



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation	22 VAC 40 -730
Regulation title	Investigation of Child Abuse and Neglect in Out of Family Settings
Action title	2003 Legislative Requirements
Document preparation date	October 22, 2003

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006(A) of the of the Administrative Process Act (APA) (townhall.state.va.us/dpbpages/dpb_apa.htm), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act (leg1.state.va.us/cgi-bin/legp504.exe?000+cod+2.2-4100), the *Virginia Register Form, Style, and Procedure Manual* (legis.state.va.us/codecomm/register/download/styl8_95.rtf), and Executive Orders 21 (02) and 58 (99) (governor.state.va.us/Press_Policy/Executive_Orders/EOHome.html)

Summary

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

The proposed changes are being made to comply with Chapter 1013, 2003 Acts of the Assembly, which codified requirements regarding the investigation of child abuse or neglect allegations against public school personnel. In addition to providing specificity to the investigation procedures, the legislation requires local departments of social services to develop agreements with their local schools for how investigations will be conducted.

Statement of agency final action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The State Board of Social Services approved this final regulation, entitled Investigation of Child Abuse and Neglect in Out of Family Complaints, on October 22, 2003.

Substance

Please detail any changes that are proposed. Please outline new substantive provisions, all substantive changes to existing sections, or both where appropriate.

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
	Section 115	This is a totally new section to be inserted between the current sections 110 and 120.	<p>Subsection A will address the new requirement that each local department of social services and local school division shall adopt a written interagency agreement as a protocol for investigating child abuse and neglect reports against school personnel.</p> <p>Subsection B will outline the investigative procedures to be used with school personnel, as codified by Chapter 1013, 2003 Acts of Assembly.</p>

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The proposed changes to the Out of Family regulations are not expected to have any significant impact on families.