



COMMONWEALTH of VIRGINIA

OFFICE OF CHILDREN'S SERVICES

Administering the Children's Services Act

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Executive Director

Administrative Memorandum #25-09

To: CPMT Chairs
CSA Coordinators

From: Kristi Schabo, Senior Policy and Planning Specialist *Kristi M. Schabo*

Date: June 16, 2025

Subject: Changes to the Code of Virginia and State Policy Regarding the Eligibility for Children In Need of Services (CHINS)

The 2025 session of the General Assembly (SB801) modified Code of Virginia §2.2-5211 (*State pool of funds for community policy and management teams*) and §2.2-5212 (*Eligibility for state pool of funds*). These changes established youth found to be a CHINS by a Juvenile and Domestic Court or a Family Assessment and Planning Team (FAPT) as an eligible, sum-sufficient population for the Children's Services Act (CSA). The General Assembly also passed HB2260, which modified §16.1-228 of the Code of Virginia (Definitions), which expanded the definition of a CHINS to include "*a child who remains away from or deserts or abandons his family or lawful custodian during one occasion and is demonstratively at risk of coercion, exploitation, abuse, or manipulation or has been lured from his parent or lawful custodian by means of trickery or misrepresentation or under false pretenses.*" These changes are effective on July 1, 2025.

At their June 12, 2025 meeting, the State Executive Council for Children's Services (SEC) repealed the existing Policy 4.1.1 (Children in Need of Services) and all supplemental related documentation (i.e., CHINS Eligibility Checklist, CSA Parental Agreement Template, and the Interagency Guidelines on Foster Care Services for Specific CHINS) effective July 1, 2025. The SEC approved a revised Policy 4.1.1 for public comment. The revised policy is subject to the SEC's Public Participation in Policy-Making Actions policy (Policy 2.4). This policy requires at least two periods for public comment, an initial 45-day window and a subsequent 60-day window.

The repeal of the existing Policy 4.1.1 leaves a temporary resource gap as the revised policy progresses through the SEC's policy-making process. Local CSA programs are still required to document eligibility for youth who are found eligible as a CHINS. Although the proposed Policy 4.1.1 and accompanying guidance documents have not been fully approved by the SEC, the draft policy does include a *Documentation of CHINS Eligibility* form (Appendix A) that provides adequate documentation of a youth's eligibility as a CHINS and also contains the changes made to the CHINS definition in §16.1-228.

FAPTs must document a youth's eligibility as a CHINS. While there is currently no requirement to utilize any of the supporting documents that accompany the revised Policy 4.1.1 while it is in the policy-making process, it is permissible for localities to use the draft supporting documentation to ensure the required documentation of a youth's eligibility in the interim.

A revised *CSA Parental Agreement* template is also part of the SEC review process. A *CHINS Practice Guidelines* document is also available. OCS will hold two (identical) webinars on this topic on June 18, 2025, at 2:00 PM and June 26, 2025, at 1:00 PM. Notice of these events has been distributed separately along with the registration process.

A copy of the draft policy and supporting documents is attached to this Administrative Memo.

Please direct any questions related to the content of this memo to Kristi Schabo (kristi.schabo@csa.virginia.gov).