

5101:2-37-02**PCSA requirements for safety planning.**

- (A) The public children services agency (PCSA) shall immediately develop and implement a safety plan when it has been determined that a child is in immediate danger of serious harm.
- (B) At a minimum, the PCSA shall assess all of the following to determine the degree of intervention necessary to control safety threats and protect the child:
- (1) The presence of active safety threats.
 - (2) The vulnerability of the child.
 - (3) The protective capacities of the parent, guardian, or custodian.
 - (4) The family's history of child abuse and/or neglect resulting in serious harm.
- (C) The PCSA shall document the assessment of safety outlined in paragraph (B) of this rule on the JFS 01401 "Comprehensive Assessment and Planning Model - I.S., Safety Assessment" (rev. 2/2006) pursuant to paragraph (A) of rule 5101:2-37-01 of the Administrative Code or on the safety re-assessment contained within the JFS 01413 "Comprehensive Assessment and Planning Model - I.S., Case Review" (rev. 2/2006) pursuant to paragraph (G) of rule 5101:2-38-09 of the Administrative Code. The JFS 01401 or the safety re-assessment shall be approved by the supervisor and documented in the case record.
- (D) If, after the assessment of safety, the safety response is to implement an in-home safety plan or an out-of-home safety plan, the PCSA shall develop a safety plan utilizing the JFS 01409 "Comprehensive Assessment and Planning Model - I.S., Safety Plan for Children"(rev. 2/2006).
- (E) If, after the assessment of safety, the safety response is to implement a legally authorized out-of-home placement, the PCSA shall contact law enforcement and/or remove the child pursuant to rule 5101:2-38-03 of the Administrative Code. Completion of the JFS 01409 is not required for a legally authorized out-of-home placement safety response.
- (F) When developing the JFS 01409, the PCSA shall consider, at a minimum, all of the following:
- (1) How to involve the parent(s), guardian, or custodian, extended family, and community resources.
 - (2) How to utilize the least restrictive and least disruptive strategies to control safety threats while securing the safety of the child.
 - (3) Which methods will be utilized for receiving information from other involved persons or agencies that are assisting in monitoring the safety plan.

(4) How the PCSA will monitor the safety plan.

- (G) As applicable, the PCSA and the parent, guardian, or custodian shall jointly identify each individual or community resource responsible for conducting an action step specified on the safety plan and agree to the participation of that individual or community resource on the safety plan.
- (H) The PCSA shall implement alternative safety interventions when a parent, guardian, or custodian or responsible person is unwilling to sign the JFS 01409.
- (I) The PCSA shall obtain signatures on the JFS 01409 from the parent, guardian, or custodian and all persons responsible for a safety plan action step indicating their willingness to participate in the safety plan.
- (J) To implement a safety plan, the PCSA shall obtain agreement from the parent, guardian, or custodian by signing the JFS 01409. If the parents of the child are married or if the parents of the child are divorced and a court has issued an order of shared parenting, the PCSA shall obtain agreement and signatures from both parents.
- (K) If the parent, guardian, or custodian is not present to sign the JFS 01409, the safety plan may be implemented with a verbal authorization of at least one parent, guardian, or custodian. The verbal authorization shall be solidified with the signature(s) of the parent, guardian, or custodian within twenty-four hours from when the verbal authorization was received. The PCSA shall document the date and time the parent, guardian, or custodian verbally authorized the implementation of a safety plan.
- (L) If the parent, guardian, or custodian is unable to sign the safety plan within twenty-four hours from the verbal authorization, a justification to extend the time frame for five working days pursuant to rule 5101:2-36-11 of the Administrative Code shall be documented in the case record. Only one extension may be granted. If the signature of the parent, guardian, or custodian is not obtained by the expiration of the extension, the safety plan shall be discontinued and other safety interventions shall be implemented. Documentation of the attempts to obtain the signature of the parent, guardian, or custodian shall be recorded in the case record.
- (M) The PCSA may implement an action step on the safety plan with a verbal commitment when the person responsible for that action step is not present to sign the JFS 01409. The verbal commitment shall be solidified with a signature within one working day from when the verbal commitment was received. The PCSA shall document in the case record the date and time the verbal commitment was given by the responsible person.
- (N) The PCSA shall monitor safety plans to ensure that the action steps are controlling the identified safety threats. The monitoring plan requires the following:

- (1) To monitor an in-home safety plan, the PCSA shall conduct weekly home visits. During the home visits, the PCSA shall make face-to-face contact with each child, parent, guardian, or custodian involved.
- (2) To monitor an out-of-home safety plan, the PCSA shall have weekly contact with the children or persons responsible for an action step either by telephone or face-to-face. The PCSA shall have face-to-face contact with each child involved every other week.
- (3) To monitor a legally authorized out-of-home placement safety plan, the PCSA shall have face-to-face contact with the child, parent, guardian, or custodian pursuant to paragraphs (R) and/or (S) of rule 5101:2-38-05 of the Administrative Code.
- (O) When the PCSA determines that 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 shall be discontinued. The PCSA shall notify the parent, guardian, or custodian and each responsible party in writing within one working day of the discontinuation of the JFS 01409.
- (P) If the JFS 01409 is modified, the signature of all participants on the modified JFS 01409 prior to its implementation shall serve as notification.
- (Q) The PCSA shall not close a case if an active safety plan exists.
- (R) The PCSA shall maintain the JFS 01409 in the case record.

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