

**Cuyahoga County Division of Children and Family Services
(CCDCFS)
Policy Statement**

Policy Chapter: Investigations
Policy Number: 2.03.04
Policy Name: Out-of-Home Care Investigations of Child Abuse or Neglect

Original Effective Date: 07/01/2001
Revision Date(s): 08/01/2019, 07/01/2015
Current Revision Date: 11/01/2022
Approved By: Jacqueline M. Fletcher, Interim Director

PURPOSE: This policy will ensure a timely, objective investigation is completed when an allegation of child abuse or neglect (CA/N) occurs in an out-of-home care setting and is made against a provider of out-of-home care.

SCOPE: This policy concerns the Special Investigations Unit (SIU) and Resource Management staff and applies to allegations of CA/N in any out-of-home care setting within Cuyahoga County or any county where a child in the custody of Cuyahoga County is placed.

DEFINITIONS

A. According to 5101:2-1-01 (208) of the Ohio Administrative Code (OAC), an “Out-of-Home Care Setting” is defined as “a detention facility, shelter facility, foster home, pre-finalized adoptive placement, certified foster home, approved foster care, organization, certified organization, child care center, type A family day-care home, type B family day-care home, group home, institution, state institution, residential facility, residential care facility, residential camp, day camp, hospital, medical clinic, children's residential center, public or nonpublic school, or respite home that is responsible for the care, physical custody, or control of a child”, with the exception of Kinship Care.

POLICY

- A. Special Investigations Unit Child Protection Specialists (SIU CPS) are responsible for investigating allegations of CA/N that occur in out-of-home care settings.
1. The SIU CPS is responsible for completing the investigation and making a disposition within 45 days of the referral acceptance date assigned by the Hotline Department (or up to 60 days with a qualifying waiver).
 2. The SIU CPS shares the findings with the appropriate licensing supervising authority, the Child Protection Specialist (CPS) assigned to the alleged child victim (ACV), and the appropriate Resource Manager (RM) of the out-of-home care setting, if applicable.

3. The SIU CPS, CPS, and RM are all responsible for ensuring children in the custody of Cuyahoga County Division of Children and Family Services (CCDCFS) are safe in out-of-home care settings.

PROCEDURES

- A. Hotline staff are responsible for taking reports and making screening decisions for out-of-home care CA/N allegations.
- B. SIU CPS follows the procedures that are outlined in Policy 2.03.00 Investigations and Assessments when initiating and conducting an out-of-home care investigation.
- C. The RM or (hotline staff if after hours) places the home on “hold” pending the outcome of the investigation.
- D. SIU CPS generates the appropriate cross-referral reports according to 5101:2-36-12 and 5101:2-33-21 of the Ohio Administrative Code.
- E. SIU CPS contacts the assigned CPS and RM, (when applicable), and shares all concerns and information learned through the investigation.
- F. The assigned CPS and RM are prohibited from discussing the allegations with any principal parties until the investigation is completed.
- G. If the SIU CPS determines that a child is unsafe, SIU CPS makes the necessary arrangements for the immediate removal of the child in collaboration with the assigned CPS and his/her chain of command. The final determination as to whether a child is removed from an out-of-home care setting lies with the assigned CPS.
 1. The assigned CPS schedules a staffing upon the recommendation of the SIU CPS. SIU CPS attends the staffing in conjunction with all assigned CPS prior to children being placed in a respite home.
 2. The staffing(s) are scheduled the same day at a time that is convenient for the family as close together as possible, with the same facilitator to address all children in the home. All assigned CPS and Supervisors are expected to attend the staffing and invite relevant parties. Due to confidentiality, some parties may be excused for portions of the meeting.
- H. If any concerns of CA/N arise during the investigation involving children who reside in the out-of-home care setting (i.e.: biological, adopted children), SIU CPS contacts the Hotline.
- I. SIU CPS sends a written notification of disposition letter within two (2) business days of the disposition to the following:
 1. Alleged Perpetrator (AP)
 2. ACV (if appropriate given the child’s age and development)
 3. ACV’s parent, caregiver, and/or custodian

- J. SIU CPS sends written notification of the disposition and any OAC rule violations within three (3) business days of the disposition to the following:
1. Resource Manager
 2. Contracted Resource Manager (CRM)
 3. Child Protection Specialist
 4. Appropriate Licensing and Supervising Authority
 5. Licensing Specialist (LS)
 6. Administrator, Director, Owner, Governing Board or Designee of the out-of-home care setting
- K. In cases of Indicated or Substantiated finding of CA/N in a foster home approved and licensed by CCDCFS, the following will occur:
1. The RM will review the Foster Parent record and determine whether a Corrective Action Plan (CAP) will address the rule violations.
 2. If it is determined that the rule violations pose a serious safety risk to potential placements, The RM will proceed with a request to the State of Ohio for a revocation of the foster care license.
 3. If a CAP is deemed appropriate, the CAP is developed by the RM in conjunction with the Foster Parent within seven (7) business days of the disposition and submitted to the RM Supervisor for review and approval prior to implementation.
- L. In cases of an Indicated or Substantiated finding of CA/N in a foster home approved and licensed by a Contracted Network Provider, the following will occur:
1. The Contracted Network Provider will provide detailed written documentation to the CRM regarding the action taken to address the SIU investigation finding, revocation or CAP, within five (5) business days of being notified of the disposition.
 2. The CRM and CRM Supervisor will review all documentation submitted by the Contracted Network Provider and within 45 days notify the provider of the agency's decision regarding future use of the foster home.
- M. In cases of an Indicated or Substantiated finding of CA/N in Residential/Detention Centers, Group Homes, or other Congregate Care Settings, the following will occur:
1. The CRM will negotiate a CAP with the Administrator of the placement setting.
 2. The Administrator will provide a written version of the CAP.
 3. The CRM will forward a copy of the written CAP to the SIU CPS.
 4. The SIU CPS will place a copy in the case record.
- N. In cases where the allegation of CA/N is found to be unsubstantiated, CCDCFS will remove the home from "hold" status.
- O. If either the RM, CRM, or SIU CPS requests an exit conference to discuss the disposition or rule violations found, the meeting will be scheduled within three (3) business days and held within seven (7) business days.

P. Appeal of Dispositions:

1. AP may request an Administrative Review Hearing within five (5) working days of receipt of the disposition letter, if the allegations are found to be substantiated or indicated.
2. A Deputy Director or designee schedules the Administrative Review and invites the AP and the AP's legal counsel, if requested.
3. If the AP retains legal counsel, a CCDCFS civil attorney is also invited to the Administrative Review.
4. SIU CPS and SIU Supervisor attends the Administrative Review Hearing MIU/SIU Feedback.
5. The final resolution of the Administrative Review Hearing is communicated to all parties by the Deputy Director or designee, within ten (10) working days of the review. If the disposition is changed, all parties that received the original disposition letter are notified. If the decision is upheld, notification is sent only to the AP, SIU CPS, SIU CPS Supervisor, and Customer Relations.

SEE ALSO:

Ohio Administrative Code

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| Section: 5101:2-36-04 | PCSA Requirements for Conducting a Specialized Assessment/Investigation |
| Section: 5101:2-36-08 | PCSA Requirements for Involving a Third Party in the Assessment/Investigation of a Child Abuse or Neglect Report |
| Section: 5101:2-36-12 | PCSA Requirement for Cross-referring Reports of Child Abuse and/or Neglect |
| Section 5101:2-33-21 | Confidentiality and dissemination of child welfare information. |
| Section: 5101:2-5, 2-7, 2-9 | Licensing Guidelines and/or Rule Violations for Foster Homes, Daycare Centers and Residential Facilities |

Cuyahoga County Division of Children and Family Services Policies and Procedures Manual

Policy 2.01.09 Courtesy Supervision and Joint Investigations