of the Virginia General Assembly.

	<p>Agreement</p> <ul style="list-style-type: none"> • In-Home Services Case 	
4.6.25.1 Risk level guides decision to open a case	<p>This subsection was revised to provide guidance that:</p> <ul style="list-style-type: none"> • Risk level must be used to inform the decision whether or not to open a case. • Case opening must occur within five (5) work days of risk assessment completion and the primary in-home services or prevention worker must be assigned within five (5) work days of case opening. 	<p>This change was made based on feedback from the Regional Practice Consultants and to promote consistent practice amongst the LDSS.</p>
5.4.2 Identify the regulatory agency	<p>This subsection was revised to provide updated links to regulatory agencies, including a new contact protocol the Department of Behavioral Health and Developmental Services.</p>	<p>This change was made to promote consistent practice amongst the LDSS.</p>
5.4.5 Notify CPS regional consultant	<p>This subsection was revised to add guidance that the notification to the CPS Regional Practice Consultant must occur within 3 business days and that the CPS Regional Practice Consultant should review the OOF Checklist with the LDSS at the time of notification. Additionally, the LDSS must provide notification to the OOF Specialist.</p>	<p>This change was made to promote consistent practice amongst the LDSS.</p>
5.5.2 Joint investigation requirements for LDSS and regulatory authority	<p>This subsection removed.</p>	<p>This change was made because it was a duplication of the Virginia Administrative Code.</p>
5.5.3 Joint investigation with law enforcement and facility	<p>This subsection removed and all subsequent subsections were renumbered.</p>	<p>This change was made because it was a duplication of the Virginia Administrative Code.</p>
5.5.9 Out-of-family investigation documentation	<p>This subsection was created to provide guidance to the LDSS on documentation requirements in OOF investigations.</p>	<p>This change was made to promote consistent practice amongst the LDSS.</p>
5.6 Assess safety	<p>This subsection was revised to provide guidance to the LDSS on what constitutes a first meaningful contact in an OOF investigation.</p>	<p>This change was made to promote consistent practice amongst the LDSS.</p>
5.7.2 Disposition and consultation	<p>This subsection was revised to provide guidance that the CPS Regional Practice</p>	<p>This change was made to promote consistent practice</p>

with CPS Regional Practice Consultant	Consultant must review the OOF Checklist with the LDSS at the time of the dispositional consult with the LDSS.	amongst the LDSS.
5.9.4.1 Unfounded disposition	This subsection was revised to clarify that while verbal notification of an unfounded investigation is not required by regulation, it should occur.	This change was made to promote consistent practice amongst the LDSS.
5.12 Services to abuser/neglector and family in an OOF investigation	This subsection was renamed and revised to provide guidance that LDSS may offer prevention services to the family in OOF investigations.	This change was made to promote consistent practice amongst the LDSS.
6.3.3 Assessing risk in a child fatality	This subsection was revised to provide guidance that the LDSS must use the risk level to inform the decision whether or not to open a case for surviving siblings.	This change was made to promote consistent practice amongst the LDSS.
6.3.6 Child death case reporting tool	This subsection was removed, and subsequent subsections renumbered.	This change was made because effective April 1, 2024 the child death case reporting tool was no longer required.
6.4.2 Regional Child Fatality Review Teams	This subsection was revised to provide guidance to the LDSS on the new criteria for a child death to be reviewed by a Regional Child Fatality Review Team.	This change was made because the Regional Child Fatality Review Teams were restructured in January 2024 .
7.5.9.6 Appellant is a teacher licensed by the Board of Education or through an alternative pathway and employed by a local school board	This subsection was created to provide guidance on the circuit court appeal process for licensed teachers or teachers licensed through an alternate pathway and employed by a local school board.	This change was made based on legislation passed (HB1550) during the 2023 session of the Virginia General Assembly.
9.2.7.3 State Child Fatality Review Team	This subsection was removed.	This change was made because State Child Fatality Review Team is no longer serving as a Citizen Review Panel.
10.6.1.1 Investigation requirements	This subsection was revised to clarify that an additional allegation must be added to the child welfare information system when a SEI is removed from the home.	This change was made to promote consistent practice among the LDSS.

Questions about this transmittal should be directed to:

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Commissioner