

5101:2-53-02

Administrative responsibilities and record keeping for children affected by the Indian Child Welfare Act.

- (A) Public children services agencies (PCSA) and private child-placing agencies (PCPA) (hereinafter referred to as "agencies") shall act in accordance with the requirements and policies set forth in rules 5101:2-53-01 to 5101:2-53-08 of the Administrative Code related to the guidelines set by the Indian Child Welfare Act (ICWA) as reauthorized by the "Child and Family Services Improvement Act" of 2006. These sections of the Administrative Code are designed to implement the requirements of Public Law 95-608 the "Indian Child Welfare Act," which vests tribal courts with jurisdiction over custody proceedings involving Indian children to assure that their culture is protected and that services provided to the Indian child are in the child's best interest.
- (B) For record keeping and reporting requirements, the agency shall maintain a case record for every Indian child in its care or custody. The case record shall be maintained in the state automated child welfare information system (SACWIS) in accordance with rule 5101:2-39-02 or 5101:2-33-23 of the Administrative Code.
- (C) The Indian child's case record must also contain the complete record of placement determination, including documentation regarding efforts to comply with the required order of placement preference as contained in rule 5101:2-53-08 of the Administrative Code and this information shall be accessible within SACWIS.
- (D) The agency shall submit within seven days, upon request from the Ohio department of job and family services (ODJFS), a complete case record for each Indian child in the agency's custody or maintain the case record within SACWIS.
- (E) Whenever an Indian child is placed by or leaves the custody of an agency, that agency shall complete a JFS 01646 "Report of Indian Child Placement." (rev. 11/2007). The JFS 01646 shall be submitted to ODJFS or documented in SACWIS within fourteen calendar days of the child's placement or termination from custody.

Replaces: 5101:2-42-48 and 5101:2-42-58

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Certification

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