

CCDCFS POLICY STATEMENT

POLICY NO. 2.01.03

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EFFECTIVE DATE: January 21, 1997

SUBJECT: Referrals - Criteria for
Agency Intervention

DATE OF REVISION: April 22, 2000

PURPOSE:

To clarify the criteria which the staff of the Department of Children and Family Services (DCFS) are to use to determine if intervention is the most appropriate response to a referral.

SCOPE:

This policy applies to staff of the Hotline, Special Investigations Unit (SIU), Family Services and any other DCFS staff who may find themselves involved with an allegation of abuse/neglect.

POLICY:

- A.** The Hotline Supervisor on duty at the time of a referral will be responsible for ensuring that referrals which meet the criteria listed (see **PROCEDURES**, below) will be accepted for investigation.
- B.** All referrals will be assigned as Priority 1, 2, or 3, depending upon the circumstances.
- C.** If referrals are determined to be inappropriate for investigation, DCFS will provide assistance in locating the appropriate resource(s), in accordance with the Service Coordination Plan. These need to be tagged as "**non-referrals.**"
- D.** Emergency services will be provided, if necessary, whether the allegation is received during business hours or after hours.
- E.** DCFS staff will gather sufficient information to assure that there are no other issues of abuse or neglect not mentioned in the referral which must be investigated.

PROCEDURES

A. Definitions:

1. PHYSICAL ABUSE is defined as any physical injury or death inflicted other than by accidental means; an injury which is at variance with medical evidence and the history given; severe corporal punishment; discipline or restraint which is excessive and creates serious physical and/or emotional harm to the child. This includes but is not limited to the following:

- Beatings (leaving marks, bruises, hand prints, broken bones and/or internal injuries).
- Torture (withholding food and water; locking in a closet, cages or rooms; tying up child; kneeling on rice; holding arms out for extended periods of time).
- Burns or scalding.
- Poisoning or giving inappropriate non-prescription medication.
- Biting (human).
- Dangerous acts (acts which constitute a substantial risk to a child's physical health and safety but which fortuitously did not result in harm; i.e., domestic violence, driving while intoxicated, reckless use or placement of a lethal weapon in proximity to a child).
- Emotional abuse (chronic attitude or acts of a parent which are detrimental to a child's development; i.e., blaming a child for things over which the child has no control, using the child as a scapegoat, threatening the child's safety and health).

2. SEXUAL ABUSE is an action against the child as defined in 2907 O.R.C., where such activity would constitute an offense under that chapter, including:

- Rape.
- Sexual battery.
- Corruption of a minor.
- Gross sexual imposition.
- Felonious sexual penetration.
- Compelling prostitution.
- Pandering obscenity involving a minor.
- Importuning.
- Other (if alleged offender is another child in the same age range and force or intimidation is involved).

3. NEGLECT is defined as the failure of a parent or guardian(s) to provide for the necessary subsistence, education or medical needs of a child (this can be due to

refusal to provide, faults, habits or abandonment on the part of the parent or guardian). Neglect includes but is not limited to:

- Inadequate housing (conditions so dangerous that there is a threat of injury or health hazard if there is no agency intervention).
- Inappropriately leaving a child alone/unsupervised.
- Medical neglect (parent's refusing treatment; attempting to remove child against medical advice; failing to take a child for treatment of a diagnosed condition; and failing to have a mental condition treated).
- Educational neglect (parent's refusal or inability to send children to school)
[NOTE: If child is over 13, this is considered truancy unless there is active refusal on the part of the parent.]
- Inadequate clothing or food (parent's failing to provide clothing or food within the limits of the parent's resources).
- Emotional neglect (chronic and ongoing failure by parents to provide child with the support and affection necessary to their development; i.e., little or no interest in the child's activities or problems, treating the child coldly and/or withholding affection).
- Drug/alcohol abuse on the part of the parent/guardian which places the child at risk: examples of this would include the mother or the infant testing positive for substance abuse, the infant exhibiting physical evidence of withdrawal from drugs, the infant being diagnosed as FAS (Fetal Alcohol Syndrome) or FAE (Fetal Alcohol Effect), or when there is reason to believe the mother has abused drugs during her pregnancy, based on a psychosocial evaluation by Social Workers, despite the mother's and the infant's testing negative for substance abuse.

(See POLICY NO. 2.01.10 - Children Born Exposed To Drugs)

B. When referrals are not accepted for investigation or when DCFS does not offer the most appropriate resource(s) for the family, DCFS will provide assistance in locating appropriate resource(s), in accordance with the Service Coordination Plan (see **E.**, below, and note in addition that these need to be logged in the Hotline Application as "non-referrals," for statistical purposes). Other services which are provided by DCFS include:

1. Family Reunification Services.
2. Adoption Services.
3. Services to unmarried parents.
4. Planning for children born to incarcerated women.

C. Operational Examples of Cases to Accept (The following list of possible cases to accept is NOT all inclusive. (For more information, see Attachment #1):

1. ABUSE

- Alleged physical and sexual abuse.
- All child deaths due to alleged abuse or neglect.
- Corporal punishment, discipline or restraint which results in physical injury and creates risk of serious physical or emotional harm to the child
- Physical discipline of infants.
- Encouragement or permission or allowing the child to be involved in prostitution.
- Terrorizing child with threats of extreme punishment in a climate of fear
- Failing to protect the child from the assaults of others.
- Isolating child; i.e., not allowing the child to attend school or leave the home.
- Unruly or delinquent child who is abused or neglected.
- Dangerous acts by the caregiver which constitute a substantial risk to the child's health and safety.

2. NEGLECT

- Child has a serious emotional or medical problem which is not being treated in a timely manner.
- Inadequate nutrition with identifiable physical results
- Failure to thrive.
- Failure to provide for appropriate hygiene of child, resulting in a medical problem.
- No heat in cold weather.
- Inoperable plumbing.
- Dangerous housing conditions such as the presence of broken glass, nails or sharp objects on the floors or walls, or exposed wires.
- Sanitation problems such as rotting garbage or feces.
- Failure to provide warm clothing in winter or clothing and shoes which are ill-fitting and in extreme disrepair.
- Abandoned child.
- Child left alone who lacks maturity and/or resources to care for her(him)self.
- Child left with responsible caretaker who cannot provide for the child's educational/medical needs due to lack of guardianship/custody.
- Educational neglect.
- Lack of needed psychiatric, educational or medical services to a mentally, physically, or emotionally impaired child when a parent is

unwilling or unable for other than financial reasons to provide such care.

- Head lice which is continuous and untreated.
- Parent or guardian not treating child's drug dependency.

3. ABUSE/NEGLECT

- Child who is 18 - 21 yrs. old and is mentally or physically handicapped, is abused or neglected.
- Request for investigation comes from PCSA outside Cuyahoga County.

4. OTHER

- All out-of-town investigations.
- Requests for Homestudy comes from PCSA outside Cuyahoga County.
- Self-referred unwed parent.
- Parent who states that he/she may injure child.
- Investigation and recommendation of placement arrangements for infants born to incarcerated mothers.

NOTE: Referrals are accepted on allegations of abuse/neglect regardless of any other agency or court involvement.

D. Operational examples of cases which are inappropriate for investigation (All of these examples assume no active case and no indication of abuse or neglect. Sufficient information must be gathered at the Hotline to assure that there are not also issues of abuse or neglect which must be investigated. If several of the following indicators are found in conjunction, a referral may be appropriate.):

1. Parent is alleged to abuse drugs or alcohol - no alleged effects on care to children (the age of the child will be considered in determining the effect on the care, and children under the age of five years constitute an automatic referral).
2. Child is abusing drugs or alcohol, and parents are seeking appropriate treatment for child.
3. Truancy - child is over 13 (unless there are indicators and allegations that the parent is contributing to the child's truancy).
4. Pregnant mother who is alleged to be abusing drugs or alcohol or not receiving prenatal care. A referral is accepted once the child is born (unless self-referral or minor mother) or if a positive tox is obtained after the mother's first trimester.

5. Unruly and delinquent child, unless abuse or neglect is being alleged and the child is a runaway.
6. Alleged physical abuse by police officers while acting in their official capacity. This is to be reported to the County Prosecutor or the Police Department's Internal Affairs Unit. Alleged sexual abuse or physical neglect, however, are investigated by DCFS.
7. Children who are left alone or baby-sitting who have the maturity and resources to care for themselves
8. Mentally, physically or emotionally impaired children who need psychiatric treatment, education or special care, unless the parents are unwilling or incapable of accessing available services/resources for other than financial reasons.
9. Suicidal child - parents are seeking appropriate treatment.
10. Parent is mental ill or retarded, unless the mental illness or retardation contribute to abuse/neglect or poses a serious risk.
11. Parent or guardian is not available, but has made arrangements for a responsible person to care for the child or to assume guardianship, if necessary. A case will be opened; however, if the child has school or medical issues which need to be addressed.
12. Parent/child conflicts.
13. Persons 18 or over, not mentally or physically handicapped, who are experiencing abuse or neglect (even if they are still in high school).
14. Person is 21 or over and mentally or physically handicapped who is experiencing abuse or neglect. A referral will be made to MRDD.
15. If the family resides in another county and the abuse/neglect occurred in another county. An "assist" will be done upon request by another county to interview a principal who resides in Cuyahoga County. DCFS will make a referral to another county if necessary.

(See POLICY NO. 2.01.09 - Courtesy Supervision and Joint Investigations)

16. Lack of immunization.
17. No electricity or gas in the home, unless this is specifically causing injury or health hazard (such as during cold weather).

18. Head lice, unless it is untreated and continuous.
19. Poor personal hygiene.
20. Lack of appropriate clothing, unless child is exposed to the elements or not adequately covered.
21. Lack of prenatal care to a minor mother, unless there is indication of risk to the minor mother's physical health.
22. Corporal punishment, where there are no indicators of physical harm. Corporal punishment of infants does place the child at risk of serious harm. Punishment is reasonable when it is used to correct or discipline, when it is limited in degree and frequency, when the parent is in control of him(her)self, and when the child has reached the developmental age to understand the punished misbehavior.
23. Sexual experimentation among children without the use of force or intimidation.
24. Parents' lifestyles in and of themselves are not considered an indicator of abuse (for example, the mother is a prostitute or the father has undergone a sex change).
25. Sexual activity between consenting adolescents, separated in age by less than four (4) years.
26. Child needs placement for mental health reasons.
27. Parents' inability to pay for residential or day treatment.

E. If we are not the appropriate service/resource for a family, we will provide assistance in locating the appropriate resource.

ODHS Family, Children & Adult Services Manual Sections 5101:2-34-01, 02, 07; & 2-35-76; & 2-39-01