

**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

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Approved By: Thomas D. Pristow

PURPOSE: To ensure that a timely, objective investigation is completed by the Special Investigations Unit (SIU) when an allegation of child abuse or neglect (CA/N) is made against a provider of out-of-home care when CA/N is alleged to have happened to a child who is in an out-of-home setting.

SCOPE: This policy concerns the Special Investigations Unit (SIU) and covers allegations of CA/N in any out-of-home setting within Cuyahoga County or any county where a child of Cuyahoga County custody is placed. Courtesy investigations may also be conducted at the request of another Public Children's Service Agency (PCSAO).

DEFINITIONS

- A. According to 5101:2-1 of the Ohio Administrative Code, 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 day-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”.
- B. Definition of Placing a Foster/Adoptive Home on HOLD: When there is a pending SIU investigate the Foster/ Adoptive home will not be used for any new placement until the all issues are resolved.

POLICY

- A. An SIU Investigator conducts an investigation of all CA/N allegations that occur in out-of-home care settings. The SIU Investigator is responsible for rendering a disposition within 45 days of the referral acceptance time assigned by the Hotline (or 60 days with appropriate waiver), on all cases and for

sharing findings with the appropriate licensing and supervising authority, the Worker of Record (WOR) of the alleged child victim (ACV), and the appropriate Resource Manager (RM) of the out-of-home care setting, if applicable.

- B. Until the completion of the investigation, neither the WOR nor RM discusses specifics of the allegations with the case principals.
- C. It is the SIU investigator's responsibility to share the disposition with the ACV(s) (if this is determined to be appropriate given the child's age and development) and her/his custodian, if applicable.

PROCEDURES

A. Reports of allegations of CA/N in out-of-home care settings are made directly to the Hotline. Hotline staff screens in cases appropriate for an SIU investigation by using the Ohio Revised Code Definitions of "Out-of-Home Care Child Abuse" and "Out-of-Home Care Child Neglect", or 2151.011(28)(29). Hotline staff screens out those cases not appropriate by using their screening tools as well as the Ohio Administrative Code (OAC) definitions for identified rule violations (see OAC 5101:2-5, 2-7, 2-9).

B. The Hotline Staff assigns the original referral report to the SIU. Hotline staff notifies SIU staff of all referrals concerning out of home care child abuse and neglect. The Hotline sends an email to the SIU staff, WOR of the ACV, and the assigned RM alerting staff of the referral.

The Hotline places the out of home care setting on hold status. All Agency Licensed Homes must be put on HOLD in SACWIS. All Contracted Foster Homes must be place on HOLD in FACTS, if the report is made after business hours. During business hours, the RM/CRM is responsible for placing the out of home care setting on hold (in either SACWIS and FACTS system), and for ensuring that all Resource ID numbers (e.g., foster, adoptive, child specific codes) associated with the home are put on hold.

C. The SIU worker generates the appropriate cross referencing reports according to 5101:2-36-12 of the Ohio Administrative Code.

D. The SIU Investigator investigates the complaints in accordance with the requirements of the Ohio Administrative Code 5101:2-36-04, 5101:2-36-08, and CCDCFS Investigative Standards, and takes any action necessary to protect the children involved, including the recommendation of respite or removal of the children from the placement. The SIU Investigator explains the nature of the allegations, scope of the investigation, and the disposition to the child's caregiver and alleged perpetrator (AP).

E. If during the investigation, the SIU investigator determines that a child is unsafe, SIU makes the necessary arrangements for the immediate removal of the child in collaboration with the WOR and their chain of command. It is to be noted that the final determination to remove a child from the out of home care setting lies with the assigned WOR of the child.

F. The SIU Investigator contacts assigned staff (WOR and RM) to explain the rationale for the recommendation of the removal, to present safety concerns, to help determine whether there are alternatives to removal which would

protect the child, and to identify what further investigatory activities are required to complete the case disposition.

1. For Investigations involving foster homes, the SIU Investigator schedules and attends a staffing prior to any of the children being placed in a respite home, or the next business day if removal occurs after hours.
 2. All WOR and supervisors that have children placed in the home attend the staffing and make appropriate invitations to the staffing regarding their child(ren).
 3. One staffing is scheduled to address all children in the home. Due to confidentiality, some parties may be excused for portions of the staffing. A separate staffing report is distributed for each family with children in the home.
- G. If any potential concerns of CA/N arise during the course of the investigation involving children who reside in the out of home care setting, but are not receiving any out-of-home care setting services, SIU contacts the Hotline. They include, but are not limited to, biological or adopted children of daycare providers, biological or adopted children of foster parents, child relatives of the out of home care provider, etc.
- H. SIU staff attends any and all meetings relevant to the case planning in regards to the ACV as it relates to the SIU investigation. These include, but are not limited to, Family Team Meetings, Custody Staffings, Disruption Staffings, etc.
- I. A Disposition letter is forwarded by the SIU Investigator to the child's caregiver, the ACV, the AP of the CA/N, the licensing and supervising authority of the out of home care setting, the WOR, the RM, and the custodian of the ACV (if applicable). If the AP is a minor, the SIU Investigator also notifies their custodian. The dispositional letter is sent within two working days of the case disposition as stated in 5101:2-36-04 of the OAC.
- J. For homes licensed or approved by CCDCFS the following will take place:
1. In cases of Indicated or Substantiated CA/N , or OAC rule violations identified during the investigation, SIU assigned staff will notify the Resource Manager (RM) within one working day of the disposition of the need for an Exit Conference.
 2. The RM or RM Supervisor shall within three business days schedule the exit conference, which will be held within seven (7) working days, and will notify all appropriate Direct Service Staff and SIU Staff. It is the expectation that Direct Service Staff and SIU Staff (or their coverage staff) will attend the exit conference.
 3. The role of the SIU staff will solely be to explain the investigation procedures and the investigations finding.
 4. In cases where an allegation of CA/N is found to be unsubstantiated no exit conference will be held and the Agency foster home will be removed from HOLD status.
 5. The RM and Supervisor will review the Foster Parent Record to determine if a Corrective Action Plan (CAP) will address the rule violations. If it is determined that the rule violation(s) 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.

6. If it is determined that the rule violation can be address by a CAP, the RM in conjunction with the Foster Parent(s) will develop a Plan. The plan must be submitted to the RM Supervisor within seven (7) business days of the Exit Conference. The plan will be reviewed and approved by the RM Supervisor prior to implementation.
 7. A copy of the Dispositional Letter shall be forwarded to the RM within forty five days (45) of the screened in report or sixty days with an approved waiver.
- K. For homes licensed or approved by Contracted Network Providers the following will take place:
1. In cases of Indicated or Substantiated CA/N, or OAC rule violations identified during the investigation, SIU assigned staff will notify the Contracted Resource Manager (CRM),and the Worker of Record (WOR) within one working day of the disposition and for the need of a Internal Review Conference.
 2. The CRM or CRM Supervisor shall, within three (3) business days schedule the Review Conference, which will be held within seven (7) working days of the disposition, and will notify all appropriate Direct Service Staff and SIU Staff of required attendance at the Review Conference. The role of the SIU staff will solely be to explain the investigation procedures and the investigations finding.
 3. After the conclusion of the Internal Review Conference the CRM will forward the SIU findings to the Contracted Provider within three (3) business days.
 4. The Contracted Provider will forward written documentation to the CRM regarding the action taken to address the SIU investigation finding. (Revocation or CAP) The Contracted Provider will detail all actions taken regarding the foster parent. All documentation must be submitted within 5 business days of the Contracted Provider holding the exit conference.
 5. CRM and the CRM Supervisor will review all documentation submitted by the Contracted Provider. The CRM will notify the Contracted Provide regard future use of the foster home within 45 day.
 6. In cases where an allegation of CA/N is found to be unsubstantiated no exit conference will be held and the Agency foster home will be removed from HOLD status.
 7. A copy of the Dispositional Letter shall be forwarded to the Contracted Provider, CRM and the WOR within forty five days (45) of the complaint.
- L. Residential/Detention Centers, Group Homes, Or Other Congregate Care Settings:
1. Upon completion of the investigation, SIU shall inform the Administration the facility under review of the findings of the SIU investigation.
 2. In cases of indicated or substantiated CA/N (or a violation of Certification Rules.), The CRM will negotiate a Corrective Action Plan with the Administrator of the placement setting. The Administrator will provide a written version of that agreement.

3. The CRM is responsible for forwarding the written CAP to the SIU investigator.
 4. The WOR shall place a copy of the report in the Family Case record and the CRM shall maintain a copy of the report.
 5. SIU will also send the Dispositional Letter to the alleged perpetrator and the Administrator of the placement.
- M. The SIU investigation is documented in SACWIS and a copy of the dispositional letter is forwarded via email to the WOR and RM at the completion of the investigation. Additional case concerns, and / or rule violations are sent to the WOR and RM at this time. If the RM makes the determination that they will hold an exit conference with the AP in order to determine corrective action, the SIU investigator participates.
- N. Appeal of Disposition:
1. In situations in which the CA/N allegation has been found to be Indicated or Substantiated, the AP may request an Administrative Review Hearing within five (5) working days of the receipt of the Disposition Letter.
 2. A Deputy Administrator or designee arranges the Administrative Review Hearing.
 - a. CCDCFS attendees at the Administrative Review Hearing include the SIU Investigator and the SIU Supervisor.
 - b. The final resolution of the Administrative Review Hearing is communicated by the appropriate Deputy Administrator, or designee via mail, to the WOR, CRM and any other principals involved in the review hearing within ten (10) working days.
 - c. The final resolution of the Administrative Review Hearing is communicated by the appropriate Deputy Administrator, or designee via mail, to the principals involved in the review hearing within ten (10) working days.
 - d. SIU staff makes the appropriate corrections in SACWIS should the disposition be changed.

SEE ALSO:

- **Ohio Administrative Codes:**

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