

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

Policy Chapter: Substitute Care
Policy Number: 6.02.14
Policy Name: Minor Foster Home Residents with Criminal Records

Original Effective Date: 08/31/2009
Revision Date(s): 12/01/2017, 09/01/2014, 02/01/2013
Current Revision Date: 12/01/2020
Approved By: Cynthia G. Weiskittel

PURPOSE: To ensure the safety of children residing in foster homes in accordance with Ohio Administrative Code (OAC) 5101:2-5-13.

SCOPE: This policy applies to all CCDCFS staff and foster parents as well as staff and foster parents of those agencies providing foster care to children in the custody of CCDCFS.

POLICY

All applicants/licensed foster homes must immediately notify the agency when any resident under 18 years old is charged with, convicted of or plead guilty to any of the offenses listed in OAC Rule 5101:2-7-14 or has been adjudicated to be a delinquent child for committing an act that if committed by an adult would constitute one of those offenses.

PROCEDURES

A. For Pre-Certified Applicants:

1. Each applicant whose household includes a resident who is under 18 years old **and** who has been convicted of or plead guilty to any of the offenses listed in OAC Rule 5101:2-7-14 or has been adjudicated to be a delinquent child for committing an act that if committed by an adult would constitute one of those offenses, must document the criminal history on the Ohio Department of Job and Family Services (ODJFS) 01691, "Application for Child Placement" and in the "Homework Packet".
2. If a resident less than 18 years old has a criminal history as outlined above, the applicant (legal custodian or guardian of the youth) shall sign a "Release of Information" allowing the agency to access the youth's Juvenile Court, probation, incarceration and/or diversion records. Failure to sign the "Release of Information" or to provide satisfactory records shall terminate the homestudy process and result in a denial of the application.

3. The Resource Manager completing the family assessment must consider this information as a significant factor in determining suitability as a foster home.
4. The Resource Manager shall follow the rehabilitation standards as outlined in 5101:2-7-02 also taking into consideration the length of time elapsed since the minor was discharged from incarceration, probation or participation in a diversion program.
5. Failure of the applicant to notify the agency of the resident's criminal history on the application and homework packet or during the homestudy process will terminate the homestudy process and result in a denial of the application.
6. There is no appeal.

B. For Licensed Foster Homes:

1. Any licensed foster home **must** immediately notify the agency in writing, within 24 hours, when a household resident who is under 18 years old has been charged with, convicted of or plead guilty to any of the offenses listed in OAC Rule 5101:2-7-14 or has been adjudicated to be a delinquent child for committing an act that if committed by an adult would constitute one of those offenses.
2. The foster parent, legal custodian or guardian of the youth shall sign a "Release of Information" allowing the agency to access the youth's Juvenile Court, probation, incarceration and/or diversion records. Failure to sign the "Release of Information" or to provide satisfactory records shall terminate the review process and may result in revocation of the foster caregiver's certificate.
3. The Resource Manager completing the review must consider this information as a significant factor in determining suitability as a foster home.
4. The Resource Manager shall follow the rehabilitation standards as outlined in 5101:2-7-02 also taking into consideration the length of time elapsed since the minor was discharged from incarceration, probation or participation in a diversion program.
5. Failure of the foster caregiver to notify the agency of minor resident's criminal history will place the home on immediate, indefinite "hold" status.
6. The agency shall notify Ohio Department of Job and Family Services (ODJFS) in writing, within 3 working days, of the foster caregiver's failure to notify the agency. ODJFS shall immediately initiate action to revoke the foster caregiver's certificate.
7. There is no appeal.

SEE ALSO:

Ohio Administrative Code Section 5101:2-5-13

Ohio Administrative Code Section 5101:2-7-14