

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

Policy Chapter: Substitute Care
Policy Number: 6.04.00
Policy Name: Caregiver Approval for Custody Cases

Original Effective Date: 11/01/1996
Revision Dates: 02/14/2011, 05/26/2005
Current Revision Date: 12/01/2015
Approved by: Thomas D. Pristow

PURPOSE: To ensure children are placed in the least restrictive setting possible, that provides for safety and stability and; to ensure consistency in the process by which agency staff assesses caregivers for potential placement of children, per Ohio Administrative Code 5101:2-42-18.

SCOPE: This policy applies to all cases when a qualified relative or non-relative is identified for potential placement of children. This policy also applies to all Cuyahoga County Division of Children and Family Services (CCDCFS) staff.

DEFINITIONS: Please note that when any of the following terms are used throughout this document the definition is as follows:

Child - As defined in Ohio Administrative Code (OAC) 5101:2-1-01 - any person under eighteen years of age, or a mentally or physically handicapped person under twenty-one years of age.

Caregiver – is defined in pertinent part as:

Relative as defined in the OAC 5101:2-1-01

- (1) Individuals related by blood or adoption
 - a. Grandparents, including grandparents with the prefix “great” “great-great” or “great-grand”
 - b. Siblings
 - c. Aunts, uncles, nephews, and nieces including such relative with the prefix “great” “great-great” or “great-grand”
 - d. First cousins and first cousins once removed
- (2) Stepparents and stepsiblings
- (3) Spouses and former spouses of individuals named in paragraph (1) of this definition
 - a. A qualified non-relative, which is defined as a non-relative adult whom a child or the current custodial caretaker of a child identifies as having a familiar longstanding relationship or bond with the child or the child's family that will ensure the child's social and cultural ties. (Defined by H.B. 279)

POLICY

CCDCFS believes that, when safely possible, children should be placed with their family. Staff identifies relatives and qualified non-relatives at the first point of contact and continuously engages families throughout the case in order to support and build relationships. If it is determined that a child is no longer safe in his/her home and CCDCFS obtains legal custody, relatives and non-relatives are explored as potential caregivers for child placement, before any other placement type is considered. CCDCFS always strive to place sibling groups together when at all possible and in the best interest of the children.

PROCEDURES

- I. Basic information about the maternal and paternal family is provided by the family of origin or through investigation by the Worker of Record (WOR). JFS form 01447, *Assessment of Relative or Nonrelative Substitute Caregiver*, is used to aid the WOR and supervisor in making informed decisions when assessing safety and risk to child(ren).
- II. Initial Screening & Assessment
 - A. The WOR gathers initial information regarding the potential caregiver, and any other adult(s) living in the home, to determine appropriateness for placement. This information includes their date of birth and social security number. The WOR and supervisor complete a search or screening of the individual(s) in public record databases, as well as in the State Automated Child Welfare Tracking System (SACWIS) and CCDCFS' Family and Child Tracking System (FACTS).
 1. If a potential caregiver is found to have a social service history, this WILL NOT automatically disqualify the caregiver as a placement.
 2. The WOR and supervisor determine if the social service history or criminal history poses a safety threat to the children. If so, the senior manager is notified and signs off on the denial of placement. The WOR documents the denial in an activity log. Some examples of reasons for denial are as follows:
 - a. A child was seriously harmed by the caregiver (broken bones, extreme neglect), but the child was not permanently removed from the caregiver.
 - b. The biological or adoptive child was removed from the parent and custody was not returned to the caregiver.
 - c. The agency **is prohibited by law** to approve a placement if the caregiver or any other adult residing in the home has a FELONY conviction for spousal abuse, rape, sexual assault or homicide, regardless of when the crime was committed.
 - d. If the caregiver has had their parental rights involuntarily terminated the agency may deny the placement.
 - e. If the caregiver or any adult residing in the home has been convicted or plead guilty to any of the following crimes and that crime was against a child, elderly person, or mentally handicapped person, that caregiver, **by law, cannot be approved for placement.**

- i. Felonious assault, aggravated assault, assault, endangering children.
 - ii. A conspiracy or attempt to commit, or complicity in committing an offense described above.
3. Denial: If at any point during the screening process the WOR and supervisor deny the potential placement, the WOR and supervisor must document the denial and notify the potential caregiver immediately.

III. JFS 01447 *Assessment of Relative or Nonrelative Substitute Caregiver*

- A. Once a caregiver has been cleared through the initial screening steps, the WOR meets with the caregiver and completes the JFS 01447, *Assessment of Relative or Nonrelative Substitute Caregiver*. The form is approved and signed by the WOR, supervisor and senior supervisor. The WOR completes this process on any and all identified caregiver(s).

IV. Fingerprinting & Background Checks

- A. For an emergency placement, the WOR requests LEADS checks on all adults 18 years and older living in the caregiver's home. The WOR refers those adults to be fingerprinted.
- B. For a planned placement, the WOR refers the caregiver(s) to have BCII and FBI fingerprints completed at the agency and obtains the results prior to placement.
- C. If the potential caregiver has a child(ren) residing in the home who are 12-18 years old, the WOR inquires about any Juvenile Court history. The WOR and supervisor determine if there are concerns related to this information that may lead to the denial of the placement. The WOR must consult with a supervisor regarding the decision to deny placement. The WOR completes the steps for denial as previously outlined in this policy.
- D. Once the fingerprint results are received, the WOR and supervisor review the results and determines if there is any new information.
 1. If the fingerprint results of any adult household member reveals a disqualifying offense (whether this is an offense which HAS NOT been discharged for the required time frame or is an automatic disqualification), the information is shared with the WOR's chain of command and an emergency Team Decision Making meeting (TDM, i.e. staffing) is called to discuss potential placement disruption.
 2. If the fingerprint results of any adult household member reveal a non-disclosed disqualifying offense, the rehabilitation standards may be applied and approval of the Director is required. The information is shared with the WOR's chain of command and a decision regarding next steps is made (e.g. application of rehabilitation standards, TDM, placement change).
- V. The WOR monitors the child(ren)'s placement every month by ensuring the caregiver's needs are met in providing for the care of the child and that the household and caregiver continue to provide safe and stable placement for the child(ren). The appropriateness of the placement is also reviewed at each Semi-Annual Review (SAR).

VI. Updates to the JFS 01447 *Assessment of Relative or Nonrelative Substitute Caregiver* are needed:

- A. If the caregiver changes residence;
- B. If an adult and/or any youth between 12-18 years old moves into the home;
- C. If a child is placed with a caregiver for 12 consecutive months, the WOR performs an annual review of the home. This includes a new JFS 01447 *Assessment of Relative or Nonrelative Substitute Caregiver*, fingerprinting and background checks (for anyone residing in the home 12 years or older).

SEE ALSO:

- Ohio Administrative Code Section 5101:2-01-01
Ohio Administrative Code Section 5101:2-07
Ohio Administrative Code Section 5101:2-33-2
Ohio Administrative Code Section 5101:2-52-05
Ohio Administrative Code Section 5101:2-42-18
Ohio Administrative Code Section 5101:2-42-65
Ohio Administrative Code Section 5101:2-48
- **Cuyahoga County Division of Children and Family Services Policies and Procedures Manual**
 - Policy 5.01.07: Relative Identification and Notification
 - Policy 5.01.08: Caseworker Contact Requirements for Children and Families Involved with the CCDCFS
 - Policy 5.01.09: Family Search and Engagement Activities
 - Policy 5.02.01: TDM/Staffings Policy
 - Policy 6.06.02: Parental Background Reviews

FORMS

Family Tree

JFS 01447 Assessment of Relative or Nonrelative Substitute Caregiver

JFS 01447 Form is accessible via DCFS agency intranet under Forms/Case Record Forms/Placement Information