



Proposed Regulation Agency Background Document

Agency name	Department of Criminal Justice
Virginia Administrative Code (VAC) citation	6VAC20-160
Regulation title	Rules Relating to the Court-Appointed Special Advocate Program (CASA) 6 VAC 20-160-10 et seq.
Action title	Revised Rules of the Court-Appointed Special Advocate Program (CASA)
Date this document prepared	5-04-07

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

The proposed revisions to the Regulations will clarify the role of the local advisory councils, improve training opportunities, increase support for staff and volunteers, and improve the record keeping of both program activities and the financial accountability of each location. The proposed revisions to the Regulations are intended to ensure that the Regulations are in support of and consistent with the mission and goals of CASA Programs across Virginia.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Section 9.1-151 of the Code of Virginia established the Court-Appointed Special Advocate Program (CASA) in Virginia.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.

In 1998, when the Regulations were last revised, there were 22 Court Appointed Special Advocate (CASA) Programs in Virginia. Presently there are 27 programs serving the Commonwealth. With the growth of CASA there is a need to routinely provide enhanced training and support, ensure accountability and offer further clarification of guidelines and expectations. Standardization of CASA programs across the state provides for greater consistency in the delivery of advocacy services to children.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)

Some of the proposed changes to the current Regulations clarify the language, meaning or intent of the regulations. Other proposed changes are substantive and make adjustments to training requirements, program ratios, record keeping of program activities and financial accountability intended to maintain and enhance the quality of practice in Virginia's CASA programs.

Significant proposed changes to the regulations are as follows:

1. Defining the role of advisory councils and requiring them to have written roles and guidelines that do not conflict with the governing authority of the oversight organization.
2. Training for new board members that will include education about Virginia's CASA programs, mission, goals and objectives with emphasis on board member roles and fiduciary responsibilities, i.e. fund raising. Current regulation does not describe what training should include for board members.
3. The staff-to-volunteer ratio will not exceed 1:30 full time equivalent, and requires a reduction in staff-to-volunteer ratio when staff is assigned duties additional to the supervision of volunteers. Current regulation is 1:25 but allows for additional duties beyond supervising volunteers. The change in staff-to-volunteer ratio makes it consistent with the National Court Appointed Special Advocate Association (NCASAA) Standards.
4. In the event a CASA supervisor or staff member is required to serve as an advocate, that supervisor or staff member will serve cases with no more than two individual children or two sibling groups. If that ratio exceeds two children or two sibling groups, a rationale must be submitted to and approved by the Department of Criminal Justice Services (DCJS).
5. CASA programs will be required to maintain records of the activities of the CASA program by using the CASA Outcome Measurement Evaluation Tool (COMET). Current regulation provides for maintaining records in a manner determined by the local program.
6. Credit may be given towards the 30 hour training requirement for any previous training obtained by a volunteer prior to application to a local CASA program if that training was from a local CASA program that utilized the NCASAA Curriculum.

- 7. Amendments were made to the reporting requirements that are defined in regulation allowing for flexibility with the implementation of COMET.
- 8. The average number of cases per volunteer may not exceed two (changed from three cases) children/two sibling groups, unless a rationale is submitted to and approved by DCJS. The change in the regulation makes it consistent with the NCASAA Standards.
- 9. CASA programs are required to be in compliance with NCASAA Standards. Previously, this was not noted in the regulation.
- 10. Requiring CASA programs to obtain a Central Registry check on volunteer applicants who have lived in another state within the past five years prior to application. Current regulation requires a criminal history check from volunteer applicants who have lived in another state.

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) *the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) *the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) *other pertinent matters of interest to the regulated community, government officials, and the public.*

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

Revising the Rules of the Court-Appointed Special Advocate Program poses no disadvantages to the public or the Commonwealth. Advantages to the public and to government agencies are related to enhancing the ability of CASA programs to provide advocacy to children of the Commonwealth assigned to CASA programs by the court system. Advantages include improvements in training requirements, lower program ratios, and improvements in record keeping of program activities with required use of the COMET database.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

There are no requirements that exceed applicable federal requirements revising the Rules of the Court-Appointed Special Advocate Program.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

Revision of the Rules of the Court-Appointed Special Advocate Program will have no disproportionate material impact on any particular locality.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to to Hope Hodgson, Program Assistant, CASA/Children’s Justice Act. Mail may be sent to 202 North Ninth Street, 10th Floor, Richmond, VA 23219. Email may be sent to Hope.Hodgson@dcjs.virginia.gov. Written comments may be faxed to 804-786-3414. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last day of the public comment period. A public hearing will be held at a later date. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website (www.townhall.virginia.gov) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures	The Department of Criminal Justice Services currently administers the Court Appointed Special Advocate (CASA) programs and provides regulatory oversight the programs. There are no additional costs involved with the proposed revisions to the regulations.
Projected cost of the regulation on localities	The projected costs of the regulation to the local Court Appointed Special Advocate programs is minimal. The programs are already in compliance with the regulations and the changes do not hold substantive monetary implications.
Description of the individuals, businesses or other entities likely to be affected by the regulation	These regulations affect the Court Appointed Special Advocate programs that are operational in Virginia as well as any future programs that may be developed.
Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses	There are currently 27 local Court Appointed Special Advocate programs that are operational in Virginia.

<p>affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	
<p>All projected costs of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.</p>	<p>The economic impact to the local CASA programs is minimal since the proposed changes do not require a substantial monetary investment to achieve compliance. Further, the programs are already in compliance with many of the proposed regulations.</p>

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

Due to the diverse nature of the 27 CASA Program locations, there is no other viable alternative that will provide the overall consistency in expectations, guidelines, training, support and accountability. However, during the public comment periods all suggestions providing for alternatives will be reviewed for consideration.

The cost-effectiveness of the proposed Regulations has been considered and the economic impact is minimal. The Regulations hold no substantial monetary implications for Virginia CASA programs. Compliance with Regulations is routine, therefore, Virginia CASA programs will not experience an economic impact.

Regulatory flexibility analysis

Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

Revisions to the Regulations require that CASA programs maintain records of the activities of the CASA program by using the CASA Outcome Measurement Evaluation Tool (COMET). The COMET program allows for clearer, more accessible information and easier consolidation and maintenance of records, both at a state and local level. Current regulation provides for maintaining records in a manner determined by each local program. There is no adverse impact on small businesses.

Public comment

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
Nicholas Compton Attorney Lebanon, VA	Suggests CASA volunteers should not express an opinion on the placement of a child or submit written reports to the court without the same training as guardians ad litem, a licensed social worker and the experience of parenthood.	The code permits the court to allow recommendations from the CASA volunteer in written reports. The regulations set forth required training for CASA volunteers.
Daniel L. Hawes Attorney New Baltimore, VA	Suggests screening CASA volunteers by requiring the administration of the Minnesota Multiphasic Personality Inventory test.	Screening criteria is defined in the code for CASA volunteers in section 9.1-153. (D).
Krista Maslyn, LCSW Alexandria Division of Social Services	Suggests that CASA reports should be sent directly to social workers to be read and responded to prior to the court date.	This would require a change to code section 16.1-274.

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The changes to the Regulations will not have a direct impact on the family in general. The Regulations provide for the enhancement of advocacy services that support the protection of the best interest of the child involved in the court system. Providing for the best interest of the child is a legal decision established by the court system, therefore CASA Regulations have an indirect impact upon the family in this situation.

Detail of changes

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

For changes to existing regulations, use this chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale Note: Language that has been added/changed is underlined.
Part I. General Definitions. 6 VAC 20-160-10. Definitions	N/A	"Active case" means a case that is assigned by the director to a CASA volunteer.	Deleted: "Active case" means a case that is assigned by the director to a CASA volunteer or staff advocate. Rationale: The deletion allows for consistency between the Code and regulations. The Code references a case, not the various stages of a case.
	N/A		Added: <u>"Advisory Council" means a locally appointed body with a specific purpose to advise the governing body of a local CASA program.</u> Rationale: "Advisory Council" had not been previously defined.
	N/A	"Board" means the Criminal Justice Services Board.	Deleted: The definition of "Board" was deleted Rationale: There is no reference to "Board" in the regulations.
	N/A	"CASA program" means any locally operated court-appointed special advocate program which utilizes court-appointed volunteers to assist in judicial proceedings involving allegations that a child is abused, neglected, in need of services, or in need of supervision and for whom the judge determines such services are appropriate.	Added: ...or in need of supervision and for whom the <u>Juvenile and Domestic Relations Court</u> judge determines such services are appropriate. Rationale: To clarify the title of the court responsible for assigning cases to CASA programs and for consistency with the Code of Virginia.
	N/A	"Case" means a child referred to the CASA program.	Changed/Added: "Case" means a child <u>on whom a Juvenile and Domestic Relations District Court Judge has entered an order of appointment for a CASA Volunteer.</u> Rationale: To clarify the definition of a case.
	N/A	"Closed case" means a case in which the court has released the CASA volunteer, or subject to the court's approval, or the	Deleted: "Closed case" means a case in which the court has released the CASA volunteer, or subject to the court's approval, or the director has notified the court of their intent to release the case or there has been no volunteer

		director has notified the court of their intent to release the case or there has been no volunteer activity for more than 30 days.	activity for more than 30 days. Rationale: There is no reference to “closed case” in the regulations. The deletion also allows for consistency between the Code and regulations. The Code references a case, not the various stages of a case.
	N/A		Added: <u>“Governing Board” means the oversight body responsible for the local CASA program.</u> Rationale: The governing entity of CASA programs had not been previously defined.
	N/A	“Referred case” means a case that is referred by the court but is not assigned by the director to a CASA volunteer.	Deleted: “Referred case” means a case that is referred by the court but is not assigned by the director to a CASA volunteer or staff advocate. Rationale: There is no reference to “referred case” in the regulations. The deletion also allows for consistency between the Code and regulations. The Code references a case, not the various stages of a case.
	N/A		Added: <u>“Staff advocate” means an employee of the CASA program serves as the assigned advocate for a case.</u> Rationale: At times it is necessary to assign a case to a staff person, defined as staff advocate.
Part II. Program Administration 6 VAC 20-160-20. CASA Program Boards.	N/A	Program Administration 6 VAC 20-160-20. CASA Program Boards.	Added: CASA Program <u>Governance.</u> Rationale: The governing entity responsible for overseeing program operations differs due to variations in the structure of CASA offices across Virginia, therefore the term “governance” better serves the structure of the offices.
	N/A	A. If a local CASA program does not have a board of directors, it shall have an advisory board.	Changed to: <u>A CASA program shall have a governing board responsible for overseeing the program’s operations.</u> Rationale: The language provides for a more comprehensive description of the entity responsible for governing CASA programs.
	N/A	B. The composition of local CASA boards should include representatives of each geographic area served by the program having knowledge of or an interest in court matters, child welfare and juvenile justice issues from both	Added: The composition of local CASA boards should include representatives of each geographic area served by the program having knowledge of or an interest in <u>the CASA program</u> from both public and private sectors. Rationale: To enhance and encourage local board development and capacity building.

		public and private sectors.	
	N/A	C. All new board members shall receive board training within six months of their appointment.	<p>Added: <u>Training for new board members shall include education about Virginia’s CASA programs, mission, goals and objectives with emphasis on board member roles, fiduciary responsibilities and fundraising.</u></p> <p>Rationale: Current regulation does not describe what training should include for board members.</p>
	N/A		<p>Added: <u>D. A governing board may choose to establish an Advisory Council to support the CASA program operations. The governing board shall articulate in writing a clearly defined purpose for the Advisory Council, criteria for selection of members, a defined relationship between the Council and the CASA program staff and a clear process for reporting to the governing board.</u></p> <p>Rationale: Previously, the role of advisory councils was not defined and in order to avoid conflict with the governing authority of the oversight organization the governing board will require advisory councils to have written roles and guidelines.</p>
Part II. Program Administration 6 VAC 20-160-30. Record keeping and monitoring.	N/A	A. CASA programs are required to maintain records of the activities of the CASA program.	<p>Changed/Added: A. <u>CASA programs are required to maintain records of activities of the CASA program by using CASA Outcomes Management and Evaluation Tool (COMET).</u></p> <p>Rationale: Current regulation provides for maintaining records in a manner determined by the local program.</p>
		B. CASA programs shall provide quarterly reports on the operation of the CASA program to the Department of Criminal Justice Services in a format provided by the department. The CASA quarterly reports shall cover the following periods: July-September; October-December; January-March; April-June. These reports are due according to a timeline as established by DCJS.	<p>B. Changed/Deleted: CASA programs shall provide reports on the operation of the CASA program to the DCJS in a format prescribed by the department according to a timeline as established by DCJS.</p> <p>Rationale: The regulation is less restrictive, allowing for a flexible timeline on reporting requirements, which may vary more frequently than the need for regulatory changes.</p>
	N/A	C. The quarterly reports shall include the following:	Deleted: C. The quarterly reports shall include the following:

		<ol style="list-style-type: none"> 1. The number of volunteers who completed training during the quarter, the number currently assigned to cases, the number currently inactive, and the number currently unassigned; 2. The number of volunteer hours and a dollar equivalency for volunteer services for the quarter as prescribed by DCJS; 3. The number of cases served during the quarter including cases opened, closed and continued from previous quarters to ensure unduplicated numbers; 4. Average number of cases per volunteer; if this number exceeds three cases a rationale must be submitted to and approved by DCJS; 5. Breakdown of the types of cases handled during the quarter; 6. Breakdown of the age, sex and race of children served at the time of case assignment; 7. For cases closed during the quarter, the average length of time each case was assigned to the program; 8. For cases closed during the quarter, the average length of time each child was in an out of home placement while assigned to the program; and 9. The number of new cases referred during the quarter awaiting 	<ol style="list-style-type: none"> 1. The number of volunteers who completed training during the quarter, the number currently assigned to cases, the number currently inactive, and the number currently unassigned; 2. The number of volunteer hours and a dollar equivalency for volunteer services for the quarter as prescribed by DCJS; 3. The number of cases served during the quarter including cases opened, closed and continued from previous quarters to ensure unduplicated numbers; 4. Average number of cases per volunteer; if this number exceeds three cases a rationale must be submitted to and approved by DCJS; 5. Breakdown of the types of cases handled during the quarter; 6. Breakdown of the age, sex and race of children served at the time of case assignment; 7. For cases closed during the quarter, the average length of time each case was assigned to the program; 8. For cases closed during the quarter, the average length of time each child was in an out of home placement while assigned to the program; and 9. The number of new cases referred during the quarter awaiting assignment of a CASA volunteer or denied service due to lack of a CASA volunteer. <p>Rationale: The reporting requirement stated within the regulation is restrictive. The change allows the programs greater input and flexibility when making decisions regarding the applicable and appropriate use of data. The change also provides DCJS the opportunity to make revisions as appropriate.</p>
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		assignment of a CASA volunteer or denied service due to lack of a CASA volunteer.	
	N/A	<p>C. An annual report (Forms B, C, D and E) shall be due on a timeline as established by DCJS. The annual report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1. An annual statistical summary; 2. A program budget which contains expenditure and income projections and the sources and amounts of income from each source; 3. A narrative detailing the program's accomplishments, major changes in program policy or operation during the past year; 4. A letter from the CASA program's fiscal agent or accountant identifying who is responsible for maintaining the fiscal records, and stating where the fiscal records are routinely kept; and 5. A year-end fiscal statement prepared in accordance with generally accepted accounting practices showing the total cash receipts and disbursements for the CASA program from the past year. 	<p>Changed: C. CASA programs shall provide an Annual Report on the operation of the program to the DCJS in a format prescribed by the department according to a timeline established by DCJS.</p> <p>Deleted: An annual report (Forms B, C, D and E) shall be due on a timeline as established by DCJS. The annual report shall include, but not be limited to, the following: 1. An annual statistical summary;</p> <ol style="list-style-type: none"> 2. A program budget which contains expenditure and income projections and the sources and amounts of income from each source; 3. A narrative detailing the program's accomplishments, major changes in program policy or operation during the past year; 4. A letter from the CASA program's fiscal agent or accountant identifying who is responsible for maintaining the fiscal records, and stating where the fiscal records are routinely kept; and 5. A year-end fiscal statement prepared in accordance with generally accepted accounting practices showing the total cash receipts and disbursements for the CASA program from the past year. <p>Rationale: The reporting requirement stated within the regulation is restrictive. The change allows the programs greater input and flexibility when making decisions regarding the applicable and appropriate use of data.</p>
Part II. Program Administration 6 VAC 20-160-40. Program and personnel policies.	N/A		<p>Added: <u>A. CASA Programs shall be in compliance with Standards for National CASA Association (NCASAA) Member Programs.</u></p> <p>Rationale: Previously, this was not noted in the regulation. However, all Virginia programs are currently in compliance with NCASAA standards.</p>
	N/A	C. Programs shall not employ as paid staff any	Added: <u>CASA</u> Programs shall not employ as paid staff any individual who concurrently

		individual who concurrently supervises children in need of services, or juvenile offender cases, either for the courts or any child serving agencies.	supervises children in need of services, <u>children in need of supervision</u> , or juvenile offender cases, either for the courts or any child serving agencies. Rationale: Children in need of supervision are sometimes assigned to CASA programs and were not included in the previous regulations.
	N/A	D. Programs shall write policies on the following and make those written policies available to the respective court: 1. The maximum number of cases to which a volunteer may be assigned at any one time. If that number is larger than three children or two sibling groups, a rationale must be submitted to and approved by DCJS. 3. The maximum number of volunteers to be supervised by each staff person. The staff-to-volunteer ratio calculated and reported each quarter shall not exceed 1 full-time equivalent staff to 25 volunteers who are assigned to active cases. A request shall be submitted to and approved by DCJS should that ratio exceed 1:25.	Added: D. <u>CASA</u> Programs shall write policies on the following and make those written policies available to the respective court: 1. The maximum number of cases to which a volunteer may be assigned at any one time. If that number is larger than <u>two</u> children or two sibling groups, a rationale must be submitted to and approved by DCJS. Rationale: The change allows for consistency with NCASAA standards. 2. <u>Assignment of CASA staff as an advocate. In the event a CASA supervisor or staff member is required to serve as an advocate, that staff member will serve no more than two children or two sibling groups without a rationale provided to and approved by the Department of Criminal Justice Services.</u> Rationale: The change limits the number of cases assigned to staff, thus preserving the volunteer nature of CASA. 3. The maximum number of volunteers to be supervised by each staff person. The staff-to-volunteer ratio calculated and reported each quarter shall not exceed 1 full-time equivalent staff to <u>30</u> volunteers who are assigned to active cases. <u>This ratio is reduced according to the number of employee work hours devoted to administrative or other responsibilities the volunteer supervisor may be assigned.</u> A request shall be submitted to and approved by DCJS should that ratio exceed <u>1:30</u> . Rationale: Current regulation is 1:25 but allows for additional duties beyond supervising volunteers. The changes in staff-to-volunteer ratio make it consistent with the National Court Appointed Special Advocate Association (NCASAA) Standards.
	N/A	E. (1.) c. Serving as a liaison to the court, to their local board, to local agencies serving children, to DCJS personnel, to the	Changed/Deleted: c. Serving as a liaison to the court, to their local board, to local agencies serving children, to DCJS personnel, to the Virginia CASA Network, and to the National CASA Association;

		Virginia CASA Network, to the Virginia CASA Association, and to the National CASA Association;	Rationale: The Virginia CASA Association no longer exists.
Part III. Volunteer Administration 6 VAC 20-160-80. Code of Ethics.	N/A	C. CASA volunteers should develop a general understanding of the code of ethics of other professionals with whom the CASA volunteer will be working.	Deleted: C. CASA volunteers should develop a general understanding of the code of ethic of other professionals with whom the CASA volunteer will be working. Rationale: The statement is not required in this section since it is stated in the training section, 6VAC 20-160-120. B. (10).
Part IV. 6 VAC 20-160-100. Screening.	N/A	A. CASA volunteers shall successfully complete screening procedures, which, at a minimum, shall include a written application and personal interview.	Added: A. <u>Prior to being sworn in</u> , CASA volunteers shall successfully complete screening procedures, which, at a minimum, shall include a written application and personal interview. Rationale: To clarify that CASA volunteers must complete all screening procedures prior to the swearing in process.
		B. Pursuant to § 9-173.8 of the Code of Virginia, the director shall obtain, with the approval of the court, a copy of each applicant's criminal history record or certification that no conviction data is maintained on him, in accordance with §19.2-389 of the Code of Virginia; a copy of information from the central registry, maintained pursuant to §63.1-248.8 of the Code of Virginia, on any investigation of child abuse or neglect undertaken on him or certification that no such record is maintained on him; and a motor vehicles division record check. If the volunteer applicant has lived in another state within the past three years, the CASA volunteer shall also provide a copy of his criminal history record from that area. An applicant should be rejected if he refuses to	Changed: B. Pursuant to § <u>9.1-153</u> of the Code of Virginia, the director shall obtain, with the approval of the court, a copy of each applicant's criminal history record or certification that no conviction data is maintained on him, in accordance with § 19.2-389 of the Code of Virginia; a copy of information from the central registry, maintained pursuant to § <u>63.2-1515</u> of the Code of Virginia, on any investigation of child abuse or neglect undertaken on him or certification that no such record is maintained on him. If the volunteer applicant has lived in another state within the past <u>five</u> years, the CASA <u>Program Director</u> shall <u>obtain copies of his criminal history record and a copy of information from the central registry</u> from that area. An applicant <u>shall</u> be rejected if he refuses to sign a release of information for appropriate law-enforcement checks. Rationale: The section numbers of the Code have changed since the last revision to the regulations. The change from three to five years allows for the release of further criminal history information. The use of shall, verses should, indicates obligation to follow the regulation.

		sign a release of information for appropriate law-enforcement checks.	
	N/A	D. Before the volunteer is sworn in, the director shall determine that the CASA volunteer is qualified under 6 VAC 20-160-90.	Added: Before the volunteer is sworn in, the director shall determine that the CASA volunteer is qualified under 6 VAC 20-160-90 and 6 VAC 20-160-120. Rationale: Adds the training requirement to the qualifications requirement under the screening section.
Part V. Training Guidelines for Volunteers. 6 VAC 20-160-120. Training.	N/A	A. To ensure that volunteers are fully prepared to perform their role as a CASA and to assume the accompanying responsibilities, each volunteer shall participate in a minimum of 30 hours of training prior to being accepted as a CASA volunteer and assigned cases. Credit may not be given towards the 30 hours of training for any previous training obtained by a volunteer prior to application to a local CASA program.	Added: To ensure that volunteers are fully prepared to perform their role as a CASA and to assume the accompanying responsibilities, each volunteer shall participate in a minimum of 30 hours of training prior to being accepted as a CASA volunteer and assigned cases. Credit may be given towards the 30 hours of training for any previous training obtained by a volunteer prior to application to a local CASA program <u>if that program uses the NCASAA Training Curriculum and documentation of completion of the training is provided.</u> Rationale: The changes allow for credit to be given for previous training. With implementation of the NCASAA training curriculum volunteer training is standardized on both the state and national level.
	N/A	B. (4.) The nature of child abuse and neglect, the impact of drugs and alcohol on the incidence of abuse, identification of the family conditions and patterns which lead to and perpetuate abuse and neglect, and instruction on how social services respond to and assess reports of abuse and neglect;	Added: The nature of child abuse and neglect, the impact of drugs and alcohol on the incidence of abuse, identification of the family conditions and patterns which lead to and perpetuate abuse and neglect, and instruction on how <u>local departments of social services</u> respond to and assess reports of abuse and neglect; Rationale: The change in the language specifies that training is designed to inform volunteers about their work with social services on their local level.
	N/A		Added: <u>B. (10.) The development of a general understanding of the code of ethics of other professionals with whom the CASA volunteer will be working.</u> Rationale: This topic is covered in training and was not previously stated in the training section.

	N/A	D. CASA volunteers in training should be provided an opportunity to visit community agencies and institutions relevant to their work as a volunteer.	<p>Changed: D. CASA volunteers in training <u>shall</u> be provided an opportunity to visit community agencies and institutions relevant to their work as a volunteer.</p> <p>Rationale: The use of shall, verses should, indicates obligation to follow the regulation.</p>
	N/A	E. The CASA program should provide volunteers in training with the following written materials:	<p>Changed: E. The CASA program <u>shall</u> provide volunteers in training with the following written materials:</p> <p>Rationale: The use of shall, verses should, indicates obligation to follow the regulation.</p>
	N/A	F. Trainers and faculty for the initial training program and any ongoing training or continuing education should be persons with substantial knowledge, training and experience in the subject matter which they present and should also be competent in the provision of technical training to lay persons.	<p>Changed: F. Trainers and faculty for the initial training program and any ongoing training or continuing education <u>shall</u> be persons with substantial knowledge, training and experience in the subject matter which they present and should also be competent in the provision of technical training to lay persons.</p> <p>Rationale: The use of shall, verses should, indicates obligation to follow the regulation.</p>
	N/A	G. CASA program staff and others responsible for the initial training program should be attentive to the participation and progress of each trainee and be able to objectively evaluate his abilities according to criteria developed by the CASA program for that purpose. CASA directors should use the Comprehensive Training Curriculum for CASA from the National CASA Association and training curricula developed within the state as a reference in designing and developing their training program.	<p>Changed: G. CASA program staff and others responsible for the initial training program should be attentive to the participation and progress of each trainee and be able to objectively evaluate his abilities according to criteria developed by the CASA program for that purpose. CASA directors should use the Comprehensive Training Curriculum for CASA from <u>NCASAA</u> and training curricula developed within the state as a reference in designing and developing their training program.</p> <p>Rationale: The National CASA Association was included in a previous section, allowing for the use of the acronym in this sentence.</p>
		I. CASA volunteers shall participate in 12 hours of continuing education by the CASA program must have been reviewed and approved by the CASA	<p>Changed: I. CASA volunteers shall <u>complete</u> 12 hours of continuing education annually as approved by the director. This continuing education may be in-service programs provided directly by the CASA program, or in</p>

		<p>director for its suitability for the continuing education of CASA volunteers, and the amount of continuing education credit that is appropriate.</p>	<p>conjunction with another agency or agencies, or may be through an outside agency, through print or electronic media, or from other sources. All training not conducted or sponsored by the CASA program must have been reviewed and approved by the CASA director for its suitability for the continuing education of CASA volunteers, and the amount of continuing education credit that is appropriate.</p> <p>Rationale: Completion, not only participation, of the training curriculum is required, and that was not clear in the previous regulation.</p>
		<p>FORMS NOTICE: The forms used in administering 6VAC 20-160-10 et seq., Rules Relating to the Court-Appointed Special Advocate Program (CASA), are listed below. Any amended or added forms are reflected in the listing and are published following the listing. CASA Quarterly Case Summary, rev. 5/97 (Form A) CASA Annual Case Summary, rev. 5/97 (Form B) CASA Annual Case Summary Narrative Form, rev. 5/97 (Form C) CASA Annual Financial Status, rev. 5/97 (Form D) CASA Annual Projected Program Budget, rev. 5/97 (Form E)</p>	<p>Deleted: FORMS NOTICE: The forms used in administering 6VAC 20-160-10 et seq., Rules Relating to the Court-Appointed Special Advocate Program (CASA), are listed below. Any amended or added forms are reflected in the listing and are published following the listing. CASA Quarterly Case Summary, rev. 5/97 (Form A) CASA Annual Case Summary, rev. 5/97 (Form B) CASA Annual Case Summary Narrative Form, rev. 5/97 (Form C) CASA Annual Financial Status, rev. 5/97 (Form D) CASA Annual Projected Program Budget, rev. 5/97 (Form E)</p> <p>Rationale: The forms listed no longer apply. The forms require revision and updating on a continuous basis and there is no need to include the forms in the regulations. In addition, the forms vary based upon the annual changes to the volunteer equivalency rate.</p>