

NORTHEAST OHIO ADOPTION SERVICES

FAMILY FOSTER CARE POLICY

In compliance with Child Welfare Licensing Rules in Chapters 5101:2-5 and 5101:2-7 of the Ohio Administrative Code, the following policies for family foster caregivers have been developed and implemented by Northeast Ohio Adoption Services (NOAS).

Orientation and Training

NOAS' "family" foster homes shall receive twenty-four (24) hours of pre-placement training prior to NOAS recommending the home for certification. The pre-placement training shall be completed within the eighteen month period immediately prior to the date NOAS recommends the foster home for certification. The pre-placement training program for "family" foster homes shall consist of, but not be limited to, the following topics:

- The legal rights and responsibilities of foster caregivers;
- NOAS' policies and procedures regarding foster caregivers;
- ODJFS' requirements for certifying foster homes;
- The effects placement, separation, and attachment issues have on children, their families, and foster caregivers;
- Foster caregivers' involvement in permanency planning for children and their families;
- The effects of physical abuse, sexual abuse, emotional abuse, neglect, and substance abuse on normal human growth and development;
- Behavior management techniques;
- Effects of caregiving on children's families;
- At least three hours of cultural issues in placement training including cultural diversity training;
- Prevention, recognition, and management of communicable diseases;
- Community health and social services available to children and their families;
- The substance of section 2151.62 of the Ohio Revised Code which deals with the information required to be shared with a foster caregiver when a child who has been adjudicated a delinquent child for the commission of certain violent crimes is placed in a foster home. A course addressing section 2151.62 of the Ohio Revised Code shall be not less than one hour long.
- Preparing adolescents for independent living (for a prospective foster caregiver who will be providing care for a youth expected to remain in foster care until the youth's eighteenth birthday).

NOAS family foster homes shall complete a minimum of forty (40) hours of continuing training during each two-year certification period beginning from the effective date of the caregiver's initial certification or the effective date of the most recent recertification as applicable. The continuing training program shall be in accordance with the caregiver's written needs assessment and continuing training plan and may include, but not be limited to, the following topics:

- Parents and foster caregivers as part of child protection teams;
- The dynamics of child abuse and neglect and recognizing and preventing child abuse and neglect;
- The effect of child abuse and neglect on child development;
- How foster caregivers should work with children and their families regarding placement, separation, and attachment issues;
- Behavior management techniques;
- Foster caregivers' working with children's families;

- Effects of caregiving on children’s families;
- Caring for children who have been sexually abused;
- Cultural competency;
- Substance abuse and dependency;
- Symptoms of mental illness and learning disorders;
- Developmentally appropriate activities for children;
- Cardiopulmonary resuscitation and first aid;
- Preparing adolescents for independent living (for a foster caregiver who will be providing care for a youth expected to remain in foster care until the youth’s eighteenth birthday).

If the foster caregiver has a “good cause” (e.g., documented illness, critical emergencies, lack of accessible training programs, etc.) as determined by NOAS for failing to complete the continuing training, NOAS will recommend to ODJFS that the foster caregiver’s foster home certificate be renewed. However, before recommending this renewal, NOAS will develop a corrective action plan, specific to the individual caregiver’s situation, for prompt completion of the continuing training. If the foster caregiver fails to comply with the corrective action plan, NOAS will recommend to ODJFS that the foster caregiver’s foster home certificate be revoked.

It will be considered “good cause” for failing to complete the continuing training, if the foster caregiver has served in active duty with a branch of the armed forces of the United States for more than thirty days in the preceding two-year period or if the foster caregiver has served in active duty as a member of the Ohio organized militia as defined in section 5923.01 of the Revised Code, which includes the Ohio national guard, the Ohio naval militia and the Ohio military reserve, for more than thirty days in the preceding two-year period and that active duty relates to either an emergency in or outside of Ohio or to military duty in or outside of Ohio. In the corrective action plan for failing to complete the continuing training, the additional time granted to the foster caregiver to complete the continuing training will be one month for each month the caregiver was on active duty. Any required training that is not met at the end of a foster caregiver’s certification period applying the preceding sentence will be waived by NOAS. When a waiver of training is approved by NOAS regarding the situations mentioned in this paragraph, the required training for the next certification period will be the same as for any other caregiver operating a foster home of which the foster caregiver is certified. The agency will document any such extension of time in the foster caregiver’s record.

Assessment Policy

In order to have a homestudy completed, a foster caregiver applicant(s) needs to complete the JFS 01691 “Application for Child Placement” form and submit the completed form to NOAS. The applicant(s) must be a permanent legal resident of the United States and a resident of the state of Ohio to be eligible.

In addition to the requirements for the assessment or home study process as stated in Chapter 5101:2-7, NOAS requires foster caregiver applicants to submit copies of marriage license certificates, divorce decrees, death certificates, well water tests, evacuation plan, acknowledgment of offense form, and autobiographical information. Once the applicants have received and read a copy of Chapter 5101:2-7 and the NOAS Family Foster Care Policy, NOAS requires the applicants to submit a signed statement stating that fact.

NOAS also requires the applicants to obtain a clearance report from the ODJFS Central Registry on Child Abuse and Neglect, submit Releases of Information to check local police records and a check or money order to cover the cost of fingerprinting the applicants and all adult members of the household. When the uniform statewide automated child welfare information system (SACWIS) is fully implemented, SACWIS will replace the Central Registry on Child Abuse and Neglect.

The applicants will need to submit the names and addresses of at least three unrelated persons for NOAS to use as references for the applicants. NOAS will obtain additional references if the applicant was previously certified as a foster caregiver or provided care and supervision of children. NOAS will also complete a JFS 01348 "Safety Audit of a Foster Home" to ensure compliance with all safety requirements.

The applicants must have the following information available for a NOAS worker to view: proof of Ohio residence on all adult members for the past five years, driver=s license, auto insurance policy, and verification of pets meeting local and state safety requirements.

A foster caregiver shall notify his/her permanency planning specialist or the director of permanency planning within 24 hours if any criminal offense charges or conviction is brought against the foster caregiver or a resident in the home. Failure to do so will result in ODJFS seeking an order to revoke the foster care license. Also, a foster caregiver or prospective foster caregiver shall notify his/her permanency planning specialist or the director of permanency planning in writing within 24 hours if a person residing in the home who is at least 12 years old, but under 18 years old, has been convicted of or pleaded guilty to any criminal offense or has been adjudicated to be a delinquent child for committing an act that if committed by an adult would constitute one of the offenses listed in the appendix of this policy. If NOAS learns that a foster caregiver has failed to notify NOAS of this, NOAS will notify ODJFS who will then initiate action to revoke the foster caregiver's certificate. This notification is also required for any conviction or adjudication of delinquency resulting from a violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in the appendix of this policy.

All applicants to the agency shall be given the opportunity to simultaneously apply for foster care and adoption. Those wishing to do so must be at least 21 years of age at the time of initial certification. All application forms required by state regulations must be completed by those who wish to pursue both programs at once. One set of home study interviews will be completed to satisfy both foster care and adoption requirements, and the approval process will occur simultaneously.

Socialization and Education

Foster caregivers shall allow privileges and assign responsibilities to a foster child similar to those which would be assigned to a family member of the foster caregiver who is of similar age and functioning level.

NOAS will make arrangements with the placing agency for each school-age foster child to attend a school that complies with the minimum standards as prescribed by the state board of education and shall ensure that the foster child attends school in accordance with the child care agreement. A foster caregiver who provides home schooling for a foster child shall do so only with the approval of the child's custodial agency. Any home schooling program used by a foster caregiver shall be approved by the public school district in which the caregiver resides.

Foster caregivers shall encourage a foster child to participate in community, school, recreational, and cultural heritage activities which are appropriate to the child's age and functioning level and shall, as is necessary and reasonable, arrange appropriate transportation for the foster child to such activities. A foster caregiver shall, as appropriate, teach a foster child tasks and skills required for life in the community.

Religious Participation

Foster caregivers will demonstrate consideration for, and sensitivity to, the religious background of a foster child and of families receiving agency services. A foster child has the right to enjoy freedom of thought, conscience and religion. Opportunity shall be provided each foster child for practicing the chosen religious beliefs and faith of the child or his or her parents/family, unless it is determined and documented in the child's case plan by the custodial agency that practicing the child's or family's chosen religious beliefs and faith is not in the child's best interest. A child may be encouraged to participate in religious activities, but shall not be coerced to do so. NOAS prohibits a foster caregiver from allowing a foster child to be baptized or submitting a foster child to any religious procedures without prior consent of the child according to his or her age and functioning level and prior approval of the foster child's parent, guardian, or custodian.

NOAS will not require a foster child to receive non-emergency medical treatment that conflicts with the religious tenets or practices of the religion of the child or parent without the specific written consent of the parent, guardian or custodian. When a foster child requires emergency medical treatment and such treatment conflicts with the religious tenets or practices of the child, parent, guardian or custodian, the foster caregiver shall immediately transport or arrange for the transportation of the child to a medical facility and contact NOAS staff who will contact the custodial agency or the individual who placed the child.

Disciplinary Policy

1. Disciplinary methods shall stress praise and encouragement for desired behavior rather than punishment. It is expected that each foster child will be treated with kindness, consistency and respect.
2. Foster caregivers shall provide humane, instructive discipline appropriate to a foster child's age and functioning level. All rules and expectations made by a foster caregiver shall be explained to a foster child in a manner appropriate to the child's age and understanding during the child's pre-placement visitation or initial orientation and prior to any disciplinary action for violation of these rules.
3. Foster caregivers shall not punish a child for actions over which the child has no control, or for bed wetting or in the course of toilet training activities.
4. Foster caregivers shall not subject a foster child to verbal abuse or swearing, to derogatory remarks about foster children, their families, their races, their sex, their religion, their color or their national origin, or to threats of physical violence or removal from the foster home. A foster caregiver shall not discriminate in providing care and supervision to foster children on the basis of race, sex, religion, color or national origin.
5. Foster caregivers are prohibited from the use of any of the following punishments for a foster child:
 - a. Physical hitting or any type of physical punishment inflicted in any manner upon the body - i.e., spanking, paddling, punching, shaking, biting, hair pulling, pinching or rough handling;
 - b. Physically strenuous work or exercise, when used as a means of punishment;
 - c. Requiring or forcing a foster child to take an uncomfortable position, such as squatting or bending, or requiring a foster child to repeat physical movements when used as a means of punishment;

- d. Denial of social or recreational activities for excessive or prolonged periods of time, defined by this agency as being five (5) successive days of duration;
 - e. Denial of social or casework services, medical treatment, or educational services;
 - f. Deprivation of meals;
 - g. Denial of visitation or communication rights with the foster child's family as a means of punishment;
 - h. Denial of sleep;
 - i. Denial of shelter, clothing, bedding, or restroom facilities.
6. Physical, mechanical, and chemical restraint of a foster child shall not be utilized by a foster caregiver in any circumstance. Chemical restraint does not include prescription drugs as prescribed by a physician. A foster caregiver shall not use any device to prevent or restrict movement as punishment or for staff convenience. If the foster caregiver believes physical restraint of a foster child is warranted for self-protection, when a child cannot control himself/herself, or for the protection of another person from a foster child, the foster caregiver shall contact local law enforcement officials to request police intervention in managing the situation.

NOAS shall be notified by the caregiver immediately following a police intervention. Any act of omission or commission by a foster caregiver or other member of the household which results in the death, injury, illness, abuse, neglect, or exploitation of a foster child shall be grounds for the denial or revocation of a foster home certificate.

7. NOAS supports the discipline regulations contained in the Ohio Department of Job and Family Services= rules for foster homes.
8. A foster caregiver shall ensure that each foster child placed in the foster home who is not capable of meeting their own personal hygiene needs is clean and groomed daily. A foster child=s clothing and footwear shall be clean, well-fitting, seasonal, and appropriate to the child=s age and sex. Foster children capable of meeting their own personal hygiene needs shall be provided with adequate personal toiletry supplies appropriate to the child=s age, sex, race, and national origin. A foster caregiver shall provide each foster child instruction on good habits of personal care, hygiene, and grooming appropriate to the child=s age, sex, race, national origin, and need for training.

Grievance Procedure

Grievances arising between foster caregivers and the agency will be resolved in the following manner:

1. The foster caregivers must first discuss the grievance with the agency permanency planning specialist assigned to work with them.
2. If the grievance is not resolved to the satisfaction of the involved parties, the foster caregiver may submit the grievance to the next higher level within the organization (director of permanency planning). A meeting to discuss the grievance will be scheduled within five (5) working days.
3. If the grievance is not resolved at this level, it may be submitted, in writing, to the executive director for resolution. The grievance will be heard in a meeting within five (5) working days, and a response given in writing to the foster caregivers. The decision of the executive director shall be final.

Reimbursement Policy

1. Rates

- a. Day of Care Rate: \$14.50/Day
- b. Respite: Same as Day of Care Rate
- c. Pre-Service Training: \$10.00 per hour for the first 24 hours of pre-service training. This payment will be made after the foster caregiver has received his/her foster care license.
- d. Ongoing Training: \$10.00 per hour for the first 40 hours of ongoing classroom training in the two-year certification period. Foster caregivers will not be paid for training received from books, videos, etc.

2. Requirements

Requirements which are covered in the family foster caregiver's per diem:

- a. Attend routine school conferences: Liaison with the school and develop relationships. (Up to four school conferences per child per year are considered routine.)
- b. Attend routine medical and counseling appointments: Coordinate medical care. (Up to two medical appointments per child per month are considered routine. Up to one counseling session per child or sibling group per week is considered routine.)
- c. Attend school events; support the child's academic and social development.

3. Family Foster Caregiver Pays For (Out of Per Diem)

- a. Haircuts
- b. School supplies (e.g., paper, pencils, scissors, erasers, etc.)
- c. Routine mileage
- d. Personal supplies (e.g., shampoo, deodorant, etc.)
- e. Laundry, dry cleaning
- f. Entertainment
- g. School field trips up to \$10
- h. Preparation of own home for placement (e.g., beds, well test, fire extinguishers, etc.) unless special items/equipment are needed for a child

4. County Agency Might Pay for (Depending on Their Policy)

The following is a listing of the types of items that county agencies sometimes pay for (each county differs in what they pay for and in the amount they will pay):

- a. School fees (e.g., lab fees, home economics fees, shop fees, etc.)
- b. Senior expenses (e.g., pictures, cap & gown, class ring, prom attire, etc.)
- c. Field trips over \$10 (perhaps negotiated with the child paying part)
- d. Camps
- e. Clothing
- f. Accidental damages (county agency is liable)

- g. Purposeful damages (child earns restitution)
- h. School pictures (other than Seniors) up to \$10 per year
- i. Mileage beyond routine

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5. Reimbursement for Expenses Due to Extraordinary Circumstances

Reimbursement for expenses due to extraordinary circumstances will be determined on a case-by-case basis by NOAS administration in conjunction with the county agency.

6. Birth Family Visits or Preplacement Visits for Adoption by Foster Child

Foster families will receive their current day of care rate for all birth family visits or preplacement visits for adoption by the foster child lasting three days or less.

7. Runaways

When a foster child runs away, the foster family will continue to receive their current day of care rate for the first 7-14 days that the child has run away if the plan is for the child to return to the foster family.

8. Detention

When a foster child is held in a detention facility, the foster family will continue to receive their current day of care rate for the first 7-14 days that the child is being held in the facility if the plan is for the child to return to the foster family upon discharge.

9. Hospitalization

When a foster child is hospitalized, the foster family will continue to receive their current day of care rate for the first 7-14 days that the child is hospitalized if the plan is for the child to return to the foster family upon discharge and if the foster caregiver visits the child regularly. It is expected that a foster caregiver will visit the child daily if the child is in a local hospital for medical reasons and as often as possible if the child is not in a local hospital. If the child is hospitalized for other reasons (e.g. emotional/psychological), a foster caregiver shall visit the child per the recommendations set forth in the service plan.

Foster Care and Adoption Joint Approval

All applicants to the agency shall be given the opportunity to simultaneously apply for foster care and adoption. Those wishing to do so must be at least 21 years of age at the time of initial certification. All application forms required by state regulations must be completed by those who wish to pursue both programs at once. One set of home study interviews will be completed to satisfy both foster care and adoption requirements, and the approval process will occur simultaneously.

Sharing and Transfer of a Foster Home

1. Sharing of a Foster Home:

Prior to an agency sharing the use of a foster home that has been recommended for certification by another agency, the agency wishing to use the home shall obtain a written agreement signed by the recommending agency stating how the home is to be used and that all parties affected by the agreement approve of it. The recommending agency shall also provide written notification to any other agencies currently using the home.

2. Transfer of a Foster Home:

An agency shall consider a transfer request from a currently certified foster home to a private child

placing agency (PCPA) or private noncustodial agency (PNA) certified by the Ohio Department of Job and Family Services (ODJFS) to recommend foster homes of the same type or to a public children services agency (PCSA). A foster caregiver certified to operate a specialized foster home

may transfer to an agency that does not operate a specialized foster home program if the caregiver agrees that upon execution of the transfer, the foster home designation will be identified as a family foster home.

An agency shall accept a transfer of a foster home from another agency only if the foster caregiver has been certified with the sending agency for a minimum of one year. An exception shall be made in the case of a foster caregiver who has relocated to another county not served by the foster caregiver's recommending agency or if the foster caregiver's recommending agency ceases to recommend foster homes for certification to ODJFS.

Upon receipt of a the written request from a foster caregiver (who has been certified with the sending agency for a minimum of one year or meets the exception requirements) expressing the desire to transfer from the caregiver's current recommending agency, the receiving agency shall consider the request and make a decision whether it wishes to proceed further with an assessment to determine whether to accept the transfer. A foster caregiver shall not initiate more than one transfer request during a certification period and only to one agency at a time.

Before accepting the transfer of a foster home, the receiving agency shall contact the sending agency in writing to notify the sending agency that such a request has been received and to request a complete copy of the caregiver's foster home records (excluding personal references and criminal records checks).

Upon receipt of the transfer request from the receiving agency, the sending agency shall inform the receiving agency of any decision to not place any more children in the foster caregiver's home, including the reasons why this decision was made. If the receiving agency still wishes to proceed with exploring the transfer request, the receiving agency shall notify the sending agency in writing. Prior to sending the records to the receiving agency, the sending agency shall obtain a signed release of information authorization from the foster caregiver authorizing the release of information to the receiving agency. The release of information may be obtained by either agency or the foster caregiver. While the transfer request is pending, the sending agency shall continue to work with the foster caregiver as it does with all other foster caregivers associated with the agency and shall continue to provide the caregiver with notification of training events needed according to the foster caregiver's written needs assessment and continuing training plan. The sending agency shall allow the foster caregiver to attend any such events and shall continue to meet with the caregiver regarding the care of any child placed in the home. The agency shall not remove a child(ren) from a foster caregiver's home solely because the caregiver has requested a transfer.

Within fifteen working days of receipt of the signed release of information and any applicable copying fee, the sending agency shall send a complete copy of the foster home records (excluding references and criminal records checks) to the receiving agency. The records shall be sent by certified mail, return receipt requested or hand delivered by agency staff. If the records are hand delivered, the sending agency shall be provided with a receipt showing the date the records were delivered to the receiving agency. The receiving agency shall document the date of receipt of the records. The record information to be transferred includes the most recent homestudy, homestudy updates, training records, fire inspection reports, safety audits and medical reports, all complaint or rule noncompliance

investigations, and any applicable corrective action plans. The sending agency shall notify the receiving agency of the nature of any outstanding complaint or rule noncompliance investigations and any corrective action plans that have not been fully implemented. The sending agency may charge the

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receiving agency a reasonable fee for copying the records, not to exceed twenty-five cents per page. No additional fee may be charged to any party. If a fee is charged for copying the records, the records shall not be sent until the fee is paid.

The receiving agency shall accept the copy of the foster caregiver's records only from the sending agency. The receiving agency shall not accept a copy of the records from the foster caregiver.

Upon receipt of the foster caregiver's records, the receiving agency shall assign an assessor to review the information received and conduct an assessment of the transfer request.

The assessor shall review the foster caregiver's foster home records and any other information received from the sending agency to make an informed decision whether the agency wishes to proceed with the transfer request. The assessor shall complete the review and make a recommendation to the receiving agency regarding the transfer within sixty days after the receipt of the records. If the transfer review cannot be completed within sixty days, the assessor shall document in the foster home records the reasons why the review cannot be completed within sixty days. The assessor shall contact staff from the sending agency and the foster caregiver(s) to ascertain the reasons

why the request is being made, to determine if there are foster children in the home and to identify the agency with custody of the child(ren). The assessor shall make at least one visit to the foster home and conduct a face-to-face meeting with each foster caregiver and all household members. The assessor shall not recommend acceptance of the transfer unless the assessor is satisfied that any outstanding complaints or rule noncompliance investigations are not material to the request to transfer the home and the safety of any children who are or may be placed in the home. All transfer review activities shall be documented in the receiving agency's foster home records.

The receiving agency shall not approve the transfer request until the following information has been received and approved by the agency:

- a. Three new personal references for the foster caregivers from three persons who are unrelated to the caregiver and who do not live with the caregiver;
- b. A new criminal records check has been obtained, reviewed and approved by the assessor for all persons subject to a criminal records check residing in the home;
- c. A new safety audit of the foster home has been conducted to verify that the home meets all current safety requirements for foster homes;
- d. Documentation of the assessor's decision to recommend the approval of the transfer request, and the reasons for the decision. The agency shall send written notification to the sending agency and foster caregiver of the receiving agency's decision within five working days of the decision.

The receiving agency, who approves the transfer request, shall maintain all information sent by the original recommending agency as well as any information gathered in the transfer review process and the assessor's written recommendation as a part of the receiving agency's foster caregiver records.

The receiving agency, who does not approve the transfer request, shall maintain a copy of the records

received from the sending agency and the assessor's written recommendation to reject the transfer request shall be maintained by the agency for at least two years.

The approval or rejection of a transfer request rests solely with the receiving agency subject to the approval of ODJFS and creates no right of appeal pursuant to Chapter 119 of the Revised Code for any party to the transfer request.

Prior to accepting a transfer, the receiving agency shall ensure that the custodial agency of any child currently placed in the home agrees to the transfer. If the custodial agency does not agree to the transfer while a child is in its custody is placed the home, the transfer shall not take place until the child is no longer placed in the home. A child shall not be removed from a caregiver's home solely because the caregiver seeks to transfer his/her foster home certificate to another agency.

An agency is not required to accept a transfer of a foster home from another agency.

The receiving agency shall provide an orientation to the foster caregiver of the agency's policies and procedures for foster caregivers prior to or not later than thirty calendar days after a transfer request has been processed by ODJFS.

The receiving agency who decides to accept the transfer shall make a recommendation to ODJFS to transfer the foster home to the agency by submitting a JFS 01334 "Notification of Transfer of a Foster Home".

The agency may seek an agreement to determine which agency (sending or receiving) will conduct the recertification review, if a transfer of a foster home is pending within the ninety days immediately prior to the expiration of the certificate. The foster home's recommending agency shall be responsible for conducting the recertification review and recommendation, if there is no agreement between the sending and receiving agencies.

Upon receipt of a signed release of information form, the agency shall release a copy of a foster care homestudy to an adoption agency when the foster caregiver is being considered as an adoptive parent.

Foster Caregiver Liability and Responsibility

1. Liability insurance and compensation for damages done by foster children are the responsibility of the agency or parent who has legal custody of the foster child.
2. Legal representation, legal fees, counseling or legal advocacy for foster caregivers for matters directly related to the proper performance of their roles shall be the responsibility of the foster caregiver.
3. Allegations of abuse or neglect involving a child living in a foster home will be reported to and investigated by the public children services agency in the county in which the foster family resides. NOAS will notify the custodial agency or parent of the alleged incident of abuse or neglect.

Non-Discrimination Requirements for Foster Care Placements

NOAS abides by the JFS 01611 “Non-discrimination Requirements for Foster Care and Adoptive Placements”. A copy of the JFS 01611 is attached to this policy. Also, NOAS staff and contractors agree to abide by the Multiethnic Placement Act (MEPA) standards of conduct pursuant to rule 5101:2-33-11(D)(E) of the Administrative Code.

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Procedure for Complaints of Alleged Discriminatory Acts, Policies or Practices in the Foster Care Process that Involve Race, Color or National Origin (RCNO)

NOAS will provide a written notice of the procedure for any complaints of discrimination in the foster care process that involve race, color or national origin (RCNO) to all individuals inquiring about or applying to be a foster caregiver. Such notice will be provided within seven days of the individual’s first contact with the agency. Any individual may file a complaint alleging a discriminatory act, policy or practice involving RCNO in the foster care process of NOAS or the Ohio Department of Job and Family Services (ODJFS). Any person, including but not limited to, an employee or former employee of NOAS or a member of a family which has sought to become a foster caregiver, may also file a complaint alleging that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way by NOAS or by ODJFS because he or she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing in connection with an allegation that NOAS or ODJFS engaged in discriminatory acts, policies, or practices as it applies in the foster care process.

The complaint procedure is as follows:

- The individual filing a complaint shall use the JFS 02333 “Discrimination Complaint Form”. A copy of the JFS 02333 is attached to this policy.
- The complaint shall be filed within two years of the date of occurrence of the alleged discriminatory act or two years from the date upon which the complainant learned or should have known of a discriminatory act, policy or practice.
- The complaint may be filed with any private noncustodial agency (PNA) including NOAS, public children services agency (PCSA), private child placing agency (PCPA) or ODJFS.
- When a complaint alleging discrimination involving RCNO in the foster care process is received by a PNA, PCSA or PCPA, the agency shall forward the complaint to ODJFS within three working days of the receipt of the complaint.
- ODJFS shall notify the PNA, PCSA or PCPA that is the subject of the complaint within three days of their receipt of the complaint.

If NOAS is the subject of the complaint, it 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. If NOAS is the subject of the complaint, it will cooperate fully with ODJFS during the course of the investigation and will submit any information requested by ODJFS not later than fourteen days from the date of the request, unless otherwise agreed upon. No person who has filed a complaint alleging a discriminatory act, policy or practice involving RCNO in the foster care process of NOAS or who has testified, assisted or participated in any manner in the investigation of a complaint will be intimidated, threatened, coerced, or retaliated against by any employee or contractor of NOAS or ODJFS.

NOAS will provide a written notice of the procedures for any of the complaints of discrimination in the foster care process that involve RCNO within thirty days of the effective date to all foster caregivers

certified or in the process of certification on the effective date of this rule.

Forms

NOAS uses the most current version of all ODJFS forms that are mentioned in this policy.

JH/cb/3/18/03

Approved: Board of Trustees Meeting, 3/20/03

Revised: 6/10/04; Approved: Board of Trustees Meeting, 6/10/04

Revised: 2/8/05; Approved: Board of Trustees Meeting, 2/10/05

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Revised: 1/8/07; Approved: Board of Trustees Meeting, 1/11/07

APPENDIX TO “FAMILY FOSTER CARE POLICY”
Offenses Prohibited by Paragraphs (J) & (P) of Rule 5101:2-7-02
of the Ohio Administrative Code

Homicide

1. R.C. 2903.01 – Aggravated murder
2. R.C. 2903.02 – Murder
3. R.C. 2903.03 – Voluntary manslaughter
4. R.C. 2903.04 – Involuntary manslaughter

Assault

5. R.C. 2903.11 – Felonious assault
6. R.C. 2903.12 – Aggravated assault
7. R.C. 2903.13 – Assault
8. R.C. 2903.16 – Failing to provide for a functionally impaired person

Menacing

9. R.C. 2903.21 – Aggravated menacing

Patient Abuse and Neglect

10. R.C. 2903.34 – Patient abuse; Neglect

Kidnapping and Related Offenses

11. R.C. 2905.01 – Kidnapping
12. R.C. 2905.02 – Abduction
13. R.C. 2905.04 – Child stealing (as this law existed prior to July 1, 1996)
14. R.C. 2905.05 – Criminal child enticement

Sex Offenses

15. R.C. 2907.02 – Rape
16. R.C. 2907.03 – Sexual battery
17. R.C. 2907.04 – Corruption of a minor
18. R.C. 2907.05 – Gross sexual imposition
19. R.C. 2907.06 – Sexual imposition
20. R.C. 2907.07 – Importuning
21. R.C. 2907.08 – Voyeurism
22. R.C. 2907.09 – Public indecency
23. R.C. 2907.12 – Felonious sexual penetration (as this former section of law existed)
24. R.C. 2907.21 – Compelling prostitution
25. R.C. 2907.22 – Promoting prostitution

- 26. R.C. 2907.23 – Procuring
- 27. R.C. 2907.25 – Prostitution
- 28. R.C. 2907.31 – Disseminating matter harmful to juveniles
- 29. R.C. 2907.32 – Pandering obscenity
- 30. R.C. 2907.321 – Pandering obscenity involving a minor
- 31. R.C. 2907.322 – Pandering sexually oriented matter involving a minor
- 32. R.C. 2907.323 – Illegal use of a minor in nudity-oriented material or performance

Arson

- 33. R.C. 2909.02 – Aggravated arson
- 34. R.C. 2909.03 – Arson

Robbery and Burglary

- 35. R.C. 2911.01 – Aggravated robbery
- 36. R.C. 2911.02 – Robbery
- 37. R.C. 2911.11 – Aggravated burglary
- 38. R.C. 2911.12 – Burglary

Offenses Against the Family

- 39. R.C. 2919.12 - Unlawful abortion
- 40. R.C. 2919.22 – Endangering children
- 41. R.C. 2919.23 – Interference with custody (that would have been a violation of R.C. 2905.04 as it existed prior to July 1, 1996 if the violation had been committed prior to that date)
- 42. R.C. 2919.24 – Contributing to unruliness of delinquency of a child
- 43. R.C. 2919.25 – Domestic violence

Weapons Control

- 44. R.C. 2923.12 – Carrying a concealed weapon
- 45. R.C. 2923.13 - Having a weapon while under disability
- 46. R.C. 2923.161 – Improperly discharging a firearm at or into a habitation or school

Drug Offenses

- 47. R.C. 2925.02 – Corrupting another with drugs
- 48. R.C. 2925.03 – Trafficking in drugs
- 49. R.C. 2925.04 – Illegal manufacture of drugs or cultivation of marihuana
- 50. R.C. 2925.05 – Funding of drug or marihuana trafficking
- 51. R.C. 2925.06 – Illegal administration or distribution of anabolic steroids
- 52. R.C. 2925.11 – Possession of drugs or marihuana that is not a minor drug possession offense

Other

- 53. R.C. 3716.11 – Placing harmful objects in food or confection