



Ohio Administrative Code

Rule 5101:2-37-02 PCSA requirements for completing the safety plan.

Effective: September 1, 2024

(A) The public children services agency (PCSA) is to immediately develop and implement a JFS 01409 "Safety Plan for Children" if the PCSA determines a child is in immediate danger of serious harm due to an active safety threat.

(B) If, after the assessment of safety, described in rule 5101:2-37-01 of the Administrative Code the safety response is to implement an in-home safety plan or an out-of-home safety plan, the PCSA is to develop a safety plan utilizing the JFS 01409 "Safety Plan for Children."

(C) The PCSA and the parent, guardian, or custodian are to mutually:

(1) Identify the action steps to control the active safety threats.

(2) Identify each individual or community resource responsible for conducting an action step specified on the safety plan.

(3) Agree to the participation of that individual or community resource on the safety plan.

(D) To implement a safety plan utilizing the JFS 01409, the PCSA is to do one of the following:

(1) Obtain signatures on the JFS 01409 from the custodial parent, legal guardian, or legal custodian and all persons responsible for a safety plan action step indicating their willingness to participate in the safety plan.

(2) If an order of shared parenting has been issued, and there has not been a residential parent designated by the court, the PCSA is to obtain agreement and signatures on the JFS 01409 of both parents.

(3) If a custodial parent, legal guardian, or legal custodian or person responsible for an action step is



not present to sign the JFS 01409, the safety plan may be implemented with a verbal authorization. The PCSA is to document the date and time the verbal authorization was received.

(E) If verbal authorization is obtained the PCSA is to attempt to obtain the signature(s) on the JFS 01409 within five working days from receipt of the verbal authorization.

(1) All attempts to obtain the signature(s) and any reasons why the signature(s) cannot be obtained are to be documented in the case record.

(2) Upon contact with the custodial parent, legal guardian, or legal custodian the signature is to be obtained.

(F) The PCSA is to waive the signature requirement of the custodial parent, legal guardian, or legal custodian outlined in paragraph (D) of this rule who is unable or unavailable to sign the safety plan if the PCSA has obtained one signature from another custodial parent, legal guardian, or legal custodian pursuant to rule 5101:2-36-11 of the Administrative Code. The reason(s) why the signature cannot be obtained is to be documented in the case record.

(G) The PCSA is to monitor safety plans by assessing safety to ensure the action steps are controlling the identified safety threats. Monitoring the plan requires the following:

(1) For an in-home safety plan, the PCSA is to conduct weekly home visits. During the home visits, the PCSA is to make face-to-face contact with each child identified on the safety plan and each parent, guardian, or custodian residing in the home. During the visit an assessment of the active safety threat(s) is to be completed.

(2) For an out-of-home safety plan, the PCSA is to have weekly contact with the children or persons responsible for an action step. The PCSA is to have face-to-face contact with each child and responsible party involved every other week. During the visit an assessment of the active safety threat(s) is to be completed.

(H) The PCSA is to implement alternative safety interventions when any of the following applies:



- (1) An active safety threat is not controlled.
- (2) A parent, guardian, custodian, or responsible person is unwilling to sign the JFS 01409.
- (3) The parent, guardian, custodian, or responsible person is not cooperating or willing to follow the action steps according to the JFS 01409.
- (4) The PCSA has not been able to complete the required monitoring contacts despite concerted efforts being made pursuant to paragraph (G) of this rule and the following occurs:
 - (a) Face-to-face contact has not been made on an in-home safety plan for two weeks with each child identified on the safety plan and each parent, guardian, or custodian residing in the home.
 - (b) Face-to-face contact has not been made on an out-of-home safety plan for four weeks with each child identified on the safety plan.
- (I) If the PCSA determines a safety threat is no longer active or is being controlled through the family's protective capacities and the child is no longer in immediate danger of serious harm, the JFS 01409 is to be discontinued. The PCSA is to notify the parent, guardian, or custodian and each responsible party in writing within two working days of the discontinuation of the JFS 01409.
- (J) If the JFS 01409 is modified, the signature of all participants on the modified JFS 01409 prior to its implementation is to serve as notification.
- (K) The PCSA is not to close a case if a JFS 01409 is active.
- (L) The PCSA is to record the JFS 01409 in Ohio's comprehensive child welfare information system (CCWIS) within five working days from the date the first signature is obtained.
- (M) If after the assessment of safety, the safety response is to implement a legally authorized out-of-home placement, the PCSA is to contact law enforcement and/or remove the child pursuant to rule 5101:2-39-01 of the Administrative Code. Completion of the JFS 01409 is not required for a legally authorized out-of-home placement safety response.