

SUMMARY OF CHANGES FOR SUMMIT COUNTY MEMORANDUM OF UNDERSTANDING (MOU) 2008

General

- extensively reorganized and **reformatted** the document;
- created a **table of contents**;
- omitted and attached as an **appendix** some of the detailed procedures internal to SCCS;
- attached the '**Telephone Answering Agreement**';
- outline the methods and individuals for conducting **child interviews**;
- adds references to the new Statewide Automated Child Welfare Information System (**SACWIS**);

Legal Authority & Mandated Subscribers

- updated the **objectives** of the MOU to include the deserted child procedure;
- added the County **Humane Society** and Child Advocacy Center (CAC) Members as mandatory subscribers to the MOU;

Implementation & Review

- must submit an updated copy to **ODJFS** anytime MOU amended;
- scheduled **next review** of the MOU to be completed by 9/31/2013

Responsibilities of Subscribers

- added more general information about the **duties** of concerned county subscribers / officials;
- added reference to the Child Safety Review Plan Agreement with **SCDJFS** for OWF cases ;
- added responsibilities of **CAC members**;

Procedure for Reporting Child Abuse/Neglect: Mandated, Voluntary Reporters & Immunity

- 2151.421(A): added the following individuals as **mandated reporters**: agent of county humane society; superintendent, board member, or employee of a county board of mental retardation; investigative agent contracted with a county board of mental retardation; employee of the department of mental retardation and developmental disabilities; respite care workers; home health agency employee; adoption assessors; individuals hired by SCCS to provide services to children and/or families; cleric if not a volunteer, if information not received during a confession and if regarding another cleric; employee of a CDJFS who is a professional and works with children and families;
- added 2151.99 '**penalty for failing to report** is a **1st degree misdemeanor** if the child suffers or faces a threat of suffering injury when the **child is under the direct care / supervision of the mandated reporter in their professional capacity** or under the care of another person whom the mandated reporter in a professional capacity has supervision / control;
- 2151.421(A): added change to reporting law that the person must know or have **reasonable cause to suspect based on facts that would cause a reasonable person in a similar circumstance to suspect**
- 2151.421(G): clarifies the good faith standard for immunity from prosecution;
- 2151.421(H): added that a report is admissible in evidence in accordance with the Rules of Evidence and is subject to discovery in accordance with the Rules of Criminal Procedure;

Procedures for Responding To and Investigating Reports of Child Abuse or Neglect

- *Emergency Reports:* added reference to the following SCCS procedures: Conducting Assessments & Investigations, Police Removal (JR6), Processing Information in the Phone Room;
- *Children In Need of Medical Attention:* added reference and outlined the protocol for Child Advocacy Center cases (i.e. child a victim of sexual abuse, at risk of harm to self or others, suffering medical neglect, or physical abuse of a three year old with developmental delay)
- *Duties of Social Worker & Law Enforcement in the Investigation:*
 - o must develop a safety plan and assess any report alleging that an infant has been born and identified as affected by illegal substance abuse or withdrawal symptoms resulting from **prenatal drug exposure**;
 - o must also **interview all adults** residing in the home of the alleged child victim;
 - o include Federal CAPTA law requirements to advised alleged perpetrator of the allegations against him/her at the initial time of contact;
 - o may **request assistance of law enforcement** if there is reason to believe the child is in danger, the worker may be harmed or an exigent circumstance exists;

Procedures for Removing and Placing Children

- must complete the **safety plan** for children, if applicable and complete the **risk assessment**;
- must provide **preplacement services, mandated notifications** to the potential caregiver and develop the **Individual Child Care Agreement**;
- must request a court determination that **reasonable efforts** were not possible due to the urgent nature of the child's removal;

Procedures for Investigating Out of Home Care Child Abuse or Neglect

- 2151.421(M): adds the following entity as **Out of Home Care Setting**: pre-adoptive placement, type B day care provider, chartered non-public school, education service center;
- when emergency removal, provide child and caretaker with **court contact information** for appointment of counsel when necessary;

Specialized Investigations

- **Third Party Investigation:** must request law enforcement and/or another PCSA to conduct a separate investigation when the case involves:
 - o any institution, facility, foster or pre-finalized adoptive home licensed by ODJFS and operated/supervised by SCCS;
 - o any employee, or agent of ODJFS or SCCS;
 - o any authorized person who is representing ODJFS or SCCS and who is providing services for payment or as a volunteer;
- **Child Death:** must notify ODJFS within 10 working days of learning a child death;
- **Deserted Children:** added procedure for deserted child investigations;