



## Ohio Administrative Code

### Rule 5101:2-36-11 Extending time frames for completion or waiving completion of assessment/investigation activities.

Effective: September 1, 2024

---

(A) The public children services agency (PCSA) is to request an extension and complete the "Justification/Waiver" in Ohio's comprehensive child welfare information system (CCWIS) if the PCSA is unable to complete specific assessment/investigative activities pursuant to the time frames established within Chapters 5101:2-36 and 5101:2-37 of the Administrative Code. The justification for extension is to:

(1) Contain justification for not meeting the established time frame.

(2) Contain supervisory approval of the "Justification/Waiver" prior to the expiration of the established time frame.

(B) An extension is permitted for the following assessment/investigative activities:

(1) Execution of the second attempt to complete face-to-face contact within four working days from the screening decision when all of the following have been recorded in the "Justification/Waiver" prior to the expiration of the fourth working day:

(a) The diligent efforts completed to identify the child's current safety status with a principal of the report or collateral source who has knowledge of the child's current condition, and can provide current and credible information about the child's safety.

(b) The name and location of the individual who provided the credible information about the child's safety, and the manner in which the information was obtained.

(c) The information provided by the principal of the report or collateral source that supports the PCSA's belief that the child is not at risk of being seriously harmed.

(d) Completion of the supervisory approval of the extension request in Ohio's CCWIS prior to the



expiration of the fourth working day.

(2) Written notification to the alleged perpetrator of the report disposition if the alleged perpetrator is the subject of a law enforcement investigation into human trafficking. The timeframe for the extension is not to exceed one hundred twenty days from the date the PCSA screened-in the referral as child abuse and/or neglect report.

(C) The PCSA is to complete the "Justification/Waiver" to waive an assessment/investigation activity if the PCSA is unable to complete specific assessment/investigative activities pursuant to the requirements established within Chapters 5101:2-36 and 5101:2-37 of the Administrative Code. The "Justification/Waiver is to:

(1) Contain justification why each assessment/investigation activity can not be completed.

(2) Contain the director's or designee's approval of the "Justification/Waiver" prior to the expiration of the established time framefor the assessment/investigation activity.

(D) A PCSA may request to waive the following assessment/investigation activities:

(1) Completion of the face-to-face interview with the alleged child victim or child subject of the report.

(2) Completion of the face-to-face interview with each child in the home of the alleged child victim or child subject of the report.

(3) Completion of the face-to-face interview with each adult residing in the home of the alleged child victim or child subject of the report, including the parent(s), guardian, custodian, or caretaker.

(4) Completion of the face-to-face interview with the alleged perpetrator or adult subject of the report.

(5) Completion of face-to-face or telephone interviews with any identified witnesses and collateral sources.



(6) Completion of the "Safety Assessment," "Family Assessment," "Ongoing Case Assessment/Investigation," or "Specialized Assessment and Investigation" if the report disposition is one of the following:

(a) Family moved: unable to complete assessment/investigation.

(b) Unable to locate.

(7) Completion of the "Safety Assessment" if the PCSA has not completed contact with any principal of the report and has been unable to locate the family.

(8) Completion of the "Safety Assessment," "Family Assessment," "Ongoing Case Assessment/Investigation," or "Specialized Assessment and Investigation" if all of the following apply:

(a) The PCSA has not successfully gathered sufficient information from any principal of the report, identified witness, or collaterals.

(b) The parent, guardian, or custodian of the alleged child victim refused the PCSA to have contact with family members, including principals of the report, to complete the needed assessment activities.

(c) The PCSA consulted legal counsel regarding the report and the family's refusal to engage in the assessment/investigation process.

(d) The PCSA's legal counsel advised the PCSA no legal action will be pursued.

(e) The PCSA report disposition is unsubstantiated, substantiated, or indicated.

(9) The signature of a parent, guardian, or custodian on the JFS 01409 "Safety Plan for Children" if all of the following apply:



- (a) The PCSA has obtained one signature from a parent, guardian, or custodian.
  
- (b) The PCSA determines the parent, guardian, or custodian who has not signed is unable or unavailable to sign.
  
- (c) The reason(s) why the parent, guardian, or custodian who has not signed is unable or unavailable to sign the is documented in the case record.
  
- (10) Completion of the "Safety Assessment," "Family Assessment," "Ongoing Case Assessment/Investigation," or "Specialized Assessment and Investigation" if, upon initiation, the PCSA determines the specific incident alleged in the report has been previously assessed/investigated and all of the following apply:
  - (a) The report involves the same alleged child victim or child subject of the previous report.
  
  - (b) The report involves the same alleged perpetrator or adult subject of the previous report.
  
  - (c) The previous report received an alternative response case decision or report disposition of substantiated, indicated or unsubstantiated.
  
- (E) The PCSA will not complete a justification to waive or extend the completion time frame for any assessment/investigation activity not identified within this rule.