

BUTLER COUNTY CHILDREN SERVICES

POLICY NO: 1.8	SUBJECT: SPECIALIZED AND THIRD PARTY ASSESSMENT/ INVESTIGATIONS (Non-BCCS employees) (See Referrals on Employees of BCCS 1.8 a)
OAC: 5101:2-36-04	EFFECTIVE DATE: 6/22/04
	REVISION DATE: 6/28/05, 1/07, 9/07
	REVIEW DATE: 6/28/05, 1/07, 10/07

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 or out-of-home care when CA/N is alleged to have happened to a child who is in an out-of-home setting.

DEFINITIONS:

“Out-of-Home Care” means: detention facilities, shelter facilities, foster homes, certified foster homes, placement in a prospective adoptive home prior to the issuance of a final decree of adoption, organizations, certified organizations, child day-car centers, type A family day-care homes, child-day care provided by type B family day-care home providers and by in-home aides, group home providers, group homes, institutions, state institutions, residential facilities, residential care facilities, residential camps, day camps, hospitals, and medical clinics that are responsible for the care, physical custody, or control of children.

Specialized Assessment/Investigation means an assessment/investigation conducted by BCCS in response to a child abuse or neglect report and includes an alleged perpetrator who meets one or more of the following criteria:

- (1) Is responsible for the care of a child in an out-of-home care setting as defined in rule 5101:2-1-1-01 of the Administrative Code.
- (2) Is a person responsible for a child's care in out-of-home care as defined in section 2151.01.1 of the Revised Code.
- (3) Has access to the child by virtue of his/her employment by or affiliation with an institution.

Third Party means the requirement that BCCS request the assistance of law enforcement or another Children Services Agency or both when conducting an assessment/investigation due to the potential conflict of interest BCCS may have assessing/investigating an entity.

Placing a “Hold” on a foster home means that no children will be placed in that home until the hold is removed.

POLICY:

These policies are a combination of the requirements set forth in Ohio Administrative Code 5101:2-36-04, 2-36-08, and agency requirements. These policies do not replace the requirements in OAC. Workers should become familiar with the Ohio Administrative Code and refer to these policies as a quick reference.

1. BCCS Specialized Investigative Unit will conduct a specialized assessment/investigation when the child abuse or neglect report involves an alleged perpetrator who meets one or more of the following criteria:
 - (a) Is a person responsible for the child's care in an out-of-home care setting as defined in rule 5101:2-1-01 of the Administrative Code.
 - (b) Is a person responsible for the child's care in out-of-home care setting as defined in section 2151.011 of the Revised Code.
 - (c) Has access to the child by virtue of his/her employment by or affiliation to an institution.
2. BCCS Specialized Investigative Unit will conduct a third party assessment/investigation if there is a conflict of interest for BCCS as a result of a child abuse and/or neglect report when one or more of the following parties are involved as principals of the report of child abuse or neglect:
 - (a) Any employee of an institution or facility that is licensed or certified by the Ohio Department of Job and Family Services (ODJFS) or another state agency and supervised by BCCS.
 - (b) A foster caregiver or pre-finalized adoptive parent that is licensed, certified, or approved by ODJFS and supervised by BCCS (this includes Network homes that the agency has a contract with.)
 - (c) A type B family day care home certified by Butler County Department of Job and Family Services (BCJFS).
 - (d) Any employee, or agent of ODJFS or the PCSA as defined in Chapter 5153. of the Revised Code. (See number 4.)
 - (e) Any authorized person identified as a representative of BCJFS or BCCS who provides services for payment or as a volunteer.
 - (f) Any other time BCCS determines that they have a conflict of interest.
3. BCCS will request assistance of law enforcement within twenty-four hours from the time the agency screens in the child abuse and/or neglect report, and follow up the request in writing within three calendar days from the date the agency screens in the report for all reports involving the principals listed in paragraph 2.
4. BCCS will request another PCSA to investigate allegations of abuse/neglect received on employees of BCCS. If it is determined that there is an immediate safety risk to the child, BCCS will initiate actions to ensure the safety of the child until the receiving county initiates action. SIU will respond to these types of referrals as appropriate.
(See Policy #1.4 a Referrals on Employees)
5. The JFS1403 Specialized Assessment and Investigation shall be completed for all specialized assessments/investigations and all third party investigations and shall be in compliance with OAC 5101:2-36-01 to 2-36-14.
Refer to policy 1.2 Initiating the Assessment for timelines required when initiating the investigation and 1.3 Assessments and Interviews.

6. The SIU investigator is responsible for rendering a disposition within 30 days or 45 days with appropriate waiver, on all cases and for sharing her/his findings with the assigned worker in ongoing and also with either the foster care supervisor or the contracted placement resource representative.
7. Until the completion of the investigation of alleged CA/N in BCCS foster homes, neither Ongoing staff nor Foster Care staff will discuss specifics of the allegations with the case principals.
8. It is the Ongoing workers responsibility to share the disposition and the Corrective Action Plan with the alleged child victim and her/his birth family.

PROCEDURES:

1. The screeners are to deliver the original referral report to the SIU. The screener coordinator will deliver copies of the referral to the appropriate administrator. If the referent is a BCCS staff member, the information regarding the allegations shall be given to the screener coordinator to be written up as a referral. See policy 1.4a Referrals on employees and 4.26 Foster Caregiver Concerns regarding requirements for placing a foster home on hold.)
2. The SIU Investigator assigned to the case shall immediately contact the out-of-home care setting administrative officer, director or other chief administrative office (or the board of directors, county commissioners, or law enforcement if the administrative officer, director or other chief administrative office is alleged to be the perpetrator) in order to:
 - (a) Share information regarding the report;
 - (b) Determine responsibility for informing the parents, guardian, or custodian of the alleged child victim;
 - (c) Ensure that the parent, guardian, or custodian of the alleged child victim is notified of the receipt of the report no later than the next working day;
 - (d) Discuss what actions have been taken to protect the alleged child victim; and
 - (e) Provide information about the investigative activities that will follow.
4. The SIU investigator shall investigate the complaint in accordance with the requirements of the Ohio Administrative Code and BCCS Investigative Standards, and take any action necessary to protect the children involved, including removal of the children from the placement. The Investigator is also responsible for explaining the nature of the allegations, scope of the investigation, and the disposition to the child's caregiver and/or alleged perpetrator. If the investigation is on a BCCS foster parent, within three (3) days of the referral the foster care worker will make the face-to-face contact with the BCCS caregiver to offer support.

Procedures for Removing a Child:

- A. Removal of Child from a licensed Foster Home or Residential Center:

1. The SIU Investigator shall immediately hold a staffing to determine if removal is necessary, and/or to determine whether there are alternatives to removal which would protect the child and prevent disruption of the placement, and to identify what further investigatory activities are required to complete the case disposition.
 - Attendees at the meeting shall include appropriate Direct Services staff and the foster care staff assigned to the foster home.
2. When a child is removed the SIU Investigator shall transport the child(ren) to BCCS and deliver them to the ongoing worker.
3. Direct Services staff shall:
 - Schedule and accompany the child to any required medical examinations.
 - Determine the most appropriate placement for the child in consultation with foster care staff.
 - Prepare the child for a new placement.
 - Place the child and complete the required paperwork.
 - Notify the child's birth family of the allegations (unless the child is in Permanent Custody).
4. The Foster Care Unit shall place a hold on all foster homes under investigation for allegations of abuse/neglect.

DISPOSITIONAL LETTER AND EXIT CONFERENCE:

1. A Dispositional Letter (the Exit Letter, or written notice of the case disposition) will be forwarded by the SIU Investigator to the child's caregiver, the alleged perpetrator of the CA/N, the private agency which certifies and supervises the network foster home, and when appropriate, the birth parents of the alleged child victim. If the alleged perpetrator is a minor, the SIU Investigator will also notify the birth parents, custodian, or legal guardian of the alleged perpetrator. The dispositional letter shall be sent at the completion of the 30-45 day investigation period.
2. Foster Home Certified/Licensed by BCCS:
 - a. In cases of Indicated or Substantiated CA/N, or OAC Rule Violations identified during the investigation, SIU will notify the Foster Care Supervisor and the primary worker, within one working day of disposition of the need for a conference.
 - b. In cases where an allegation of CA/N occurs in a foster home licensed by BCCS and is found to be unsubstantiated, the Foster Care Supervisor shall remove the hold.
 - c. The Foster care worker will develop the Corrective Action Plan with the foster parents and will forward the plan to their Supervisor within five (5) working days after the conference for final approval.
 - d. A written summary of the SIU Investigation, including a copy of the Dispositional letter, shall be forwarded within thirty (30) working days of the complaint, to the Foster Care Supervisor and the Primary worker.

3. Foster Home Certified/Licensed by Private Contracted Network Providers:
 - a. In cases of Indicated or Substantiated CA/N, or OAC Rule Violations identified during the investigation, SIU will notify the primary worker and the BCCS foster care supervisor within one working day of disposition and the need for a conference.
 - b. The BCCS foster care supervisor shall within 24 hours schedule the conference, which will be held within three (3) working days, and will notify appropriate direct service staff and SIU staff as well as representatives of the private agency responsible for supervising the foster home.
 - c. The private agency will be requested to forward their written Corrective Action Plan to the BCCS foster care supervisor within five (5) working days after the conference.
 - d. In cases where an allegation of CA/N occurring in a private contracted network Foster Home is found to be Unsubstantiated, the BCCS foster care supervisor will remove the hold.
 - e. A written summary of the SIU Investigation, including a copy of the Dispositional Letter, shall be forwarded within thirty (30) working days of the complaint, to the BCCS Foster care supervisor and the primary worker.

4. Residential/Detention Centers, Group Homes, or other Congregate Care Settings:
 - a. Upon completion of the investigations, SIU shall inform the Center's Administrator of the findings of the investigation.
 - b. In cases of Indicated or Substantiated CA/N (or violation of Certification Rules), the Contract Coordinator will negotiate a Corrective Action Plan with the Administrator of the placement setting, and record it in the report.
 - c. The Contract Coordinator is responsible for forwarding the written Corrective Action Plan to the SIU Investigator.
 - d. The primary worker shall place a copy of the report in the alleged child victim's case record, and the Contract Coordinator shall maintain a copy of the report.
 - e. SIU will also send the Dispositional Letter to the alleged perpetrator and to the Administrator of the placement.

Michael A. B. F.