



Summit County

CHILDREN SERVICES

Building Families . . . Building Futures

**SUMMIT COUNTY
MEMORANDUM OF UNDERSTANDING**

FOR

**REPORTING/INVESTIGATING
CHILD ABUSE AND NEGLECT**

MAY 2017

Table of Contents

SECTION 1: OVERVIEW	5
1.1 AUTHORITY	5
1.2 PURPOSE	5
1.3 REQUIRED PARTICIPANTS	5
1.4 GOALS	6
1.5 AMENDMENTS	6
SECTION 2: RESPONSIBILITIES OF MANDATED SUBSCRIBERS	7
2.1 SUMMIT COUNTY JUVENILE COURT	7
2.2 LAW ENFORCEMENT AGENCIES	7
2.3 PROSECUTORS, CITY LAW DIRECTORS/SOLICITORS & VILLAGE SOLICITORS	8
2.4 RESPONSIBILITIES OF SUMMIT COUNTY CHILDREN SERVICES	8
2.5 SUMMIT COUNTY DEPARTMENT OF JOB & FAMILY SERVICES	9
2.6 SUMMIT COUNTY HUMANE SOCIETY	9
2.7 CHILD ADVOCACY CENTER (CAC)	10
2.8 SYSTEM OF CONSULTATION	10
SECTION 3: STATEMENT OF EXCEPTION	11
3.1 STATEMENT OF EXCEPTION	11
SECTION 4: REPORTING CHILD ABUSE & NEGLECT	12
4.1 MANDATED REPORTERS	12
4.1.1 RESPONDING TO MANDATED REPORTERS	12
4.2 PENALTY FOR FAILURE TO REPORT	12
4.3 CONFIDENTIALITY	13
4.4 UNAUTHORIZED DISSEMINATION	13
SECTION 5: SYSTEM FOR RECEIVING REPORTS OF CHILD ABUSE & NEGLECT 24 HOURS A DAY, 7 DAYS A WEEK	14
5.1 SYSTEM FOR RECEIVING REPORTS	14
SECTION 6: STANDARDS & METHODS FOR INTERVIEWING CHILDREN	15
6.1 INTERVIEWING POLICY	15
6.2 COOPERATIVE APPROACH TO INTERVIEWS OF CHILDREN	15
6.3 CATEGORIES OF PERSONS CONDUCTING INTERVIEWS OF CHILDREN	15
6.4 SCCS RESPONSIBILITY TO OBTAIN PARENTAL CONSENT	16

6.5 INTERVIEWS AT SUMMIT COUNTY JUVENILE DETENTION FACILITY	16
SECTION 7: ROLES & RESPONSIBILITIES FOR RESPONDING TO EMERGENCY & NON-EMERGENCY REPORTS	17
7.1 EMERGENCY REPORTS	17
7.1.1 DEFINITION	17
7.1.2 SCCS RESPONSE	17
7.1.3 LAW ENFORCEMENT & CHILDREN'S HOSPITAL RESPONSE	17
7.2 NON-EMERGENCY REPORTS	17
7.3 CHILDREN IN NEED OF MEDICAL ATTENTION	18
7.3.1 IN GENERAL	18
7.3.2 RECORDS	19
7.3.3 COMMUNITY ABUSE PROTOCOL COMMITTEE	19
7.4 CASES REQUIRING LAW ENFORCEMENT TO RESPOND IMMEDIATELY	19
7.5 SCCS REQUESTS FOR LAW ENFORCEMENT ASSISTANCE	19
SECTION 8: STANDARDS & PROCEDURES FOR HANDLING & COORDINATING REPORTED CASES OF CHILD ABUSE & NEGLECT	20
8.1 GENERAL	20
8.1.1 INTERVIEW OF ALLEGED CHILD VICTIM	20
8.1.2 INTERVIEW OF ALLEGED PERPETRATOR	20
8.2 SPECIFIC INVESTIGATIONS	21
8.2.1 OUT-OF-HOME CARE	21
8.2.2 THIRD PARTY INVESTIGATIONS	21
8.2.3 CHILD DEATHS	22
8.2.3.1 DEATH OF A CHILD IN SCCS CUSTODY	22
8.2.3.2 DEATH OF A CHILD DUE TO ABUSE OR NEGLECT	22
8.2.3.3 CHILD FATALITY REVIEW BOARD	22
8.2.4 WITHHOLDING OF MEDICAL TREATMENT	22
8.2.5 REPORTS OF CASES INVOLVING INDIVIDUALS WHO AID, ABET, INDUCE, CAUSE, ENCOURAGE OR CONTRIBUTE TO CHILD BECOMING DEPENDENT, NEGLECTED, UNRULY AND DELINQUENT OR A WARD OF THE JUVENILE COURT	23
8.2.6 MISSING CHILDREN CASES	24
8.2.7 DESERTED CHILD	24
SECTION 9: REMOVAL OF CHILDREN	25
9.1 GENERAL	25

9.2 EMERGENCY REMOVAL PROCEDURES	25
9.3 NON-EMERGENCY REMOVAL PROCEDURES	26
9.4 OHIO WORKS FIRST	26
APPENDICES	27
APPENDIX A: MANDATED REPORTERS	27
APPENDIX B: OUT OF HOME CARE SETTINGS	29
APPENDIX C: LEGAL AUTHORITY	30

1.1 Authority

This Child Abuse and Neglect Memorandum of Understanding ("MOU") is required by section 2151.421 of the Ohio Revised Code (O.R.C.) and section 5101:2-33-26 of the Ohio Administrative Code (O.A.C.).

This MOU shall be governed by and construed in accordance with applicable State and Federal law and regulation. In the event that any portion of this MOU is inconsistent with State or Federal law, that portion shall be without effect as if stricken from the document and the remaining portion shall remain in full force and effect.

See Appendix C for a list of all legal authority.

1.2 Purpose

This MOU sets forth the normal operating procedures to be employed by all involved officials in the execution of their respective responsibilities according to the following sections of the O.R.C.:

- O.R.C. 2151.421: Reporting Child Abuse or Neglect
- O.R.C. 2919.21: Nonsupport or Contributing to Nonsupport of Dependents
- O.R.C. 2919.22: Endangering Children
- O.R.C. 2919.23: Interference with Custody
- O.R.C. 2919.24: Contributing to Unruliness or Delinquency of a Child

1.3 Required Participants

Pursuant to O.R.C. 2151.421 and O.A.C. 5101:2-33-26(B), this MOU shall be signed by all of the following parties:

- The Summit County Juvenile Court Judge.
- The Summit County Sheriff.
- Summit County Children Services.
- All Chief municipal peace officers within Summit County.
- Other law enforcement officers handling child abuse and neglect in Summit County (Chief township police officers and City and Village Solicitors).
- The Summit County Prosecutor.
- The Summit County Department of Job and Family Services.
- The Summit County Humane Society.
- The participating members of the Child Advocacy Center according to O.R.C. 2151.426, including:
 - Akron Children's Hospital
 - Battered Women's Shelter of Summit and Medina Counties
- Any other entity considered appropriate

1.4 Goals

The primary purpose of the reporting of suspected child abuse or neglect is to protect the child and to engage the family in services to correct the conditions that resulted in neglect or abuse of the child. The subscribers to this Memorandum of Understanding agree to the following goals:

- To ensure that all incidents of suspected child abuse and neglect are promptly reported.
- To provide prompt child protection and family services which may alleviate the conditions contributing to abuse or neglect of children.
- To eliminate all unnecessary interviews of children, and when feasible, provide for one interview of children who are the subject of a report of suspected child abuse or neglect.
- To educate parents who fear they are losing control and may hurt their child(ren) that they can call SCCS or law enforcement for information and referral services to address their immediate concerns.
- To maintain children in their own homes, or with family, whenever feasible.

1.5 Amendments

If any individual identified in the Required Participants section changes, the Executive Director of Summit County Children Services, or a designee, shall provide the new representative a copy of the current MOU. The new Required Participant must sign the MOU and an amendment of the MOU must be executed, including the signatures of all the required participants.

All Required Participants shall convene for clarification and approval of any amendment to the MOU which changes the operating responsibilities or procedures of a Required Participant.

SECTION 2	RESPONSIBILITIES OF MANDATED SUBSCRIBERS
------------------	---

2.1 Summit County Juvenile Court

- Issue orders regarding the care, protection, health, safety, mental and physical best interest of children.
- Ensure that due process of law is achieved.
- Hear evidence and issue the proper disposition as to any abused, neglected, or dependent child.
- Order timely and safe permanency dispositions for children.
- Preserve the family environment whenever possible while ensuring that the child(ren)'s health and safety is paramount.
- As a mandated reporter, communicate concerns regarding the welfare of a child who has come to the Court's attention to SCCS via the Agency hotline at (330-434-KIDS).
- Exercise jurisdiction over adults to hear and decide matters related to:
 - Support and nonsupport of children.
 - Endangering children.
 - Interference with custody.
 - Failing to send children to school.
 - Custody/visitation between unmarried parents or interested third parties when the child has been the subject of an abuse/neglect/dependency action.
 - Contributing to the unruliness or delinquency of children.

2.2 Law Enforcement Agencies

- Receive, accept, and investigate reports regarding child abuse or neglect in cooperation with SCCS.
- Refer all reports of known or suspected child abuse or neglect to SCCS.
- Determine whether allegations of abuse or neglect rise to the level of criminal conduct.
- May consult with the City Law Director or Prosecutor's Office upon deciding to initiate criminal charges if required by internal agency policy.
- Notify SCCS of any legal action involving an alleged perpetrator of child abuse or neglect, and respond to SCCS' requests for information regarding the status of the legal action.
- On cases with serious criminal implications law enforcement shall have responsibility for interviewing the alleged perpetrator. Law enforcement shall provide verbal notification to SCCS, followed by written notification within ten (10) days, in such circumstances. SCCS may accompany law enforcement for the interview.
- Inform SCCS of law enforcement's investigative disposition.
- Arrange occasional meetings with SCCS for law enforcement agency staff to receive information about the functions and services of SCCS, and how officers can work in conjunction with SCCS.
- Provide police record checks for Summit County Children Services as necessary or requested as permitted by law.

- Consult with SCCS, when feasible, prior to taking any action towards removal of a child from their home pursuant to Juvenile Rule 6, except in exigent circumstances to protect the child.
- Handle and coordinate investigations involving the death of a child which may have resulted from abuse or neglect.
- Assist SCCS in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded.
- Receive and respond to reports of cases involving individuals who aid, abet, induce, encourage, contribute to, or act in a way tending to cause a child or ward of the Juvenile Court to become delinquent, unruly, neglected, dependent, or to leave the custody of any person, department or public or private institution without legal consent of that person.
- Upon receiving notification from SCCS, enter information regarding missing persons into the National Crime Information Center (NCIC).
- Assist SCCS in investigating allegations of child abuse and neglect in an out-of-home care setting and allegations of child abuse and neglect reports requiring 'third party' investigations.

2.3 Prosecutors, City Law Directors/Solicitors and Village Solicitors

- Report suspected cases of child abuse and neglect to SCCS or appropriate law enforcement agencies upon receipt.
- Represent SCCS in legal actions to protect a child from further harm resulting from child abuse or neglect.
- Determine, based upon the facts, whether criminal culpability exists which should be prosecuted.
- Be available to law enforcement and SCCS staff for questions or assistance in the investigation of child abuse and neglect cases.
- Eliminate the need for testimony at the Municipal Court level by allowing for direct presentation to the Grand Jury, when feasible, in an attempt to minimize trauma to child victims.

2.4 Responsibilities of Summit County Children Services (SCCS)

- Receive and respond to and/or provide services to screened-in reports of child abuse or neglect twenty-four (24) hours a day, seven (7) days a week.
- Conduct investigations in accordance with the O.R.C. and O.A.C.
- Initiate proceedings, whenever appropriate, in Summit County Juvenile Court and arrange for any needed social or rehabilitative services for the child and his/her family.
- Take physical custody of a deserted child, thirty-one (31) days or younger, and initiate legal action as necessary to protect that child.
- Provide education/training upon request to law enforcement staff regarding SCCS services and how law enforcement can access SCCS assistance.
- Report criminal behavior or activity to local law enforcement and/or the Summit County Prosecutor as necessary to protect children.
- Provide community education regarding child abuse and neglect.

- Refer reporters of missing children who are not in the custody of SCCS but involved with the Agency to law enforcement, and share with law enforcement available information which is relevant to their investigation of a missing child report.
- Contact law enforcement upon receiving notification of a missing or AWOL child who is in SCCS custody for entry into the National Crime Information Center (NCIC) database.
- Contact the National Center for Missing and Exploited Children (NCMEC) if a child in SCCS custody is missing or AWOL.
- Share investigative findings and observations with appropriate law enforcement agencies as requested.
- May request assistance from law enforcement or another public children services agency (PCSA) in 'third party' investigations regarding alleged abuse and neglect of children when the allegation involves:
 - Any institution, facility or family foster home which is licensed, approved, or certified by ODJFS and operated or supervised by SCCS.
 - A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative or kinship caregiver who is recommended, approved or supervised by SCCS.
 - Any ODJFS or SCCS staff.
 - Any authorized person who is representing ODJFS or SCCS and who is providing services for payment or as a volunteer.
- Consult with and provide the appropriate agency any information regarding individuals who may aid, abet, encourage, induce or contribute to a child or ward of the Court:
 - Becoming a dependent or neglected child.
 - Becoming an unruly or delinquent child.
 - Leaving the custody of any person, department or institution without legal consent.
- Collaborate with Summit County Department of Job & Family Services (SCDJFS) to engage in joint planning and sharing of information regarding services SCCS provides to children and families, including minor parents, who also receive assistance from SCDJFS.

2.5 Summit County Department of Job & Family Services (SCDJFS)

- Report suspected cases of child abuse and neglect to SCCS or appropriate law enforcement agencies upon receipt.
- Collaborate with SCCS to assist families in caring for their children, to assure that children at risk of abuse and neglect receive protective services, and to assure service coordination for families already involved with SCCS.
- Promote ongoing communication between SCDJFS and SCCS regarding mutual clients, including minor parents.
- Assist SCCS upon request in obtaining case or assistance group information regarding a family when SCCS is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused.
- Assist SCCS in obtaining addresses of parents whose whereabouts are unknown, pursuant to O.R.C. 5101:2-33-28.

2.6 Summit County Humane Society

- Investigate reports of animal abuse and neglect within the county.
- Pursuant to the O.R.C., report suspected cases of child abuse and neglect that may be observed during the commission of their duties to the proper authorities.

2.7 Child Advocacy Center (CAC)

- Establish internal protocols regarding the investigation of CAC cases.
- Serve on the multidisciplinary team subcommittee and participate in training as needed.
- Work jointly and cooperatively in their established role with the other team members in the investigation of CAC cases.
- Attend and exchange information at the multidisciplinary team case review meeting.

2.8 System of Consultation

Summit County Children Services consults with law enforcement, the Prosecuting Attorney's office, the Juvenile Court Judge, and the Children's Advocacy Center as necessary on any cases which may require intervention or assistance to protect children.

3.1 Statement of Exception.

Failure to follow the procedure set forth in this MOU by the concerned officials is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect, or the suppression of any evidence obtained as a result of any reported child abuse or child neglect and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person.

SECTION 4	REPORTING CHILD ABUSE & NEGLECT
------------------	--

4.1 Mandated Reporters

Certain persons, while acting in an official or professional capacity, are required to immediately make a report with Summit County Children Services or a law enforcement officer if the person knows or has reasonable cause to suspect, based on facts that would cause a reasonable person in a similar position to suspect that a child under eighteen years of age, or an intellectually or developmentally disabled, or physically impaired person under twenty one years of age, has suffered or faces a threat of suffering any physical or mental wound, injury, disability or condition that reasonably indicates abuse or neglect. (For a complete list of mandated reporters see Appendix A.)

4.1.1 Responding to Mandated Reporters

When SCCS screens in a referral from a mandated reporting source, SCCS shall forward a "Mandated Reporter Letter" to the referent.

The parties further agree that information shared with the mandated reporting source shall be limited to that permitted by O.R.C. 2151.421(K). The following information can be shared with a mandated reporter via the Professional Response Form/Letter:

1. Whether SCCS has initiated an investigation of the report.
2. Whether SCCS is otherwise involved with the child who is the subject of the report.
3. The general status of the health and safety of the child who is the subject of the report.
4. Whether the report has resulted in the filing of a complaint in Juvenile Court or of criminal charges in another Court.

4.2 Penalty for Failure to Report

Mandated reporters who fail to report in accordance with O.R.C. 2151.421 are liable for compensatory and exemplary damages to the child who would have been the subject of the report that was not made. A person who brings a civil action or proceeding pursuant to O.R.C. 2151.421 against a person who is alleged to have violated that section may use in the action or proceeding any reports of other incidents of known or suspected abuse or neglect. Such reports must redact any information that would identify either the child who is the subject of the report or the maker of the report, as long as the maker is not the defendant or an agent or employee of the defendant.

The penalty for the failure of a person required to report any suspected case of child abuse and/or neglect shall be a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when

the child is under the direct care or supervision of the offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control.

4.3 Confidentiality

Any report made in accordance with O.R.C. section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 shall not be released for use, and shall not be used as evidence in any civil action or proceeding brought against the person who made the report.

Information regarding the report and/or investigation of alleged abuse or neglect may be shared only when dissemination is authorized by O.A.C. section 5101:2-33-21. When information is disseminated, SCCS shall notify the recipient that:

1. The information is confidential.
2. Unauthorized dissemination of the contents of the information is a violation of O.R.C. 2151.421.
3. Anyone who permits or encourages unauthorized dissemination of the contents of this information is in violation of O.R.C. 2151.99, a misdemeanor of the fourth degree.

4.4 Unauthorized Dissemination

If SCCS becomes aware of an unauthorized dissemination of confidential information by a SCCS employee, a report regarding the dissemination is given to SCCS's Executive Director within forty-eight (48) hours. The report shall contain the following:

1. Name and address of the individual who breached confidentiality.
2. Content of the information wrongfully shared.
3. Time and place the unauthorized dissemination occurred.
4. Names and addresses of any corroboration witnesses.
5. Case name and address.

The Executive Director or a designee shall notify the Summit County Prosecutor or City Director of Law in writing within seventy-two (72) hours after the information is known to the Executive Director's office.

SECTION 5	SYSTEM FOR RECEIVING REPORTS OF CHILD ABUSE & NEGLECT 24 HOURS A DAY, 7 DAYS A WEEK
------------------	--

5.1 System for Receiving Reports

Reports of child abuse shall be made to SCCS or any law enforcement officer in Summit County.

Situations which, in the judgment of law enforcement officers or officials of other agencies or organizations, require Children Services intervention, can be reported to SCCS by telephone twenty-four (24) hours a day at (330) 434-KIDS. Written or in-person reports may be made to SCCS at 264 S. Arlington St., Akron, OH 44306 between the hours of 8:30 AM and 11 PM. SCCS uses a telephone answering service to handle after hours and holiday telephone answering for SCCS.

6.1 Interviewing Policy

In furtherance of the best interest of children, County partners will strive to subject children to as few interviews as possible. Whenever necessary, SCCS achieves this policy by taking children to Akron Children's Hospital and having the Children At Risk Evaluation (C.A.R.E) Center's medical personnel conduct the interview. Law enforcement and the SCCS caseworker may observe the interview via closed circuit video. SCCS shall have an interpreter present for all interviews if it has been determined that a principal of the case has a limited English proficiency (LEP) or has a hearing impairment. If the interview takes place at the C.A.R.E. Center, Akron Children's Hospital will provide a professional interpreter for the interview.

6.2 Cooperative Approach to Interviews of Children

In order to eliminate unnecessary interviews of children, any information contained in a child abuse and neglect investigation conducted by a mandated subscriber, such as the county prosecutor or law enforcement, may be shared orally or in writing with each other, with the county coroner, or with the alleged child victim's guardian ad litem for the purpose of completing required investigation activities and for court action.

Whenever possible, the caseworker shall conduct joint interviews with law enforcement, hospital, and therapeutic personnel in order to minimize multiple interviews for the child. If a joint interview at the C.A.R.E. Center is not feasible, either the SCCS caseworker or law enforcement personnel shall be the primary interviewer while the other observes. In order to complete a criminal investigation, it may be necessary for a law enforcement agency to interview a victim at a later time.

SCCS defers to law enforcement for a maximum of seventy-two (72) hours to interview an alleged child victim if requested and if SCCS has confirmed the child is safe.

6.3 Categories of Persons Conducting Interviews of Children

The categories of personnel who may conduct interviews of children who are the subjects of reports of alleged abuse and neglect are limited to the following:

1. Casework and supervisory staff of SCCS.
2. Law enforcement personnel.
3. County or City Prosecuting Attorneys and their investigative staff.
4. Members of the Child Advocacy Center.
5. C.A.R.E. Center staff.

6.4 SCCS Responsibility to Obtain Parental Consent

SCCS staff shall not interview an alleged child victim without parental consent, unless one of the following exigent circumstances exists:

1. There is credible information indicating the child is in immediate danger of serious harm.
2. There is credible information indicating that the child will be in immediate danger of serious harm upon their return home from school or other locations away from his or her home.
3. There is credible information indicating that the child may be intimidated from discussing the alleged abuse or neglect in his or her home.
4. The child requests to be interviewed at school or another location due to one of the circumstances listed above.

Should an alleged child victim provide information during an interview that indicates a sibling might be in immediate danger of serious harm or that the sibling could provide information regarding immediate danger of serious harm to the alleged child victim, the interview of the sibling who was not identified as an alleged child victim may commence.

If a child is interviewed without parental consent, SCCS shall attempt a face-to-face contact or complete a telephone contact on the same day with the child's parent, guardian or custodian to inform them that an interview of the child occurred and provide the specific facts necessitating that the child be contacted without parental consent.

6.5 Interviews at the Summit County Juvenile Detention Facility

Juveniles held in the Summit County Juvenile Detention Facility will not be interviewed by law enforcement unless it is their desire to participate in the interview. If a juvenile wishes to participate, his/her attorney or attorney guardian ad litem will attend the interview with the juvenile. Proper measures will be taken to ensure that the juvenile is afforded adequate support, which may include the accompaniment of a certified therapy dog during the interview and/or access to a detention mental health social worker, as needed. A designated Summit County Juvenile Court staff member will coordinate the interview.

SECTION 7	ROLES & RESPONSIBILITIES FOR RESPONDING TO EMERGENCY & NON- EMERGENCY REPORTS
------------------	--

7.1 Emergency Reports

7.1.1 Definition

SCCS considers reports to be emergent when there is imminent risk to the child's health or safety or where there is insufficient information to determine whether or not the child is safe at the time of the report.

7.1.2 SCCS Response

For emergency reports, SCCS shall attempt a face-to-face contact with the alleged child victim within one hour of the receipt of the report.

SCCS staff is available twenty-four (24) hours a day to respond to reported incidents of abuse and/or neglect. After regular office hours (8:30 A.M. to 4:30 P.M., Monday through Friday), an after-hours Intake Department caseworker is available until 11:00 P.M. to handle incoming emergency calls and walk-ins. After 11:00 P.M. an on-call ("beeper") caseworker is available.

When requested, a caseworker can meet the law enforcement officer at any location within Summit County to take physical custody of a child who is being removed from their home pursuant to Juvenile Rule 6. (See also Section 10 of this MOU "Removal of Children").

7.1.3 Law Enforcement & Children's Hospital Response

For emergency reports, contact must be made immediately with the Summit County Children's Advocacy Center (CAC), which is housed at Akron Children's Hospital. The CAC Coordinator must immediately notify the other CAC team members of the report.

If the report is received after working hours, each agency shall have an on-call system so the appropriate members can be notified. It is the responsibility of each CAC member agency to have a team member available to represent the function of their agency. It is expected that team members shall be available to respond to the Children's Advocacy Center within one hour of notification.

7.2 Non-Emergency Reports

Non-emergent cases shall be reported by telephone, in person, or in writing to SCCS.

For non-emergency cases, SCCS staff shall investigate and assess the allegations contained in the report. When necessary, SCCS provides services and involves other community agencies' services needed to ameliorate conditions which may result in or have contributed to abuse or neglect of children.

Upon initiating an assessment/investigation in response to concerns of child abuse or neglect, a SCCS caseworker attempts to make contact with the family within twenty-four (24) hours. If the children are found to be in an emergency situation, the caseworker shall implement a safety plan. If a safety plan cannot be enacted, the caseworker shall call local law enforcement to determine whether the children should be removed pursuant to Juvenile Rule 6 or SCCS will approach the Summit County Juvenile Court for an ex-parte order of emergency temporary custody.

7.3 Children in Need of Medical Attention

7.3.1 In General

Children should be taken to Akron Children's Hospital (ACH) Emergency Department immediately when they:

1. Are suspected of being or are alleged to have been a recent victim of sexual abuse (within 72 hours)
2. Are at risk of being a harm to their self or others.
3. Appear to be suffering from medical neglect.
4. Are displaying injuries that are in need of diagnosis and treatment.
5. Are diabetic and in SCCS custody.
 - a. Diabetic children are assessed and admitted, if necessary, to allow for caregiver training.
6. Are suspected of having been exposed to a methamphetamine lab.

At ACH, the care of children who are suspected to have been abused or neglected is coordinated through the C.A.R.E. Center (330-543-8453) and the ACH Social Work Department (330-543-8830). SCCS agrees to contact and network with the C.A.R.E. Center and the Social Work Department when providing services at ACH. In order to establish good communication between SCCS and ACH, all newly hired SCCS caseworkers shall participate in an orientation session at ACH, coordinated by the Social Work Department. Prior to transporting a child to ACH, staff should contact the Emergency Department Social Worker by calling the C.A.R.E. Center (330-543-8453) to arrange for the child's timely evaluation.

A telephone report should be made to SCCS at (330) 434-KIDS by the hospital, police, or other legally authorized individual as soon as possible after the child has been admitted to ACH.

An SCCS caseworker shall meet the law enforcement or other agency official at ACH. The evaluation of the child shall be carried out under the direction of the C.A.R.E. Center staff or their designated personnel.

The SCCS caseworker shall evaluate what action should be taken for the child's protection based on discussion with medical staff, parents, the child, law enforcement, and other collateral contacts.

7.3.2 Records

To avoid delays in the release of hospital medical records, SCCS staff shall provide ACH with a written Release of Information signed by the child's custodian when requesting chart information which is not being used to document abuse and neglect.

7.3.3 Community Abuse Protocol Committee

ACH hosts the Community Abuse Protocol Committee, which is chaired by SCCS. This committee is composed of staff from ACH, SCCS, law enforcement, the Courts, prosecutors, and others involved in reporting and investigating child abuse and neglect in Summit County. This meeting will be scheduled quarterly. The committee identifies opportunities to improve the care of children served by multiple organizations and implements community service system improvements when appropriate.

7.4 Cases Requiring Law Enforcement to Respond Immediately

Law enforcement is available twenty-four (24) hours a day to respond to reported incidents of abuse and/or neglect.

7.5 SCCS Requests for Law Enforcement Assistance

SCCS may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist:

1. SCCS has reason to believe that the child is or will be in danger of immediate harm.
2. SCCS has reason to believe that the caseworker is, or will be, in danger of immediate harm.
3. SCCS has reason to believe that a crime is being committed or has been committed against a child.
4. There is an exigent circumstance in relation to the safety of the child that arises on a case and the assistance of law enforcement is needed.

SECTION 8	STANDARDS & PROCEDURES FOR HANDLING & COORDINATING REPORTED CASES OF CHILD ABUSE & NEGLECT
------------------	---

8.1 General

SCCS follows the requirements of O.A.C. 5101:2-36-03 for conducting investigations of intra-familial child abuse and neglect allegations.

8.1.1 Interview of Alleged Child Victim

For an emergency report, SCCS shall attempt a face-to-face contact with the alleged child victim (ACV) within one (1) hour from the time the report was screened in to assess child safety and interview the ACV.

For all non-emergency reports assigned to the Traditional response pathway, SCCS must attempt a face-to-face contact or complete a telephone contact within twenty-four (24) hours with a principal or collateral source to ensure that the child is safe.

For all non-emergency reports assigned to the Alternative Response pathway, within twenty-four (24) hours from the time the referral was screened in as a report SCCS must complete one of the following activities with a principal of the report or a collateral source who has knowledge of the child's current condition and can provide current information about the child's safety:

1. Attempt a face-to-face contact with the parent, child or collateral source.
2. Attempt a telephone contact with the parent or collateral source.
3. Send a letter to the parent, guardian or custodian acknowledging receipt of a report and inviting the family to engage with SCCS.

8.1.2 Interviews of Alleged Perpetrator

SCCS shall conduct and document face-to-face interviews with the alleged perpetrator and all adults residing in the home of the alleged child victim, unless law enforcement or the County Prosecutor are actively investigating the alleged perpetrator in order to:

1. Assess his/her knowledge of the allegation.
2. Observe the interaction between the alleged child victim and caretaker.
3. Obtain relevant information regarding the safety and risk to the child.
4. Pursue criminal charges.

If law enforcement is not present for the interview with the alleged perpetrator, a written summary can be forwarded to the appropriate law enforcement agency at their request. SCCS shall follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the forty-five (45) day time frame. The timeframe can be extended if necessary to

a maximum of sixty (60) days if law enforcement needs additional time, however, SCCS **must** make a disposition within the sixty (60) day timeframe.

8.2 Specific Investigations

To the extent possible investigative interviews of children who are the alleged victims of reports of abuse and neglect where criminal activity is suspected, including reports of human trafficking, are cooperatively planned by SCCS and the law enforcement agency of jurisdiction.

8.2.1 Out-Of-Home Care

SCCS conducts an out-of-home care or "specialized assessment/investigation" in response to a child abuse or neglect report that includes an alleged perpetrator who meets one or more of the following criteria:

1. The alleged perpetrator is responsible for the alleged child victim's care in an out-of-home care setting as defined in section 5101:2-1-01 of the O.A.C.
2. The alleged perpetrator is responsible for the alleged child victim's care in an out-of-home care setting as defined in section 2151.011 of the O.R.C.
3. The alleged perpetrator has access to the alleged child victim by virtue of his/her employment by or affiliation with an institution.
4. The alleged perpetrator has access to the alleged child victim through placement in an out-of-home care setting.

SCCS follows the procedures for conducting specialized assessment/investigations as described in section 5101:2-36-04 of the O.A.C. For a complete list of out-of-home care settings, see Appendix B.

8.2.2 Third Party Investigations

In accordance with section 5101:2-36-08 of the O.A.C., SCCS shall request a third party investigation be conducted by a local law enforcement agency or a PCSA in a contiguous county when there is potential for a conflict of interest because one of the following parties is a principal (alleged perpetrator or adult subject of the report) of the report:

1. Any employee of an institution or facility that is licensed or certified by the Ohio Department of Job and Family Services (ODJFS) or another state agency and supervised by SCCS.
2. An individual actively in the role of any of the following: foster caregiver, pre-finalized adoptive parent, adoptive parent, relative or kinship caregiver who is recommended, approved, or supervised by SCCS.
3. A Type B family day care home certified or licensed by a county department of job and family services that has assumed the powers and duties of the county children services function.
4. Any employee or agent of ODJFS or SCCS, whether that person provides services for payment or as a volunteer.

5. A foster caregiver or an employee of an institution or facility licensed or certified by ODJFS when the alleged child victim/child subject of the report is in the custody of, or receiving services from SCCS.
6. Any time that SCCS determines a conflict of interest exists.

SCCS shall request that law enforcement serve as the third party when a report alleges a criminal offense.

SCCS must request the assistance of a third party within twenty-four hours (24) of identifying that a conflict of interest exists.

8.3.3 Child Deaths

8.3.3.1 Death of a Child in SCCS Custody

SCCS follows section 5101:2-42-89 of the O.A.C. and SCCS's policy/procedure "Responding to Reports Concerning the Death of a Child on an Open Intake or Case Plan" following the death of a child in SCCS custody.

8.3.3.2 Death of Child Due to Abuse or Neglect

When SCCS receives a report concerning the death of a child, SCCS shall immediately contact the appropriate law enforcement agency and follow the investigative procedures set forth in this MOU. SCCS shall notify ODJFS within ten (10) working days of learning of a child's death pursuant to the "ODJFS Child Fatality Administrative Review Protocol". Within five (5) days of the final disposition of its investigation, SCCS shall follow-up with a written report to the law enforcement agency.

8.3.3.3 Child Fatality Review Board

Any child death shall be referred to the Summit County Child Fatality Review Board, which is composed of representatives from key law enforcement, public health, and child serving agencies and citizens of the community and is designed to identify the causes of such deaths and make recommendations to reduce incidents of preventable deaths in Summit County.

8.3.4 Withholding of Medical Treatment

Due to the lethality of the circumstances, specialized procedures exist for handling allegations which involve the withholding of appropriate nutrition, hydration, medication, or medically indicated treatment from disabled infants with life-threatening conditions.

"Medically indicated treatment" includes medical care that is most likely to relieve, or correct, a life-threatening condition. Nutrition, hydration, and medication as appropriate for an infant's needs, are considered medically indicated for all disabled infants; as well as the completion of appropriate evaluations or consultations necessary to assure that sufficient information has

been gathered to make informed medical decisions on behalf of the disabled infant.

In determining whether treatment is medically indicated, reasonable medical judgments made by a prudent physician or treatment team knowledgeable about the case and its treatment possibilities are considered. The opinions about the infant's future "quality of life" are not to bear on whether or not a treatment is judged to be medically indicated. Medically indicated treatment does not include the failure to provide treatment to a disabled infant if the treating physician's medical judgment identifies any of the situations listed in O.A.C. section 5101:2-36-07(A)(3)(a-d).

SCCS follows the procedures described in section 5101:2-36-07 of the O.A.C. for responding to such reports.

8.3.5 Reports of Cases Involving Individuals who Aid, Abet, Induce, Cause, Encourage or Contribute to a Child Becoming Dependent, Neglected, Unruly and Delinquent or a Ward of the Juvenile Court

SCCS refers the following types of cases to the law enforcement agency of proper jurisdiction:

1. Cases involving individuals who aid, abet, induce, cause, encourage or contribute to a child or a ward of the Juvenile Court to become or do the following:
 - a. A dependent, neglected, unruly, or delinquent child.
 - b. To leave the custody of any person, department or public or private institution without the legal consent of that person, department or institution.
2. Cases involving individuals who act in a way tending to cause a child or a ward of the Juvenile Court to become an unruly child or a delinquent child, to the law enforcement agency of jurisdiction.

If SCCS receives such a report, SCCS is responsible for notifying law enforcement by telephone and follow up in writing with the standard report to ODJFS Central Registry within twenty-four (24) hours.

When law enforcement receives a report from SCCS, the department must begin an investigation within seventy-two (72) hours, depending upon the seriousness of the report.

Upon completion of the investigation, the law enforcement agency shall determine an appropriate course of action for the case. The law enforcement agency shall also forward SCCS a written summary of the investigation/action taken within five (5) days of concluding an investigation.

8.3.6 Missing Children Cases

Upon learning that a minor child has either run away from or is otherwise missing from the home or the care, custody and control of the child's parents, custodial parent, legal guardian, or custodial parent SCCS shall:

1. Refer the reporter to the law enforcement agency in the appropriate jurisdiction.
2. Contact the law enforcement agency for entry into the National Crime Information Center (NCIC) database if the child is in SCCS custody.
3. Contact the National Center for Missing and Exploited Children (NCMEC) if the child is in SCCS custody.
4. Upon the request of law enforcement, SCCS shall provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by SCCS which may be relevant in the investigation.

8.3.7 Deserted Child

"Deserted child" is defined as a child whose parent has voluntarily delivered the child to an emergency medical service worker, peace officer, or hospital employee without expressing intent to return for the child and who, pursuant to sections 2151.3516 and 2151.3517 of the O.R.C., is fewer than thirty-one (31) days old and has no apparent signs of abuse or neglect.

SCCS follows section 5101:2-36-06 of the O.A.C. and the Agency's "Deserted Child Investigation Procedure" for responding to such reports.

9.1 General

SCCS is committed to preventing the removal of any child from their home and makes reasonable efforts to prevent such a removal. When possible, SCCS provides supportive services in order to prevent removal of a child from their home and to allow that child to remain safely in their own home. If a child cannot safely remain in his or her home, SCCS seeks the least restrictive placement alternative that provides for the greatest continuity in the child's life.

9.2 Emergency Removal Procedures

Emergency removal of a child is necessary when the child is at imminent risk of harm and in need of protection from abuse or neglect.

When emergency removal of a child from home is necessary, SCCS shall consider emergency removal procedures in the following order:

1. Filing a complaint in the Summit County Juvenile Court alleging the child to be an abused, neglected, dependent, or deserted child and petitioning the Court for an ex-parte emergency order to remove the child due to the urgent nature of the child's removal.
 - a. If the Juvenile Court has been petitioned, SCCS does not have to duplicate any written notices that have previously been provided by a Court officer or Court employee.
2. Requesting the assistance of a law enforcement officer to execute an emergency removal of a child from their home pursuant to Juvenile Rule 6 (JR6).
 - a. SCCS shall request assistance from the appropriate law enforcement agency to remove a child when any of the following conditions exist:
 - i. SCCS is unable, due to the immediacy of the situation, to obtain a court order authorizing the emergency removal of the child.
 - ii. SCCS is denied entry into the home or access to the child.
 - iii. The parent, guardian, custodian or child offers physical resistance to the emergency removal.
 - iv. The safety of the child or SCCS employee is jeopardized.
 - b. If law enforcement has removed a child from his or her home pursuant to Juvenile Rule 6, SCCS must petition the Court for an order authorizing the continued removal of the child within twenty-four hours of the JR6 or the next business day.

When SCCS explores relative placements but determines them to be unavailable or unsuitable, SCCS shall ensure that the temporary emergency care for the child is in the least-restrictive, most family like setting available to meet the needs of the child in accordance with the Ohio Revised Code.

9.3 Non-Emergency Removal Procedures

Placement resources are available at SCCS twenty-four (24) hours a day, seven (7) days a week for children requiring placement.

Upon receiving a call alleging child abuse or neglect, SCCS commences an investigation in accordance with the requirements of section 2151.421 of the O.R.C. If the circumstances warrant removal of a child or children from their home, SCCS approaches the Summit County Juvenile Court and files a complaint alleging the child(ren) to be abused, neglected, or dependent. The Court may grant emergency temporary custody of a child to SCCS through an ex-parte order, or may set the matter for a hearing.

9.4 Ohio Works First

When SCCS removes a child from their home due to allegations of abuse, neglect, or dependency and the family is a participant in Ohio Works First (OWF), SCCS shall notify Summit County Department of Job and Family Services of the child's removal.

** Original signature on file*

Julie Barnes, M.Ed., LSW, Executive Director
Summit County Children Services

Date

** Original signatures on file*

Mandated Subscriber
(list of subscribers available upon request)

Date

The following persons are considered by Ohio Revised Code section 2151.421 to be Mandated Reporters and shall immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section:

1. Attorney
2. Cosmetic therapist, massage therapist, mechanotherapist, naprapathologist or other practitioner of a limited branch of medicine or surgery as defined in O.R.C 4731.15
3. Licensed School Psychologist
4. Independent Marriage and Family Therapist or Marriage and Family Therapist
5. Coroner
6. Administrator or Employee of a child day care center
7. Administrator or Employee of a residential camp, child day camp or private, nonprofit therapeutic wilderness camp
8. Administrator or Employee of a certified child care agency or other public or private children services agency
9. School Teacher, School Employee, or School Authority
10. Agent of a county Humane Society
11. Person, other than a cleric, rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion
12. Employee of a county Department of Job and Family Services who is a professional and who works with children and families
13. Superintendent or Regional Administrator employed by the Department of Youth Services
14. Superintendent, Board Member, or Employee of a county Board of Developmental Disabilities
15. Investigative Agent contracted with by a county Board of Developmental Disabilities
16. Employee of the Department of Developmental Disabilities
17. Respite Care Worker
18. Employee of an entity that provides homemaker services
19. Adoption Assessor
20. Court Appointed Special Advocate
21. Guardian ad Litem
22. Cleric or person, other than a volunteer, designated by any church, religious society, or faith who is acting in an official or professional capacity, who knows or believes, that another cleric or another person, other than a volunteer, designated by a church, religious society, or faith acting as a leader, official, or delegate on behalf of the church, religious society, or faith caused, or poses the threat
23. "Health Care Professional," which is defined as an individual who provides health-related services, is permitted to make a single child abuse or neglect report when

multiple such professionals have provided health care services to a child and such professionals determine or suspect such child to be abused or neglected. Health Care Professionals include:

- a) Physician
- b) Hospital Intern or Resident
- c) Dentist
- d) Podiatrist
- e) Registered Nurse
- f) Licensed Practical Nurse
- g) Visiting Nurse
- h) Licensed Psychologist
- i) Speech Pathologist
- j) Audiologist
- k) Person Engaged in Social Work or the Practice of Professional Counseling
- l) Employee of a Home Health Agency
- m) "Health Care Professional" specifically does not include a practitioner of a limited branch psychologist, independent marriage and family therapist or marriage and family therapist, or coroner of medicine.

The following are considered an "out-of-home care setting", as defined by Ohio Administrative Code section 5101:2-1-01:

1. Detention Facility
2. Shelter Facility
3. Foster Home
4. Pre-Finalized Adoptive Placement
5. Certified Foster Home
6. Approved Foster Care
7. Organization
8. Certified Organization
9. Child Care Center
10. Type A family Day-Care Home
11. Type B Family Day-Care Home
12. Group Home
13. Institution
14. State Institution
15. Residential Facility
16. Residential Care Facility
17. Residential Camp
18. Day Camp
19. Hospital
20. Medical Clinic
21. Children's Residential Center
22. Public or Non-Public School
23. Respite home responsible for the care, physical custody or control of a child.

Ohio Revised Code

1. O.R.C. 2151.421: Reporting Child Abuse or Neglect
2. O.R.C. 2919.21: Nonsupport or Contributing to Nonsupport of Dependents
3. O.R.C. 2919.22: Endangering Children
4. O.R.C. 2919.23: Interference with Custody
5. O.R.C. 2919.24: Contributing to Unruliness or Delinquency of a Child
6. O.R.C. 2151.421: Reporting Child Abuse or Neglect
7. O.R.C. 2151.426: Children's Advocacy Center – Memorandum of Understanding
8. O.R.C. 2151.99: Penalty
9. O.R.C. 2151.011: Juvenile Court Definitions
10. O.R.C. 2151.3516: Persons Authorized to Take Possession of Deserted Child
11. O.R.C. 2151.3517: Duties Upon Taking Possession of Deserted Child

Ohio Administrative code

1. O.A.C. 5101:2-33-26: The County Child Abuse and Neglect Memorandum of Understanding
2. O.A.C. 5101:2-42-88: Requirements When a Child in Substitute Care Disrupts from Placement or is Absent Without Leave (AWOL).
3. O.A.C. 5101:2-33-21: Confidentiality and Dissemination of Child Welfare Information
4. O.A.C. 5101:2-36-06: PCSA Requirements for a Deserted Child Assessment/Investigation
5. O.A.C. 5101:2-36-04: PCSA Requirements for Conducting a Specialized Assessment/Investigation
6. O.A.C. 5101:2-36-05: PCSA Requirements for Conducting Stranger Danger Investigations
7. O.A.C. 5101:2-36-07: PCSA Requirements for Conducting and Assessment/Investigation of the Alleged Withholding of Medically Indicated Treatment from a Disabled Infant with Life-Threatening Conditions
8. O.A.C. 5101:2-36-08: PCSA Requirements for Involving a Third Party in the Assessment/Investigation of a Child Abuse or Neglect Report
9. O.A.C. 5101:2-36-09: Requirements for Dependent Child Assessments
10. O.A.C. 5101:2-36-20: PCSA Assessment Requirements for Child Abuse and Neglect Reports in Alternative Response
11. O.A.C. 5101:2-36-03: PCSA Requirements for Intra-Familial Child Abuse and/or Neglect Assessment/Investigations
12. O.A.C. 5101:2-1-01: Children Services Definitions of Terms
13. O.A.C. 5101:2-37-03: Assessments
14. O.A.C. 5101:2-42-05: Selection of a Placement Setting
15. O.A.C. 5101:2-42-89: PCSA Procedures when a Child is Receiving Services or is in Agency Custody Dies
16. O.A.C. 5101:2-39-01: Removal of a Child from the Child's Own Home