

**CLINTON COUNTY JOB AND FAMILY SERVICES
FOSTER CARE PROGRAM
POLICY ON CAUSE FOR DENIAL OF INITIAL CERTIFICATION,
DENIAL OF RECERTIFICATION OR REVOCATION OF A
FOSTER HOME CERTIFICATE (Rule – 5101:2-5-28)**

- A. Any one or any combination of the following circumstances may be considered valid cause for denial of initial foster home certification, denial of recertification, or revocation of a foster home certificate either upon the recommendation of a recommending agency or through unilateral action by The Ohio Department of Job and Family Services (ODJFS:)
1. A foster caregiver fails or refuses to comply with any requirement of Chapter 5101:2-7 of the Administrative Code;
 2. A foster caregiver furnishes false or misleading statements or reports to the agency;
 3. A foster caregiver falsifies, refuses or fails to submit any report required by Chapter 5101:2-7 of the Administrative Code.
 4. A foster caregiver refuses or fails to make available any record required by or necessary to the administration of Chapter 5101:2-7 of the Administrative Code.;
 5. A foster caregiver refuses to admit into the residence any person performing duties required by Chapter 5101:2-5, 5101:2-7 or 5101:2-34 of the Administrative Code or any laws of the state or any subdivision therein;
 6. A foster caregiver fails or refuses to comply with agency instructions regarding care of a foster child an agency has placed within the home;
 7. A foster caregiver interferes or acts in conflict with an agency plan for a foster child's care;
 8. Any residence of a foster caregiver's home, other than the foster children who are placed there, is found guilty of any crime perpetrated against a child;
 9. A foster caregiver, any adult residence of a foster home, or any minor resident of a foster home at least twelve years of age, but less than eighteen years of age, residing with the foster caregiver has been convicted of, pleaded guilty to, or been adjudicated delinquent for

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commission of any offense listed in paragraphs (J) and (P) of rule 5101:2-7-02 of the Administrative Code; or

10. A foster caregiver or any other resident of a foster home who is a person subject to a criminal records check refuses to obtain a criminal records check.
- B. When the recommending agency has knowledge that one or more of the circumstances listed in paragraph (A) of this rule apply to a resident of a foster caregiver's or prospective foster caregiver's home, the agency shall do all of the following:
1. Review the foster home certificate, if applicable, and if appropriate, recommend that ODJFS revoke or deny the certificate.
 2. Review the appropriateness of the placement in the foster home of any child of whom the agency has temporary, legal, or permanent custody, after review, the agency may, consistent with any court order, remove the child from the foster home in which the child is residing and place the child in another certified foster home or other appropriate placement.
 3. If the agency does not have temporary, legal, or permanent custody of a foster child residing in the foster home, notify the entity that has custody of the child that it has received a notice under paragraph (P) of Rule 5101:2-7-02 or paragraph (G) of Rule 2-7-14 of the Administrative Code.
 4. Assess the foster caregiver's need for training because of the conviction, plea of guilty, or adjudication described in paragraph (A) and provide any necessary training unless the agency action is to recommend revocation of the certificate.
- C. If a recommending agency learns that a foster caregiver has failed to comply with the provisions of paragraph (P) of Rule 5101:2-7-02 and paragraph (G) of Rule 5101:2-7-14 of the Administrative Code, it shall immediately notify ODJFS and ODJFS shall revoke the foster home certificate.
- D. If an agency determines that any of the conditions listed in paragraph (A) of this rule presents or creates a threat to the life, health, or safety of a foster child, it shall immediately remove the foster child from the foster home and notify the custody holding agency or individual within two hours. An agency determination of threat to a foster child's safety shall be considered sufficient basis for any such action, and shall not require any additional justification.

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- E. For all currently certified foster homes, the recommending agency shall begin an investigation of all allegations of violations of Chapter 5101:2-7 of the Administrative Code within three calendar days of receipt of an allegation of a rule violation. An agency shall complete the investigation within thirty calendar days of beginning the investigation unless the investigation of rules violation conflicts with any other third party or law enforcement investigation. The results of investigations conducted pursuant to this paragraph and the development and implementation of corrective action plans as required by the agency shall be documented and maintained in the foster caregiver record.
- F. 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 of recertification or revocation of a foster home certificate. This may be a recommendation of the agency supervising a foster home or ODJFS.

Submitted by:

Effective Date: March 5, 2009

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Approved by:

John Hosler
Director