



Ohio Administrative Code Rule 5101:2-5-11 Complaint handling.

Effective: January 1, 2025

(A) The Ohio department of children and youth (DCY) may begin an investigation if either of the following apply:

(1) DCY has knowledge of rule noncompliance or receives a complaint alleging that an agency is in violation of any of the requirements of the Administrative Code relative to the functions performed by the agency.

(2) A person or organization is operating a function that requires certification pursuant to rule 5101:2-5-03 of the Administrative Code without a certificate.

(B) Whenever DCY receives any report concerning the operation of an agency that alleges child abuse or neglect has occurred or is occurring, DCY will immediately refer the report to the appropriate public children services agency.

(C) At the commencement of a site investigation of a complaint, other than an abuse or neglect investigation, DCY will contact the administrator or designee of the agency and explain the nature of the complaint.

(D) An agency is to cooperate with DCY in the investigation of any complaint and with the implementation of any required corrective action plans whenever an investigation finds a violation of the requirements of the Administrative Code as applicable to the functions performed by the agency.

(E) Upon completion of the investigation of a complaint, DCY will conduct an exit interview with the administrator or designee. The purpose of the exit interview is to inform the administrator of the findings of the investigation. Any areas of noncompliance will be presented in writing on a citation of noncompliance and explained to the administrator or designee during the exit interview. The signature of the administrator or designee on the citation is to signify only that the administrator or designee has received the citation.



(F) No agency is to recommend denial or revocation of a foster home certificate or discharge, demote, suspend, reduce board payments to a foster home, or threaten to recommend denial or revocation of a foster home certificate, discharge, demote, suspend, or in any manner discriminate against any foster caregiver or employee based on the foster caregiver or employee taking any of the following actions:

- (1) Making any good-faith oral or written complaint to DCY regarding a violation of any Administrative Code rules applicable to the functions performed by the agency.
- (2) Instituting or causing to be instituted any proceeding against the agency under this chapter.
- (3) Acting as a witness in any proceeding under this chapter.
- (4) Refusing to perform work that constitutes a violation of any Administrative Code rule applicable to the agency's certified functions.