

**Cuyahoga County Division of Children and Family Services
(CCDCFS)
Policy Statement**

Policy Chapter: Substitute Care
Policy Number: 6.02.12
Policy Name: Appeals of Denials and Revocation Recommendations of Foster Care Licensure and Adoption Approval

Original Effective Date: 09/21/2009
Revision Date(s): 12/01/2017, 09/01/2014, 02/01/2013
Current Revision Date: 04/01/2021
Approved By: Cynthia G. Weiskittel

PURPOSE: To establish a fair and timely process for licensed or approved caregivers to appeal a recommendation for denial or revocation initiated by CCDCFS.

SCOPE: This policy pertains to all CCDCFS licensed or approved caregivers, all CCDCFS staff and where applicable, the non-CCDCFS foster parents who are caring for children in the custody of CCDCFS.

POLICY

- A. This policy governs all issues related to the **certification, recertification or revocation** of a foster home certificate or **approval** of an adoptive home.
- B. The Ohio Administrative Rules for Foster Homes (OAC 5101:2-5, 2-7) and Adoptive Families (OAC 5101:2-48) are a part of the Ohio Administrative Code and CCDCFS has no authority to change these rules. Foster or adoptive families or applicants who disagree with these rules shall refer their complaints to the Ohio Department of Job and Family Services in Columbus, Ohio.

PROCEDURES

A. For Denial of Foster Care Certification or Adoption Approval:

This procedure applies to all recommendations for denial EXCEPT when the applicant has applied for adoption approval and there is a determination that probable cause exists that falsification may have occurred on an adoption application or homestudy document. In those circumstances please refer to Policy 6.03.05 - Falsification of Adoptive Application/Homestudy.

- 1. The assigned CCDCFS assessor/supervisor reports in writing the reasons for the recommendation of denial of the foster home license/adoption approval to the Chain of Command Senior Manager within three (3) business days of the decision. This information is reviewed by the Senior

Manager and if they are in agreement with the recommendation, the documentation is forwarded to the Senior Manager for Recruitment who is not part of the direct chain of command within one (1) business day.

2. The written statement includes, but is not limited to:
 - a) A copy of the original application completed by the applicant.
 - b) Documentation verifying the information reported on the application or in the homestudy which led to the recommendation.
3. The Senior Manager for Recruitment reviews the documentation and makes a determination as to whether denial is an appropriate recommendation. Within fourteen (14) calendar days of the determination, the assessor notifies the applicant by completing the ODJFS 1315 "Notification of Recertification or Revocation of a Foster Home Certificate" (This is also used for Adoption approval denials or revocation).
4. The notice includes procedures for an agency review and contains all of the following information:
 - a) Date notification letter is prepared by the assessor
 - b) Mailing address of the applicant(s)
 - c) A statement indicating the homestudy process will discontinue because the agency has upheld the decision to recommend denial of the licensure or approval
 - d) A copy of the information that indicates the need for a recommendation for denial or revocation
 - e) Documentation verifying the information reported on the application (JFS 01691) or in the homestudy which led to the recommendation
 - f) The applicant(s) right to an agency review to respond to the information which led to the recommendation
 - g) A statement indicating that if the applicant(s) fail to respond within the fourteen (14) day period, the foster parent's information and supporting documentation will be forwarded to the State of Ohio for review (on foster care licenses or dual licenses only). For adoption only approvals those who do not respond to the allegations the adoption only homestudy approval will be closed.
5. The notification letter is mailed to the applicant by certified mail. In addition, the notification letter may be delivered to the address of the applicant(s) or given to the applicant(s) directly.

6. If the applicant responds within fourteen (14) calendar days of the date of receipt of the written notice alleging falsification or other rule violation, Senior Manager for Recruitment is responsible for reviewing information received from the Foster Care applicant within twenty-one (21) calendar days of receipt of the applicant(s) response.
7. The review includes, but is not limited to:
 - a) A face-to-face meeting with the applicant, and all relevant witnesses, if available.
 - b) Issuance of a final investigatory report to the applicant(s) that is the subject of the investigation. The report includes the allegations, relevant background information deemed appropriate by the agency, the results of the investigation and recommendation of whether or not the agency found Ohio Administrative Code rule violations on the application for child placement or during the homestudy process.
8. The agency notifies the applicant(s) no later than ten (10) business days after the agency review. This notification details the findings of the meeting and any actions taken by the agency. If unanticipated circumstances require additional time to complete the review or to issue the final report, CCDCFS notifies the applicant that is the subject of the investigation of the need for additional time. The extension is no longer than fourteen (14) calendar days after CCDCFS notifies the applicant(s) of the need for additional time to complete the investigatory report.
9. Upon completion of the final investigation report:
 - a) If it is determined there are not grounds for the recommendation, CCDCFS resumes the homestudy process if the applicant(s) choose to proceed.
 - b) The homestudy is completed within one hundred eighty (180) days from re-commencement.
10. The foster care/adoptive family case record includes all documentation which supports the agency's action in determining the results and recommendation of the internal investigation.

B. Denial of Recertification or Revocation of a Foster Home/Adoptive Home:

This procedure applies to all recommendations for revocation or denial of recertification EXCEPT when there is an adoption approval and there is a determination that Probable Cause Exists that Falsification May Have Occurred on an Adoption Application or Homestudy Document. In those circumstances, please refer to Policy 6.03.05 - Falsification of Adoptive Application/ Homestudy. Note:

1. The assigned CCDCFS assessor with supervisor approval reports in writing the reasons for the recommendation for denial of recertification or revocation of foster home license/adoption approval to the Chain of Command Senior Manager within three (3) business days of the assessor's/supervisors' decision for the recommendation. This information is reviewed by the Senior Manager and if they are in agreement with the recommendation, the documentation is forwarded to the Senior Manager for Recruitment who is not in the direct chain of command within one (1) business day.
2. The written statement includes, but is not limited to:
 - a) A copy of the original application completed by the applicant.
 - b) Documentation verifying the information reported on the application or in the homestudy which led to the recommendation.
3. The Senior Manager for Recruitment reviews the documentation and makes a determination as to whether denial/revocation is an appropriate recommendation. Within fourteen (14) calendar days of the determination, the assessor notifies the applicant by completing the ODJFS 1315 "Notification of Denial of Initial Certification, Recertification or Revocation of a Foster Home Certificate" (This is also used for Adoption approval denials or revocation)
4. The notice includes procedures for an agency review and contains all of the following information:
 - a) Date notification letter is prepared by the assessor
 - b) Mailing address of the applicant(s)
 - c) A statement indicating the homestudy process will discontinue because the agency had upheld the decision for denial of recertification or revocation
 - d) A copy of the information that indicates the need for a recommendation for denial or revocation
 - e) Documentation verifying the information reported on the application (JFS 01691) or in the homestudy which led to the recommendation
 - f) The applicant(s) right to an agency review to respond to the information which led to the recommendation
 - g) A statement indicating that if the applicant(s) fail to respond within the fourteen (14) day period, the foster parent's information and supporting documentation will be forwarded to the State of Ohio for review (on

foster care licenses or dual licenses only). For adoption only approvals those who do not respond to the allegations the adoption only homestudy/approval will be closed.

5. The notification letter is mailed to the applicant by certified mail. In addition, the notification letter may be delivered to the address of the foster/ adoptive caregiver(s) or given to them directly.
6. If the applicant responds within fourteen (14) calendar days of the date of receipt of the written notice alleging falsification or other rule violation, the Administrator and/or Deputy Director for Resources and Placement is responsible for reviewing information received from the Foster Care applicant within twenty-one (21) calendar days of receipt of the applicant(s) response.
7. The review includes, but is not limited to:
 - a) A face-to-face meeting with the applicant, and all relevant witnesses, if available.
 - b) Issuance of a final investigatory report to the applicant(s) that is the subject of the investigation. The report includes the allegations, relevant background information deemed appropriate by the agency, the results of the investigation and recommendation of whether or not the agency found Ohio Administrative Code rule violations on the application for child placement or during the homestudy process.
8. The agency notifies the applicant(s) no later than ten (10) business days after the agency review. This notification details the findings of the meeting and any actions taken by the agency. If unanticipated circumstances require additional time to complete the review or to issue the final report, CCDCFS notifies the applicant that is the subject of the investigation of the need for additional time. The extension is no longer than fourteen (14) days after CCDCFS notifies the applicant(s) of the need for additional time to complete the investigatory report.
9. Upon completion of the final investigation report:
 - a) If determined there are not grounds for the recommendation, CCDCFS resumes the homestudy process if the applicant(s) choose to proceed.
 - b) The homestudy is completed within one hundred eighty (180) days from re-commencement.
10. The foster care/adoptive family case record includes all documentation which supports the agency's action in determining the results and recommendation of the internal investigation.

SEE ALSO:

The Ohio Rules for Foster Homes
Ohio Administrative Code Section 5101:2-5, 2-7

The Ohio Rules for Adoptive Families
Ohio Administrative Code Section 5101:2-48

Cuyahoga County Division of Children and Family Services Policies and Procedure Manual

Policy 6.03.05 Falsification of Adoptive Application/Homestudy