

**CLINTON COUNTY JOB AND FAMILY SERVICES
FOSTER CARE PROGRAM
POLICY ON VARIANCES**

- A. The granting of a variance of any requirement imposed by Chapters 5101:2-1, 5101:2-5, 5101:2-7 and 5101:2-9 of the Administrative Code is a discretionary act by the Ohio Department of Job and Family Services (ODJFS) based upon documentation as to why the agency or foster caregiver cannot come into compliance. The refusal of ODJFS to grant a variance, in whole or in part, shall be final and shall not be construed as creating any rights to a hearing under Chapter 119 of the Revised Code.
- B. A request for variance of a requirement or prohibition imposed by Chapter 5101:2-1 or 5101:2-9 of the Administrative Code and related requirements or prohibitions imposed by Chapter 5101:2-5 of the Administrative Code shall be in writing, on agency letterhead, and shall be submitted to the agency's assigned ODJFS licensing specialist.
- C. A request for a variance of a requirement or prohibition imposed by Chapter 5101:2-1 or 5101:2-5 of the Administrative Code on an agency's administration shall be in writing, on agency letterhead, and shall be submitted to the agency's assigned ODJFS licensing specialist.
- D. A request for variance of a requirement or prohibition imposed by Chapter 5101:2-1 or 5101:2-7 of the Administrative Code and related foster home requirements or prohibitions imposed by Chapter 5101:2-5 of the Administrative Code shall be in writing, on agency letterhead, and shall be submitted to ODJFS, foster care licensing section, bureau of accountability and regulation.
- E. All pertinent information necessary to document justification for the permanent suspension of all or part of an Administrative Code rule shall be included with the variance request. The absence of information needed to make an informed decision shall result in a denial of the request.
- F. The approval of a variance by ODJFS shall not be construed as constituting precedence for the approval of any other variance. All variance requests shall be considered on a case-by-case basis.

Variations Policy Continued
Page 2

- G. Should the terms or conditions of a variance be violated or otherwise become nullified by situation or by a change in the applicable Administrative Code rule, the variance shall be rescinded. ODJFS has sole discretion in the rescission of a variance. The rescission of a variance shall not be construed as creating any rights to a hearing under Chapter 119 of the Revised Code.

Submitted by:

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Approved by:

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