



## Ohio Administrative Code

### Rule 5180:3-13-05 Selection of a placement setting.

Effective: March 14, 2026

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(A) What is the first step when a child cannot remain in their home?

The public children services agency (PCSA) or private child placing agency (PCPA) is to explore placement with maternal or paternal relatives, including a non-custodial parent, to determine their willingness and ability to assume custody or guardianship. If it is in the child's best interest, the non-custodial parent is to be considered before other relatives.

(B) What happens if no suitable relative can take custody?

If no suitable relative is available, the agency explores placement with a suitable nonrelative who has an established relationship with the child or their family.

(C) Where can a PCSA or PCPA place a child?

- (1) In the homes of relative(s) or non-relative(s) approved by the PCSA or PCPA in accordance with rule 5180:2-42-18 of the Administrative Code.
- (2) With the parent in a substance use disorder (SUD) residential program.
- (3) In a substitute care settings that is licensed, certified or approved by the agency of the state having responsibility for licensing, certifying or approving facilities of the type in which the child is placed.

(D) How should the placement of siblings be addressed?

The agency should attempt to place siblings in the same home unless it is determined not to be in the child's best interest.

(E) What criteria is to be met when selecting a substitute care setting?

When the PCSA or PCPA has custody of a child, the agency is to select a substitute care setting that is consistent with the best interest and special needs of the child and that meets the following criteria:

- (1) Is considered the least restrictive, most family-like setting available to meet the child's emotional and physical needs.
- (2) Is in close proximity to the home from which the child was removed or the home in which the child will be permanently placed.
- (3) Is in close proximity to the school in which the child was enrolled prior to placement.



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(4) Is designed to enhance the likelihood of achieving permanency plan goals.

(5) Is able to provide a safe environment for the child.

(F) What are the types of allowable substitute care settings ranked from least restrictive to most restrictive?

(1) With the parent in a substance use disorder (SUD) residential facility.

(2) A non-custodial parent.

(3) The home of a suitable relative, as defined in rule 5180:2-1-01 of the Administrative Code, excluding the parent.

(4) The home of a suitable nonrelative as defined in rule 5180:2-1-01 of the Administrative Code.

(5) A foster home.

(6) An independent living arrangement, as appropriate for the child.

(7) A group home.

(8) A maternity home.

(9) An emergency shelter care facility.

(10) A children's residential center.

(11) A medical or educational facility.

(12) A child wellness campus.

(G) What is the preferred placement for a child in permanent custody?

An adoptive placement is considered the least restrictive setting for a child in permanent custody. When selecting an adoptive placement, the agency is to follow rule 5180:2-48-16 of the Administrative Code.

(H) Can a more restrictive setting be chosen?

The PCSA or PCPA may place the child in a more restrictive setting, only when the child's mental, physical or emotional needs indicate a less-restrictive setting cannot address the child's needs.



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(I) How does law enforcement or the court affect placement?

While the agency follows placement guidelines, legal authorities retain the power to make placements based on court orders or law enforcement decisions. This rule will not override the placement of a child in a secure facility or other specified setting by law enforcement or any court of jurisdiction.

(J) What is to be documented in the child's family case plan?

- (1) Educational, medical, psychological, and social information used by the agency to select a placement setting.
- (2) Justification for the placement decision based on safety and appropriateness and the best interests of the child.
- (3) Reasons for not utilizing less restrictive placements, if applicable.

(K) When do the provisions of this rule not apply?

The provisions of this rule do not apply to a permanent surrender agreement executed in the child's best interest by a PCPA in accordance with division (B)(2) of section 5103.15 of the Revised Code for a child less than six months of age on the date of the execution of the agreement for the purpose of adoption.

(L) What other legal and regulatory standards govern placement activities?

All placement activities are to be in compliance with rules 5180:3-13-18.1 and 5180:2-48-13 of the Administrative Code and 42 U.S.C. sections 671(a)(18), 674(d) and 1996b.