

Adoption Policy

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Mahoning County Children Services

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Mahoning County Children Services Adoption Policy

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Introduction

Mahoning County Children Services has developed this Adoption Policy to:

- (1) Provide information for the adoptive applicant
- (2) Be consistent with statewide policies
- (3) Conform to state adoption laws
- (4) Meet the needs of children in permanent custody
- (5) Secure placement for special needs children

Statement of Assurance

The Mahoning County Children Services Adoption Policy and Recruitment Activities shall comply with all of the following standards:

Our efforts are in accord with Multiethnic Placement Act (MEPA) of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996 42 U.S.C. 622 (b) (9), 671 (a) (18), 674 (d) and 1996 (b) MEPA and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. Sec., the Indian Child Welfare Act 1978, 25 U.S.C.A. 1901, et. Seq., as amended 42 U.S.C., 622 (b) (9), 671 (a) (18), 674 (d) and 1996 (b), the Adoption and Safe Families Act of 1997, Pub. L, No. 105-89 and in accord with disability laws governing violations of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 and of Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201.

All recruitment activities and materials shall be in compliance with the Multiethnic Placement Act, 108 STAT. 3518, as amended by Section 1808 of the Interethnic Adoption Provisions of the Small Business Jobs Protection Act of 1996, Title IV of the Civil Rights Act of 1964 110 STAT. 1755, "Indian Child Welfare Act of 1978" (5101:2-42-48 to 5101:2-42-58 of the Administrative Code) 25 U.S.C.A. 1901, as amended, the Small Business and Job Protection Act of 1996, and 42 U.S.C. 671 (A) the Adoption and Safe Families Act of 1997.

Special Needs Definition

The Ohio Department of Job and Family Services has defined a special needs child as one who, prior to the adoptive placement, has at least one of the following needs or circumstances that may be a barrier to adoption or a barrier to a child being sustained in an adoptive home without financial assistance.

- (1) Is in a sibling group who should be placed together.
- (2) Is a member of a minority or ethnic group.
- (3) Is six (6) years of age or older.
- (4) Has remained in the permanent custody of a PCSA or PCPA for more than one (1) year.
- (5) Has a medical condition, physical impairment, mental retardation, or developmental disability.
- (6) Has an emotional disturbance or behavioral problem.
- (7) Has a social or medical history or the background of the child's biological family has a social or medical history which may place the child at risk of acquiring a medical condition, a physical, mental, or developmental disability or an emotional disorder.
- (8) Has been in the home of his/her prospective adoptive parents as a foster child for at least one (1) year and would experience severe separation and loss if placed in another setting due to his/her significant emotional ties with these foster parents as determined and documented by a qualified health professional.
- (9) Has experienced a previous adoption disruption or multiple placements.

Geographic Area

Mahoning County Children Services will accept applications to complete adoptive homestudies from those individuals who are currently residents of Mahoning County and have been a resident for at least one (1) year. Applicants in other Ohio counties will be referred to their county of residence. Exceptions will be considered when an out of county family is requesting a homestudy for the purpose of adopting a currently available special needs child who is in the permanent custody of Mahoning County Children Services.

Required Notification

In the event that the agency initiates a homestudy on a prospective adoptive parent who resides in another county, Mahoning County Children Services will notify by letter the PCSA in the county in which the prospective adoptive parent resides within ten (10) days after the initiation of the homestudy.

Mahoning County Children Services will notify the PCSA in the county where the prospective adoptive parent resides of an impending adoptive placement by letter no later than ten (10) days prior to the placement of the child in the adoptive home.

An adoptive applicant(s) or approved adoptive parent(s) shall notify the agency in writing if a person residing in the home who is twelve (12) years old, but under eighteen (18) years old, has been convicted of or pleaded guilty to any offense listed in Appendix A of rule 5101:2-48-10 of the Administrative Code 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.

Eligibility Requirements for Adoptive Applicants

- (1) **Age:** All adoptive applicants must be at least 21 years of age.
- (2) **Marital Status:** Applicants may be single or married. Married applicants shall have been married at least one (1) year. Individuals who are co-habiting are not considered married. Applicants who are divorced must be so for at least one (1) year. Co-habiting individuals must have lived together for one (1) year.
- (3) **Finances:** Adoptive applicants must demonstrate their ability to meet the basic needs of the present family system. Adoption subsidies may be available to assist with the expenses for the adopted child.
- (4) **Housing:** The adoptive applicants must reside in safe and sanitary housing that provides adequate space for each family member and can accommodate an adopted child.
- (5) **SACWIS History:** An adoptive applicant who has a past substantiated or indicated case with a Public Children Services Agency due to abuse, neglect, or dependency of a child will not be eligible to adopt.
- (6) **Central Registry Check:** All adoptive applicants and any adult household members must have a child abuse clearance conducted within Ohio and any state they resided in previously prior to approval for adoptive placement.
- (7) **Health:** Applicants and all household members are required to obtain a completed medical report (JFS01653) by a medical professional approved to provide this service prior to adoptive homestudy approval.
- (8) **Psychological Testing:** All adoptive applicants will be required to undergo a psychological evaluation prior to adoptive homestudy approval. A person diagnosed by a licensed physician, psychiatrist, psychologist, or licensed independent social worker to have a mental health condition negatively affecting his ability to parent a child shall not be eligible.

Application Process

Mahoning County Children Services will accept applications from full-time residents of Mahoning County, with exceptions as noted in the “Geographic Area” of this Adoption Policy. The agency may accept applications from residents of other Ohio counties for (a) kin of children awaiting adoption, (b) foster families with an established relationship with Mahoning County Children Services, and (c) prior adoptive families.

When Mahoning County Children Services receives an inquiry from a prospective adoptive applicant who is a resident of another county other than Mahoning County, the prospective applicant will be provided, at a minimum, the name, address, and phone number of the PCSA in their county of residence.

The agency will enter all inquiry information and follow-up from interested persons into SACWIS. The agency will respond to each inquiry within seven (7) working days with adoption and foster care information as mandated in 5105:2-48-08, Adoption Inquiry. Families are told at the time of inquiry that they may choose to be simultaneously certified for foster care and approved for adoption.

Applications for Child Placement (JFS01691) are obtained during Pre-Service Training sessions. Families who request an application prior to Pre-Service Training will be sent one within seven (7) days of the request. An application will not be accepted if it does not contain complete and accurate information. An application submitted with a knowingly false statement shall not be used to initiate the homestudy. If it is determined that an application has been falsified, the agency will follow procedures outlined in 5101:2-33-13 of the Administrative Code.

Upon request, the agency will assist the applicant in completing the application and provide assistance in securing required documents and information. When a completed application is received, it will be acknowledged within fifteen (15) days. The homestudy will commence within thirty (30) days and be completed within one hundred eighty (180) days. Applicants who have had a homestudy completed by another agency must notify Mahoning County Children Services.

When a family has a total of five (5) or more children residing in the home, including foster children and children in kinship care, or if the family will have a total of five (5) or more children who will reside in the home upon the adoptive placement of a child, the assessor shall complete the JFS01530 Multiple Children/Large Family Assessment at initial homestudy and each subsequent adoptive placement.

If the decision is to deny continuation of the homestudy process, the written notification will include a reason for the denial and a description of the procedures for an agency review.

The adoptive applicant may elect to revise the application at any time regarding the characteristics or number of children desired as well as provide an update of other information which may have changed.

Fees

Mahoning County Children Services does not charge a fee for the completion of an adoptive homestudy or supervision of an adoption.

Mahoning County Children Services' families approved for adoption may have their homestudy sent to other agencies ten (10) times without accruing fees. For additional copies sent to other agencies, a fee of \$25 per episode will be charged to the adoptive family.

No fees will be charged for copying, sending, transferring, or releasing Mahoning County Children Services' adoptive homestudies to other public children services agencies.

Criminal Record Checks

Pursuant to 5101:2-48-10, all prospective adoptive parents and any adult household members are required to be fingerprinted through the Bureau of Criminal Identification and Investigation (BCII) and the Federal Bureau of Investigation (FBI). They will also be required to complete local background checks, both in Ohio and in their previous place of residence. The cost of fingerprint checks and background checks will be covered by the agency and will be done at the Mahoning County Sheriff's Office. Rules governing the approval of adoptive homes prohibit individuals convicted of crimes against children, sex offenses, some drug offenses, and felonies from being approved. Additional specific criminal offenses as outlined in the Ohio Revised Code 2901.01 – 2927.02, and additional offenses 959.13, 3716.11 and 4511.19 would prevent an applicant from being approved. Adoptive applicants must also have a good driving record to proceed with approval.

Time Between Adoptive Placements

Mahoning County Children Services will not place another child in the home during the six (6) month period before finalization. After finalization, there is no restriction to the length of time before another child can be placed.

Pre-Service Training

Rule:

OAC 5101:2-48-09 Application Process and Pre-Service Training
OAC 5101:2-48-05 Agency Adoption and Recruitment Plan

Philosophy:

In the interest of providing safe, nurturing environments for children in care, Mahoning County Children Services believes that all applicants to be approved for foster/adoptive placements should be trained properly to meet the needs of children from various backgrounds and cultures. Applicants should be provided with pre-service training that is comprehensive, encompassing all required topics in accordance with rule. The curriculum should also be well-coordinated and presented in a professional manner by trainers who are knowledgeable on each topic covered.

Implementation:

Mahoning County Children Services requires all prospective foster/adoptive parents to attend 36 hours of pre-service training. **This agency may require that pre-service training be completed prior to the home study process being initiated.** Components of this training may be waived by the Program Administrator or agency Director for a child specific home study. However, the three (3) hour requirement for “Cultural Issues” shall not be waived in accordance with OAC 5101:2-48-09 (P).

Pre-Service Training Modules

<u>Orientation to Foster Care, Adoption and Kinship Care</u>
<u>Module II</u> <u>The Child Protection Team</u>
<u>Module III</u> <u>Child Development</u>
<u>Module IV</u> <u>Childhood Trauma and Its Effects</u>
<u>Module V</u> <u>Child Sexual Abuse</u>
<u>Module VI</u> <u>Minimizing the Trauma of Placement</u>
<u>Module VII</u>

<u>Transcending Differences in Placement</u>
<u>Module VIII</u> <u>Helping the Child Manage Emotions and Behaviors</u>
<u>Module IX</u> <u>Understanding Primary Families</u>
<u>Module X</u> <u>The Effects of Caregiving on the Caregiving Family</u>
<u>Module XI</u> <u>Long-Term Separation</u>
<u>Module XII</u> <u>Post-Adoption Issues for Families</u>

Related Information and Forms:

Training Waiver Request Sample Letter

Homestudy Process

Mahoning County Children Services shall assure that employees responsible for homestudy and adoption-related duties listed in 5101:2-48-06 (A) 1 – 11 shall meet the assessor qualifications listed in (B) 1 – 9 of 5101:2-48-06.

The adoptive homestudy shall be an assessment by the agency in cooperation with the adoptive applicant and shall address the personal characteristics and parenting abilities of the individual. The homestudy shall be documented on form JFS01673. The agency homestudy process shall consist of, but is not limited to, the following:

- (1) The agency determination that the adoptive applicant is a suitable candidate for adoption services from information gathered pursuant to documentation required during the application process.
- (2) Face-to-face interviews with adoptive applicant and each member of the household as appropriate to their ages and understanding. At least one of these interviews shall take place in the home setting.
- (3) An assessment concerning the personal characteristics of the applicant and his/her ability to successfully parent an adopted child.
- (4) When an applicant seeking to adopt a minor or foster child will have at least five (5) children residing in the prospective adoptive home after the minor or foster child to be adopted is placed in the home for adoption, the assessor shall complete the JFS01530 Multiple Children/Large Family Assessment.
- (5) Mahoning County Children Services has no religious affiliation requirements.
- (6) Documentation required for the homestudy will include but not be limited to the following:
 - (a) Documentation of current marital status, if applicable, and any divorce decree, if applicable.
 - (b) Applicant Financial Statement (JFS01681).
 - (c) Medical Statements for Foster Care/Adoptive Applicant and All Household Members (JFS01653) signed by a licensed physician or other approved medical professional.
 - (d) Completed copies of the prescribed criminal records check for the applicant and other adult household members from the Bureau of Criminal Identification and Investigation (BCII) and Federal Bureau of Investigation (FBI) reports as outlined in Rule 5101:2-48-10 of the Administrative Code.

- (e) Release of information for local police and sheriff, credit report, and BMV checks.
- (f) Proof that the applicants and all adult members of the household, if applicable, have been a resident of Ohio for the five (5) year period immediately prior to the date upon which the criminal records check is requested. Proof may include, but is not limited to, tax records, school attendance records, rent or mortgage receipts.
- (g) A complete psychological evaluation of the adoptive applicants provided by the agency.
- (h) Reference statements (requested by agency in writing as identified on the Application for Child Placement).
- (i) Written verification that the applicants have completed the requirements for training as established by the agency or documentation that the training is waived.
- (j) Fire inspection by a state certified inspector or the state fire marshal's office and ODJFS Safety Audit of Foster Family Home (JFS01348).
- (k) Well water test, if applicable.
- (l) Child Characteristics Checklist for Foster Care and/or Adoption (JFS01673-A).

The agency will not continue with the homestudy process if all required documentation is not submitted within one (1) year of the receipt of the initial or revised JFS01691, unless the agency makes a determination that the homestudy should not be terminated. The applicant will be notified, in writing, no less than thirty (30) days prior to the termination of the application. Written notification will contain an explanation of the reason for termination and a description of procedures for an agency review.

Upon completion of the adoptive homestudy, written notification regarding the agency's approval or denial shall be provided to the applicant within one hundred eighty (180) days. If the decision is to approve the homestudy, the written notification shall include, but not be limited to, the following:

- (1) Date of approval of the adoptive homestudy.
- (2) A description of the characteristics of the child or children for whom the applicant is being approved.

Mahoning County Children Services will maintain case records in a consistent and organized manner such that required information set forth in Chapter 5101:2-48 of the Administrative Code can be readily located.

The homestudy, not including reference letters, may be released to the adoptive applicant upon their request.

If the agency decision is to deny the homestudy, the written notification shall contain an explanation of the reason for denial and a description of the procedures for an agency review.

When there is probable cause to believe that falsification of an adoptive application or homestudy has been committed, Mahoning County Children Services will conduct an internal investigation and refer all cases to the county prosecutor in accordance with OAC 5101:2-33-13. The assessor shall report in writing a person who knowingly makes a false statement on an application or homestudy document during the homestudy process to the agency administrator or designee within three (3) days of the assessor's determination of possible falsification.

Within fourteen (14) days of the determination of falsification, the agency will send a letter to the applicant indicating that the information submitted to the agency has been determined to be knowingly false. The letter will include notification of the applicant's right to an agency review and procedures for an agency review.

When an adoptive child is placed in an approved adoptive parents' home and the adoptive parent or other household member knowingly makes a false statement that results in the assessor's reassessment of an approved homestudy, the prospective adoptive parent(s) or other household member is guilty of the offense of falsification under ORC 2921.13.

The agency administrator or designee must determine in twenty-four (24) hours of completing the agency's internal investigation if there is probable cause related to the adoptive child's safety and well-being to remove the child from the adoptive parent(s) home until the result of the investigation is rendered.

The agency will consider only homestudies and related documents that have been forwarded by another agency and likewise will forward homestudies and related documents to other agencies at the request of the adoptive applicants or agency within fifteen (15) days after the request has been made, as long as the Authorization of Release has been submitted to the PCSA. Documentation will be made in the adoptive families' file that the homestudy has been sent within the required time frame (pursuant to Rule 5101:2-48-19 of the Administrative Code). There are no fees associated with the release of the homestudy to another agency. The agency will not release any homestudy when it has been determined that the homestudy or application contains a false statement.

Mahoning County Children Services will maintain approved homestudies received from any other agency in an adoptive homestudy file pursuant to Rule 5101:2-48-19 of the Administrative Code.

Mahoning County Children Services will integrate approved homestudies received from any other agency with our own agency approved homestudies pursuant to Rule 5101:2-48-19 of the Administrative Code.

Homestudy Update

Mahoning County Children Services will update all adoptive homestudies every two (2) years from the date of homestudy approval. The agency homestudy update process shall consist of, but is not limited to the following:

- (1) A certified agency assessor shall complete the update. At a minimum, one (1) face-to-face contact in the home with each member of the household must be completed.
- (2) The agency shall not consider race, color, or national origin of a family in determining whether a homestudy update is approved or disapproved.
- (3) Mahoning County Children Services shall notify the adoptive parent(s) of the date of expiration of the homestudy not fewer than ninety (90) days or more than one hundred twenty (120) days prior to the expiration date by mail, using form JFS01331.
- (4) The assessor shall document the homestudy update by completion of the JFS01385.
- (5) The agency may require a new medical statement, JFS01653, if it deems necessary.
- (6) A minimum of one (1) written reference from a professional, or if a professional's reference is not available, a personal reference (not a relative) from someone who knows of the family's functioning is required.
- (7) Additional psychological or medical reports may be required if the agency deems it necessary to ensure the safety, health, or care of an adoptive child.
- (8) A new fire inspection may be required if the agency deems it necessary to ensure the home is free from conditions hazardous to the safety of an adoptive child.
- (9) A Safety Audit, JFS01348, must be completed at the time of the home visit. A water safety test may be requested, if deemed necessary.
- (10) If there have been any substantial changes to the prospective adoptive parent(s) financial situation, a new JFS01681, Applicant Financial Statement, may be required.
- (11) The agency will conduct a SACWIS search and request a Central Registry Report for each adoptive applicant and each adult who resides with the adoptive applicant. A summary report on the findings is to be prepared and made a part of the case record.
- (12) A BCII check is required every four (4) years for the adoptive parents and any adult household member.

- (13) The assessor shall provide written notification to the applicant(s) of the approval or denial of the update within ten (10) days of completion of the homestudy update.
- (a) If the update is approved, the notice must include the date of approval and the date of approval expiration.
 - (b) If the update is denied, the notice must include the reason for denial and procedures for the applicant to follow for an agency review.

Process for Joint Approval for Foster/Adoptive Home Applicants

An adoption assessor who meets the requirements contained in OAC 5101:2-1-01 will complete a written homestudy report which includes JFS01673, ODJFS Assessment for Child Placement (Homestudy), and other materials in accordance with OAC 5101:2-48-12.

Mahoning County Children Services prefers to certify all applicants as foster to adopt parents. However, this agency recognizes there are some applicants who wish to be approved for adoptive placements only or certified as foster parents only.

Upon completion of the homestudy, Mahoning County Children Services shall arrive at one of the following determinations:

- (1) Approve the applicants as adoptive parents only,
- (2) Recommend the certification of the applicants as foster parents,
- (3) Approve the applicants as adoptive parents and recommend the certification of the applicants as foster parents simultaneously,
- (4) Deny the adoption application,
- (5) Recommend that the certification for foster care not be approved, or
- (6) Deny both the adoption application and recommend that the certification for foster care not be approved.

Mahoning County Children Services shall follow procedures contained in OAC 5101:2-48-12 for approval or denial of an applicant for certification as a family foster home or approval for adoptive placements.

The applicant will be notified of approval or denial for certification as a family foster home or approval for adoptive placement as contained in OAC 5101:2-48-12.

Applicants who are denied shall receive written notification that includes an explanation of the reason for denial and information regarding the agency's Grievance Review and Resolution Procedure.

Review Procedures

An adoptive applicant who is not approved for services during any stage of the application and homestudy process may appeal the decision through the agency's Adoption Review Procedure.

Points of notification or denial can occur after: (a) application is received, (b) documentation is completed and reviewed, (c) homestudy (assessment) is completed, (d) foster caregiver makes application for specific child, or (e) update is completed.

An adoptive family may request a state hearing when they believe an adoptive placement was denied or will be denied solely for the reasons of geographic location of the family.

Complaints regarding discriminatory acts, policies or practices pertaining to the foster care and adoption process that involve race, color or national origin, shall be handled per Rule 5101:2-33-03 of the Administrative Code (as listed in this policy).

Adoption Review Procedure

This policy has been developed in accordance with OAC Rule 5101:2-48-24 to review complaints from adoptive applicants, prospective adoptive families, and adoptive families.

Upon request, a written copy of the review policy will be sent within three (3) working days of the request.

Complaints must be filed in writing within fourteen (14) days of the incident or decision which caused the complaint. The complaint must be filed by the person directly affected by the decision. A complaint form can be obtained from the agency.

If a person is hearing or visually impaired, or has limited English proficiency, Mahoning County Children Services will arrange for the provision of any required communication services to accommodate the individual's hearing, visual, or language needs.

- (1) The first step is to submit your complaint in writing to the agency Director. This can be done at any time, but must be done at a maximum of fourteen (14) days from the time of the incident/decision being grieved. The complaint will be referred to a designee/ Review Agent to conduct the review.
- (2) Within thirty (30) days of receipt of the complaint, a face-to-face meeting will be scheduled with the complainant, the adoptive family caseworker (if applicable), and the administrator or his/her designee.
- (3) A written decision, including the reason for the decision, shall be rendered by the administrator or his/her designee. The decision shall be based upon the evidence presented at the review. A copy of the decision shall be provided to all parties to the agency review within fifteen (15) days of the review.

All documentation related to notification regarding rights to an agency review and written decisions of the agency review shall be maintained in the child (if applicable) and family case record.

Request to Verify Custody

Upon receipt of a request to verify when an adult who consents to be adopted was in the agency's custody on the date of their 18th birthday, the agency will obtain verification and provide such information to the requesting party.

Matching

Within forty-five (45) days from the execution of the permanent surrender or of the file stamp date of the permanent custody order, Mahoning County Children Services will have an adoption assessor assigned to work with the child on adoption planning issues and adoption placement.

A matching conference will be held within ninety (90) days of permanent surrender or permanent custody or at the same time as the pre-adoptive staffing to determine the most appropriate family to adopt the child based upon the special needs of the child. At a minimum, the matching decision shall be based on the consideration of the placement of siblings together, information contained in the Child Study Inventory, Part One of the JFS01689 and the JFS01688 Individualized Child Assessment, if applicable. Every effort will be made to place siblings together unless there is compelling evidence that this would not be in the best interest of the children.

The agency will not use RCNO as the basis for denying or delaying presentation of a family at a matching conference, nor use the family's geographical location as the basis for denying or delaying a child's adoptive placement. Priority will be given to a child's tribe for a placement of a Native American child, in accordance with the Indian Child Welfare Act.

Regardless of geographical location, the following preferential order shall be given when considering families in the matching process:

- (1) If only one relative or if only the child's current foster caregiver has expressed an interest in adopting the child, and if the agency deems that placement with the relative or foster caregiver is in the child's best interest, the agency shall give preference to this family in the placement selection. The agency is not required to consider other families in the matching conference.
- (2) If the child is a member of a federally recognized tribe or Alaskan Native Village, the Indian Child Welfare Act of 1978, 25 U.S.C.A. 1901 (1/2/06) (ICWA) shall take precedence for an adoption.
- (3) Whenever possible and in the best interest of the child(ren), sibling groups should not be separated.
- (4) The child's preference may be considered if the child has the capacity to express a preference.
- (5) Any relative or foster caregiver who has expressed interest in the child, shall be considered at the matching conference. The following is the preferential order for the placement of a child if more than one family is being considered for placement:
 - (A) An adult relative.

- (B) The foster caregiver with whom the child resides, if the child has substantial emotional ties to the foster caregiver and if the removal of the child from placement with the foster caregiver would be detrimental to the child's well-being.
 - (C) A foster caregiver with whom the child has previously resided at any time.
 - (D) An approved adoptive parent(s) who is accepting of the child's characteristics and who has expressed an interest in adopting the child.
- (6) If there are no families available to be considered at a matching conference for a specified child, the agency shall conduct child specific recruitment for the child prior to the next matching conference. Child specific recruitment shall include at a minimum:
- (A) The agency distribution of written information regarding the child to two or more adoption agencies.
 - (B) The agency review of the case file for relatives or individuals in the child's past who may be able and willing to provide a permanent home for the child.
 - (C) The agency exploration with the child of the ability of individuals with whom the child is familiar who may be able and willing to adopt the child.

The decision to match a child with an approved adoptive family will be made by, at a minimum, the adoption caseworker for the child, the caseworker for the adoptive family, and a member of the administration or supervisory staff of the custodial agency's adoption program. These individuals will attend the matching conference and be included in the placement decision-making process.

We will meet and review the characteristics and special needs of the child(ren) to be placed prior to reviewing homestudies, in order to select a family who could potentially meet the child's needs.

Mahoning County Children Services will review all existing adoptive homestudies from a pool of our county adoptive parents and all those submitted from outside the county who have submitted a homestudy before each matching conference to ascertain which families are accepting of the child's characteristics.

If there are more than five (5) families who are potential matches for the child, the agency may narrow the number of families to a minimum of five (5) based on:

- (1) The level of experience the family has in working with child(ren) with the specific behavior, medical or mental health challenges that a specific child presents.
- (2) The preference to keep siblings together if in the child's best interest.

If a family was previously considered for a child in a matching conference and was not interested in the child, the agency does not have to consider the family for the same child in subsequent matching conferences.

Selected families homestudies, child study inventory, etc., will then be discussed, evaluated and scored for most appropriate match.

Homestudy materials received from other agencies shall be maintained with the agency's files of approved homestudies for inclusion in future matchings until the homestudy expires or the agency is notified the family is no longer available.

Subsequent matching conferences will be held for each child who is not matched with an adoptive family at least every ninety (90) days following the initial matching conference.

Subsequent matching conferences are not required when:

- (1) The child has been matched with an adoptive family in a matching conference and signatures of the adoptive parent(s) and applicable agencies have been completed on the JFS 01654 "Adoptive Placement Agreement" (Revised 10/2001).
- (2) The child is age eighteen years old or older.
- (3) The child's custody changes to a status other than permanent custody.

When more than one PCSA, PCPA or PNA is involved in an adoptive matching decision, a representative from each agency shall participate in the matching conference.

Mahoning County Children Services shall pursue an adoptive placement for children in accordance with Chapter 5101:2-48 of the Ohio Administrative Code and shall not apply discriminatory practices related to disability, age, or geographic location when pursuing foster care or adoptive placement for children. Only families accepting of the child's characteristics shall be considered by the agency in the matching conference. A structured decision-making process will be used to select the most appropriate family for a child.

The matching conference shall be documented on the JFS01689, Part Two, and Part Three of the JFS01689 shall be completed by the custodial agency at each matching conference. The agency will also document the outcome of the matching conference for each family on the JFS1609 Family Permanency Data Summary and for each child on the JFS01610 Child's Permanency Planning Data Summary.

Pre-Finalization Services

Prior to the adoptive placement of a child identified for a specific family, Mahoning County Children Services shall provide the adoptive parent(s) with the following: the Child Study Inventory, Social and Medical History Form JFS01616, Adoption Information Disclosure Form JFS01667, information regarding child specific financial and medical resources, information regarding subsidies, the child's lifebook, birth parents' first name, child's social security number and material the birth parents request be given to the adopted person (per JFS01693). Foster to adopt families may choose to continue receiving their board rate while on adoptive status until finalization or begin receiving Adoption Assistance Subsidy. Adoptive families will begin to receive Adoption Assistance Subsidies while on adoptive status for six (6) months and after finalization.

Upon placement of a child for adoption, the agency will provide the following services pursuant to Rule 5101:2-48-17:

- (1) At a minimum, one (1) face-to-face visit with the child and the adoptive parent(s) in the placement setting shall be made during the first seven (7) days of placement, not including the date of placement.
- (2) At a minimum, one (1) face-to-face visit with the child and adoptive parent(s) in the adoptive home shall be made during the first thirty (30) days of placement, not including the visit during the first seven (7) days of placement.
- (3) After the first thirty (30) days, at a minimum of one (1) face-to-face visit with the child and the adoptive parents, in the adoptive home shall be made monthly.
- (4) The frequency of visits with any other household member shall be as follows:
 - (a) At a minimum, one (1) face-to-face visit in the home with any household member whose permanent residence is the adoptive home shall be made every sixty (60) days.
 - (b) At a minimum, one (1) face-to-face visit in the home with any household member whose permanent residence is the adoptive home although he or she may temporarily reside elsewhere shall be made every sixty (60) days. No less than sixty (60) days between visits.
- (5) During each visit, information on how the placement is progressing will be gathered in compliance with rule requirements.
- (6) Services which may be provided include: case management, counseling, crisis services, diagnostic, therapeutic services. These services may be provided by the assessor or a referral made to a qualified professional.

- (7) The assessor will complete the JFS01699 “Prefinalization Adoption Assessment Report” prior to the issuance of a final decree of adoption or finalization of an interlocutory order of adoption. A copy of the JFS01699 will be provided to the prospective adoptive parent no later than twenty (20) days prior to the date of adoption. All identifying information shall be deleted prior to providing a copy to the prospective adoptive parent. A written acknowledgement of receipt must be provided to the adoptive parent and a copy placed in the family’s file.

Post-Finalization Services

Mahoning County Children Services shall make available post-finalization services upon the request of the birth parent, adoptive parent, or the adoptee by the initiation of the following:

- (1) Referral to an agency which specializes in such services.
- (2) Provision of consultation on adoption-related issues to non-agency professionals who may be working with the family.
- (3) Provisions of information and services on an individual basis when no appropriate alternative resources can be identified.
- (4) Provision of information regarding the procedures to release identifying and non-identifying information.
- (5) Provision of information regarding the application procedures for a Post-Adoptive Special Services Subsidy (PASSS) should the family require additional funding to meet the child's identified, adoption-related needs.

Subsidies

Subsidy programs are financial assistance programs whose purpose is to make permanent homes possible for children with special needs. A wide variety of subsidy programs are available. These subsidies can help with the general costs of rearing a child or may be to pay for a specific service the child needs. The subsidy programs available for families who adopt through Mahoning County Children Services are:

- (1) Federal Title IV-E Adoption Assistance (includes Medicaid eligibility)
- (2) State Adoption Maintenance Subsidy
- (3) Mahoning County Special Services Adoption Subsidy
- (4) Non-Recurring Adoption Expenses Reimbursement
- (5) Post-Adoption Special Services Subsidy
- (6) ADC Related Medicaid

Children who receive subsidies must meet the special needs criteria and financial criteria which varies dependent on the subsidy program. The subsidy amount for the Title IV-E Adoption Assistance Program is negotiated with families. The agency will provide a copy of the JFS01985 Adoption Subsidies Guide to all families who are approved for adoption and again at the time a placement is made. Adoptive families shall be provided a description of the opportunity for a state hearing in regard to all subsidy programs.

Mahoning County Special Services Subsidy: This program is offered exclusively by the agency as a benefit to families who adopt the agency's special needs children. Since a description of the program is not included in the JFS01985 Adoption Subsidies Guide, it will be detailed here in the agency Adoption Policy. ***This subsidy is in effect until April 1, 2010.*** It is being discontinued for all new adoptions after that date. The agency will continue the program as described for all families approved prior to April 1, 2010.

Description of Program: Mahoning County Children Services is responsible for the administration and determination of eligibility for the Mahoning County Special Services Subsidy. This program is one of financial assistance which is related directly to the child's special needs as identified at the time of the subsidy agreement signed prior to the finalized adoption. With appropriate documentation, payment through this program may be made to the adoptive parent or the service provider. Services billed through the Special Services Subsidy Program are paid at 75% of the cost remaining after insurance and Medicaid have paid. Adoptive parents are responsible for the remaining 25%.

Application Procedures: Applications must be made and approved prior to service delivery. The adoptive parent must complete a Mahoning County Special Services Subsidy Application (MCCS1613) and a Financial Needs Application (JFS01681). In order to qualify for a Special Services Subsidy, the income of the adoptive parent must not exceed the 120% of the median income of the State of Ohio (as published yearly in the Federal Register). Proof of annual gross income will be required by the submission of the most recent IRS income tax form. All other forms of available adoption benefit assistance must be utilized before payment is made through the Special Service Subsidy.

Upon submission of the completed forms, an agency determination will be made within thirty (30) days.

Special Provisions:

- (1) All other resources must be exhausted prior to requesting any assistance from the Mahoning County Special Services Subsidy program.
- (2) There is a maximum benefit of \$1,000 per year per approved child.
- (3) All payments are contingent upon the approval of the Executive Director and the availability of funds.
- (4) Payments are made at 75% of the balance remaining after insurance and Medicaid have paid.
- (5) Benefits will end on the child's 18th birthday.
- (6) Subsidy agreements in place before July 1, 2004 will continue under previous guidelines in effect at the time of the agreement.

Services Eligible: Services eligible for payment through this program include:

- (1) Special medical and surgical costs not covered or partially covered through the adoptive parents' insurance or other programs.
- (2) Outpatient services for physical or mental disabilities, if there is a documented need.
- (3) Special outpatient psychiatric or psychological costs, if they are not covered by existing programs.

Relative Adoptions

Mahoning County Children Services will consider giving preference to, regardless of geographic location, all adult relatives of the child who have expressed an interest in adopting the child and meet all relevant state child protection standards unless the agency determines that the placement is not in the child's best interest.

Relatives who express an interest in adopting a child in the permanent custody of the agency will be required to attend the Pre-Service Training and complete the homestudy process. For families who live out of state, the Interstate Compact on the Placement of Children laws will be followed.

Foster Caregiver's Adoption

In the event that Mahoning County Children Services seeks or obtains permanent custody of a child placed in an agency foster home, and there are no suitable relatives who express an interest in adopting the child, the foster caregivers will be given preference if they express an interest in adopting the child.

However, the agency reserves the right to make the final determination whether adoption by the caregivers is in the best interest of the child. The agency will provide foster caregivers with information on the adoption process and adoption financial assistance programs.

When the foster caregivers express an interest in adopting a child in foster placement in their home and for whom the agency holds permanent custody, the process shall be in compliance with 5101:2-48-11 and 2-48-11.1.

- (1) Foster caregivers shall complete JFS01691, Application for Child Placement, if the foster caregivers are not an approved adoptive family. For a family who expresses a desire to adopt a foster child who has resided with them for at least six (6) consecutive months, they shall be given a JFS01692, Application for the Adoption of a Foster Child.
- (2) The Adoption Assessor compiles and reviews the required documentation for foster home certification and the foster home case record, which includes documentation of case manager visits to the foster home. If the required documentation for foster home certification is not current within two (2) years, updates may be requested by the agency.
- (3) A home visit shall be made by the agency Adoption Assessor to review the application, observe the family interaction, discuss long term issues of adoption pertinent to the child and to discuss adoption assistance and post finalization services.
- (4) A Central Registry Check shall be completed on the adoptive applicants and any adult members of the household.
- (5) If the family has a total of five (5) or more children residing in the home (including foster children and kinship care children) or will have five (5) or more children upon the adoptive placement of a child, the assessor shall complete the JFS01530 Multiple Children/Large Family Assessment.

Upon completion of the assessment by the assessor, the written notification will be provided to the foster caregivers of approval or denial within ten (10) days of the decision. If the decision is to approve the homestudy, the written notification shall include, but not be limited to, the following:

- (1) Date of approval of the homestudy.
- (2) Description of the characteristics of the child or children for whom the applicant is approved.

If the agency decision is to deny the homestudy, the written notification will contain an explanation of the reason for denial and a description of the procedures for an agency review.

Open Adoption

Mahoning County Children Services does not complete open adoptions.

Private/Independent Adoptions

Mahoning County Children Services does not complete private or independent adoptions. Those interested in these types of adoptions will be referred to other agencies that do so.

Putative Father Registry

Mahoning County Children Services will utilize the Ohio Putative Father Registry (OPFR) to facilitate registration of putative fathers who want to be notified in the event that their child may be placed for adoption.

The agency shall make available JFS01694, Putative Father Registry Registration Form, to any putative father who requests information on how to register on the OPFR. The agency will also provide information on completing and submitting the form.

The agency will work with the mother of the child being placed for adoption to identify the name of the child's father and determine if either parent is eligible for membership with an American Indian tribe. Contact will be made with the Ohio Putative Father Registrar's Office to request a search be conducted on the OPFR to determine if the child's father is registered. A final search of the OPFR shall be made no sooner than thirty-one (31) days after the birth of the child.

The agency shall file JFS01697, Ohio Putative Father Registry Certification, with the court prior to the issuance of the final adoption decree or the interlocutory order of adoption.

The agency shall document all actions regarding a putative father in the child's case record.

Standards of Conduct

Mahoning County Children Services has established the following Standards of Conduct with regard to the performance of employees and contractors/providers related to compliance with the Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622 (b) (9), 671 (a) (18), 674 (d) and 1996 (b) (MEPA) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000 (d), et seq (Title VI), as they apply to the foster care and adoption process. These Standards of Conduct prohibit policies, procedures, or actions which serve to:

- Deny any person the opportunity to become a foster caregiver or an adoptive parent on the basis of race, color or national origin of that person, or of the child involved; or
- Delay or deny any placement of a child in foster care or for adoption on the basis of the race, color or national origin of the foster caregiver(s), of the adoptive parent(s) or of the child involved.

The standards of conduct are detailed in the JFS01611, Non-Discrimination Requirements for Foster Care and Adoptive Placements (refer to next section). Mahoning County Children Services' foster care and adoption programs adhere to these principles. These are the standards of conduct for our employees and contractors.

Non-Discrimination Requirements for Foster Care and Adoptive Placements
JFS01611 (Rev. 1/2009)
[Page 1 of 3]
(Attached)

Non-Discrimination Requirements for Foster Care and Adoptive Placements
JFS01611 (Rev. 1/2009)
[Page 2 of 3]
(Attached)

Non-Discrimination Requirements for Foster Care and Adoptive Placements
JFS01611 (Rev. 1/2009)
[Page 3 of 3]
(Attached)

Procedure for Filing A Complaint Alleging Discrimination

Mahoning County Children Services shall provide a written notice of the procedure for any complaints of discrimination in the foster care or adoption process that involve race, color or national origin to all individuals inquiring about or applying to be a foster caregiver or adoptive parent. Such notice shall be provided within seven (7) days of the individual's first contact with the agency.

Any person who believes that Mahoning County Children Services, any other public or private Ohio adoption or foster care agency, or the Ohio Department of Job and Family Services has policies or procedures that violate MEPA and Title VI may file a complaint. In addition, anyone who believes that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way because he or she made a complaint, testified, assisted or participated in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process may also file a complaint. Individuals who may file a complaint include but are not limited to the following:

- A foster or adoptive parent or other member of a foster or adoptive family
- A prospective foster or adoptive parent or other family member
- An employee or former employee of Mahoning County Children Services or of any other Ohio adoption or foster care agency

Individuals who wish to file a complaint must complete the "Discrimination Complaint Form" (JFS 02333). This complaint may be filed with any of the following:

- Mahoning County Children Services
Attn: Meghan Tarantino, MEPA Monitor
222 West Federal Street, 4th Floor
Youngstown, Ohio 44503
- Mahoning County Children Services
Attn: Theresa Pancoe, MEPA Monitor
222 West Federal Street, 4th Floor
Youngstown, Ohio 44503
- Ohio Department of Job and Family Services
Bureau of Civil Rights
30 East Broad Street, 37th Floor
Columbus, Ohio 43215-3414
- U.S. Department of Health and Human Services
Office of the Chief Counsel, Region V
233 North Michigan Avenue, Suite 700
Chicago, Illinois 60601
- Any other public or private Ohio foster care or adoption agency.

The complaint shall be filed within two (2) years from the date of the occurrence of the alleged discriminatory act, or two (2) years from the date upon which the complainant learned or should have known of a discriminatory act, policy, or practice.

If the complaint is filed with Mahoning County Children Services' MEPA Monitor or with any other public or private Ohio foster care or adoption agency, the MEPA Monitor or other public or private agency must forward the complaint within three (3) working days to the Bureau of Civil Rights of ODJFS for investigation. ODJFS must complete the investigation within ninety (90) days of receipt of the complaint, unless circumstances prevent it from completing the investigation within that time frame. ODJFS will provide a copy of the investigation report to the complainant and to the agency that is the subject of the complaint.

Mahoning County Children Services will not initiate, conduct or run concurrent investigations surrounding the complaint or take any further action regarding the complainant or the subject of the complaint until the issuance of the final investigation report by ODJFS, unless approved by ODJFS.

Mahoning County Children Services, if the subject of the complaint, shall cooperate fully with ODJFS during the course of the investigation and shall submit any information requested by ODJFS no later than fourteen (14) days from the date of the request unless otherwise agreed upon.

Prohibition on Retaliation

Mahoning County Children Services employees and contractors/providers may not intimidate, threaten, coerce, discriminate against or otherwise retaliate against any individual who makes a complaint, testifies, assists or participates in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process. The agency shall not require an ongoing, foster care or adoption worker to justify a proposed placement for the reason that the race, color or national origin of the child is different from that of the family whom the worker is proposing as the child's foster caregiver or adoptive parent.

Additional Information:

Employees or contractors/providers who desire more information about MEPA and Title VI as related to the adoption and foster care process may contact:

- Meghan Tarantino, MEPA Monitor
(330) 941-8888
- Theresa Pancoe, MEPA Monitor
(330) 941-8888

Enforcement Requirements:

These standards of conduct include enforcement requirements to be used whenever an agency employee or contractor/provider engages in discriminatory acts, policies, or practices involving race, color, or national origin in the foster care or adoption process as determined by the Bureau of Civil Rights of ODJFS upon completion of the investigation conducted pursuant to rule 5101:2-33-03.

For Mahoning County Children Services employees, these enforcement requirements shall include employee discipline in accordance with the collective bargaining contract.

Upon each initial contact with an agency with whom Mahoning County Children Services may contract regarding foster or adoptive placement (and thereafter annually), a copy of the Mahoning County Children Services' non-discrimination policy will be sent to the agency with a cover letter requesting signature attesting to the fact that the contractor shall comply with all current written policies attached related to non-discrimination. All contract activities and programs related to foster or adoptive placement shall occur in accordance with such policies updated yearly.

For contractors/providers performing foster care or adoptive services on behalf of Mahoning County Children Services, these enforcement requirements shall include discipline in accordance with the contractor's personnel policy and may include contract termination. Enforcement requirements for contractor/provider subcontractors shall include corrective action in accordance with the contractor/provider's contract with the subcontractor and may include contract termination.

These enforcement requirements are applied in accordance with applicable employment law and union contracts.

Corrective Action Plan:

Mahoning County Children Services shall provide for the submission of a corrective action plan whenever an investigation conducted by ODJFS pursuant to rule 5101:2-33-03 of the Administrative Code, results in a finding that an agency employee or contractor/provider engaged in discriminatory acts, policies, or practices. If the finding involves a discriminatory act, policy or practice by a contractor/provider or subcontractor, Mahoning County Children Services shall develop the corrective action plan in collaboration with the contractor/provider or in collaboration with the contractor/provider and subcontractor:

The corrective action plan shall:

- Address how Mahoning County Children Services will prevent future violations by that employee or contractor/provider or subcontractor, and
- Be submitted to ODJFS within thirty (30) days of notification of the findings of the investigation.

Mahoning County Children Services shall provide a copy of these Standards of Conduct to each employee or contractor/provider who is:

- Engaged in the placement of children into foster care or for adoption, or
- Engaged in the recruitment, assessment, approval, or selection of foster or adoptive families.

Employees or contractors/providers shall receive a copy of the written Standards of Conduct no later than March 2, 2005. If these Standards of Conduct are revised, employees and contractors/providers shall receive a copy of the revised Standards of Conduct within thirty (30) days of the completion of any revisions. New employees or contractors/providers shall receive a copy of the written Standards of Conduct within thirty (30) days of their hire date or the effective date of their contract. Mahoning County Children Services and contractors/providers shall ensure that these Standard of Conduct are provided to their employees and subcontractors.

Discrimination Complaint Form (JFS02333)
(Attached)

Third Party/Specialized Assessments/Investigations

Rule: OAC 5101:2-36-08

Philosophy

Third Party Investigations are required whenever there is an allegation of abuse or neglect of children where the alleged perpetrator has a formal connection to the agency. The Ohio Family, Children, and Adult Services Procedure Manual specifies this requirement for “(1) any employee of an institution or facility that is licensed or certified by the ODJFS or another state agency and supervised by the PCSA; (2) a foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA; (3) a type B day care home certified by a CDJFS that has assumed the powers and duties of the county children services function defined in Chapter 5153 of the Revised Code; (4) any employee or agent of ODJFS or the PCSA as defined in Chapter 5153 of the Revised Code; (5) any authorized person representing ODJFS or the PCSA who provides services for payment or as a volunteer; (6) any time a PCSA determines that a conflict of interest exists” (OAC 5101:2-36-08 [A]). In addition, “the PCSA shall identify a conflict of interest if a principal of a child abuse or neglect report is a foster caregiver or an employee of an institution or facility licensed or certified by ODJFS if the alleged child victim is in the custody of or receiving services from the PCSA that accepted the report.” (OAC 5101:2-36-08 [B]). Mahoning County Children Services Board members are considered “agents” of the agency for the purposes of this section. In order to avoid even the appearance of impropriety, the agency will meet or exceed any ODJFS requirements for these investigations.

Implementation

- (1) Any report alleging the mistreatment of a child or children whose caretaker meets the above criteria is recorded on the Request for Service form.
- (2) The assigned Caseworker and the assigned Placement/Licensing Worker (when appropriate) or Group Home Coordinator (if the incident occurred in a group home facility) attempts a face-to-face contact with the alleged child victim within one hour of the receipt of the report. In a foster home, the Caseworker and Placement/Licensing Worker determine the level of risk to the child(ren) and make an initial decision regarding the placement or re-placement of the child(ren).
- (3) The referral is entered into SACWIS by the Intake Screener.
- (4) The referral is given to the Abuse Unit Supervisor (or the Program Administrator or Agency Director in the absence of the Abuse Unit Supervisor) by the Intake Screener.
- (5) The Abuse Unit Supervisor categorizes and classifies the report and notifies ODJFS Canton District Office of the report.

- (6) The Abuse Unit Supervisor provides a copy of the categorized and classified report to the Placement Program Administrator if the allegation involves an agency licensed foster caregiver, pre-finalized adoptive home, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA.
- (7) If an employee is named in a Third Party Investigation, the Program Administrator of the appropriate Department notifies the employee in writing that: (a) an allegation has been made (and date), (b) the nature of the allegation, and (c) that a Third Party Investigation will occur and the name of the party doing the investigation.
- (8) The Abuse Unit Supervisor initiates Third Party Investigation requirements and makes the initial referral to the appropriate police authority.
- (9) The Abuse Unit Supervisor provides a copy of the categorized and classified report to the Program Administrator of the Departments which services the child.
- (10) The Abuse Unit Supervisor provides a copy of the categorized and classified report to the Program Administrator of Placement Department if the allegation involves a facility operated by that Department.
- (11) The Abuse Unit Supervisor provides a copy of the categorized and classified report to the Intake Supervisor for reports of neglect of children in other “out of home care” settings.
- (12) The Program Administrator of the Department servicing the child assures that the child welfare investigation is completed by the assigned Caseworker. If a child is moved pending the outcome of the investigation, the child’s Caseworker shall notify the parent/caregiver in writing.
- (13) The results of the investigations (police report, child welfare summary, and Foster Home Rules Violation report) are provided to the Abuse Unit Supervisor and the Program Administrator of the Department which services the child as soon as possible, but no later than 30 days from the date of the report.
- (14) The Abuse Unit Supervisor summarizes the reports and provides that summary to the Executive Director and any other Program Administrator involved in the investigation.
- (15) The Executive Director convenes a staffing to make the final decisions regarding the action of the agency.
- (16) At the conclusion of the investigation, the Abuse Unit Supervisor notifies ODJFS Canton District Office as required.
 - (a) If the case involves an out-of-county facility, the Placement Department Program Administrator notifies the State Licensing Specialist and the administrator of the facility (listed on the shared drive under Contract Contacts).

- (b) If the case involves an in-county investigation, the assigned investigating Caseworker does disposition/notifications. The Abuse Unit Supervisor notifies the appropriate State Licensing Specialist.
- (17) A written summary of this meeting is given to appropriate Department Administrators by the Executive Director.