

Ohio Department of Children and Youth
**ASHLAND COUNTY MEMORANDUM OF UNDERSTANDING
TO ADDRESS CHILD ABUSE AND NEGLECT**

I. STATEMENT OF PURPOSE

This memorandum of understanding (hereinafter MOU) to address child abuse and neglect is required by sections 2151.4220, 2151.4221, 2151.4222, 2151.4223, 2151.4225, 2151.4226, 2151.4228, 2151.4229, 2151.4230, 2151.4231, 2151.4232, 2151.4233, and 2151.4234 of the Ohio Revised Code and rule 5180:3-1-26 of the Ohio Administrative Code. It is an agreement among the Ashland County Department of Job and Family Services, Children Services Division (hereinafter PCSA) and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases within Ashland County (hereinafter county). The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, permanence, and well-being, and the minimum requirements of screening, assessment/investigation, and service planning, to meet mandates included in children services legislation passed by the 134th Ohio General Assembly. Two primary goals of this MOU are:

- The elimination of all unnecessary interviews of children who are the subject of reports of child abuse or neglect.
- When feasible, conducting only one interview of a child who is the subject of a report of child abuse or neglect.

Throughout the state each Public Children Services Agency (PCSA) provides the following services to their communities:

Screening: The capacity to accept and screen referrals of suspected child abuse, neglect, and/or dependency includes but is not limited to the following: Receiving referrals 24 hours/day, 7 days/week; Recording and retaining referral information; Following Ohio's screening guidelines based on Ohio Administrative and Revised Code and categorizing the child maltreatment type; Adherence to a protocol for making screening and differential response pathway decisions regarding referrals of suspected child abuse, neglect, and/or dependency within 24 hours from the time of the referral; Documenting case decisions; And assigning a response priority of emergency or non-emergency to any screened in report.

Assessment and Investigation: The capacity to investigate and assess accepted reports of suspected child abuse, neglect, and/or dependency, includes responding to emergency reports within one (1) hour and non-emergency reports within twenty-four (24) hours; Conducting an initial Safety Assessment using a standardized CAPM (Comprehensive Assessment Planning Model) tool within the timeline prescribed in the Ohio Administrative Code; Completing a more in-depth CAPM Family Assessment including a clinical and actuarial risk assessment within sixty (60) days; Working collaboratively with other investigative agencies when appropriate; Making traditional response case dispositions within required timeframes; Evaluating the need for protective, prevention, or supportive services and/or court involvement; and documenting all activities and case determinations.

Service Provision: The capacity to provide services that ameliorate, eliminate, or reduce future child maltreatment and the conditions which led to abuse, neglect, or dependency includes providing service planning and case management coordination; Identifying and stating the concern and behavior change(s) needed for reunification to occur through the use of the CAPM Family Case Plan; Monitoring the family's case progress, measuring service outcomes, re-assessing safety and risk, and evaluating permanency options by using the CAPM Case Review and Semi-Annual Review tools; And adhering to existing visitation, documentation, and case closure protocols.

II. ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY

A. CDJFS/PCSA (If a combined agency or stand-alone PCSA)

The PCSA is the lead agency for the investigation of child abuse, neglect, or dependency in the county. Where such cases involve criminal conduct, the local law enforcement agency of the appropriate jurisdiction is the lead agency for investigation of those cases.

The PCSA will coordinate and facilitate meetings, establish standards and protocol for joint assessment/investigation with law enforcement, cross-referrals, confidentiality, and training of signatories as required by statute. Child Protective Services staff and management will also participate in meetings and trainings as deemed appropriate at the discretion of the Director.

B. LAW ENFORCEMENT

The county Sheriff, and each Chief of the local political subdivisions, and any other law enforcement officers handling child abuse and neglect cases in the county will have responsibility for: Taking referrals/reports alleging child abuse and neglect from any source within their respective jurisdiction; Referring reports to the PCSA as soon as possible or within one hour in emergencies or twenty-four hours in non-emergencies for investigation of the circumstances; Determining whether allegations of abuse or neglect rise to the level of criminal conduct; Cooperating with the PCSA in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger; Assisting the PCSA in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded; Assisting the PCSA when there is a risk to safety of staff; Coordinating with the PCSA on interviews with principals of the case when there are serious criminal implications; Notifying the PCSA of any legal action involving an alleged perpetrator of child abuse or neglect; Responding to the PCSA's requests for information regarding the status of the legal action; Providing police record checks for the PCSA as necessary or requested as permitted by law; Consulting with the PCSA prior to removal of a child from their home when possible; Handling and coordinating investigations involving a child fatality or near fatality which may have resulted from abuse or neglect.

C. JUVENILE COURT

The most senior Juvenile Judge in point of service of the county or their representative, selected by the Judge, if more than one, will be responsible for attending meetings concerning the MOU, entering into agreements with the other signatories of the MOU regarding the court's responsibility to timely hear and resolve child abuse, neglect, and dependency matters, signing the MOU, and updating the MOU or approving any amendment.

The juvenile court has a duty to exercise jurisdiction over adults and children to hear and decide matters as permitted by the Ohio Revised Code Chapters 2151 and 2152. The court is responsible for issuing orders regarding the care, protection, health, safety, mental and physical best interest of children. The Juvenile Judge will ensure that due process of law is achieved; Hear evidence and issue findings of fact and conclusions of law as to any abused, neglected, or dependent child; Order timely and safe permanency dispositions for children; Preserve the family environment whenever possible while keeping the child(ren)'s health and safety paramount.

D. COUNTY PROSECUTOR

The County Prosecutor will report suspected cases of child abuse and neglect to the PCSA or appropriate law enforcement agency. The County Prosecutor will represent the PCSA in legal actions to protect a child from further harm resulting from child abuse or neglect unless the Prosecutor has granted consent for the appointment of an In-house PCSA Attorney pursuant to Ohio Revised Code chapters 309 and 305. The Ashland County Prosecutor has granted consent to appoint an In-house PCSA Attorney.

The prosecuting attorney may inquire into the commission of crimes within the county. The prosecuting attorney will prosecute, on behalf of the state, all complaints, suits, and controversies in which the state is a party, except for those that should be prosecuted by a special prosecutor or by the attorney general. The County Prosecutor is to determine, based upon the facts, whether criminal culpability exists and if enough evidence exists for a matter to be prosecuted. The prosecutor will be available to law enforcement and the PCSA staff for questions or assistance in the investigation of child abuse and neglect cases and eliminate the need for testimony at the municipal court level by allowing for direct presentation to the Grand Jury, when feasible, to minimize trauma to child victims. The prosecuting attorney agrees to aid the PCSA in protecting the confidential nature of children services records and investigations; As well as the special protection afforded to the identity of the reporting source.

E. LOCAL ANIMAL CRUELTY REPORTING AGENCY

The local animal cruelty reporting agency is to investigate reports of animal abuse and neglect within the county and, pursuant to ORC 2151.421, report to

the PCSA or local law enforcement suspected cases of child abuse and neglect that may be observed during the commission of their duties. The duties of the county dog warden are performed out of the Ashland County Sheriff's Office. The local animal cruelty reporting agency is the Humane Society of Ashland County.

III. SCOPE OF WORK

The key objective of this MOU is to clearly define the roles and responsibilities of each agency in the provision of child protective services.

A. Mandated reporters and penalty for failure to report

Persons identified as mandated reporters per Ohio Revised Code section 2151.421, while acting in official or professional capacity, will immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section. Reports will be made to the PCSA or a law enforcement officer.

The penalty for the failure of a mandated reporter to report any suspected case of child abuse and/or neglect pursuant to ORC section 2151.421 is a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when the child is under the direct care or supervision of the offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages.

B. System for receiving reports

Reports of child abuse or neglect will be made to the PCSA or any law enforcement officer with jurisdiction in the county.

When a law enforcement officer receives a report of possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, the law enforcement officer will refer the report to the appropriate PCSA unless an arrest is made at the time of the report that results in the appropriate PCSA being contacted concerning the alleged incident involving the child.

When the PCSA receives a report of child abuse, the PCSA will notify the appropriate law enforcement agency of the report, unless law enforcement is present and an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child abuse.

When the PCSA screens in a report of child neglect, and the PCSA implements a legally authorized out-of-home placement due to neglect within the first seven days of the assessment/investigation, the PCSA will notify the appropriate law enforcement agency within the first seven days of the assessment/investigation unless an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child neglect.

Law enforcement will attempt to collect reports of child abuse and neglect with the following information, if possible:

- (1) Name(s), age(s) and address(es) of the child(ren) and their parents, guardians, custodians, and household members;
- (2) The circumstances of the alleged abuse or neglect, including type, extent, duration, and incident date(s);
- (3) Identity of the alleged perpetrator and that person's access to the child;
- (4) The child's current condition;
- (5) The child current location;
- (6) Information regarding any past injuries, abuse or neglect;
- (7) Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect or the known or suspected threat of injury, abuse, or neglect or the case circumstances that support the family is in need of PCSA services.

Examples include:

- (a) Any pictures of the child(ren)'s injuries or of the condition of the home.
- (b) Names of any witnesses or collateral information.

The PCSA makes screening decisions based on the information provided in the report and will do so even in the absence of some of the information above.

The County Sheriff's Office Dispatch receives reports of child abuse and neglect during the hours the PCSA is closed. The County Sheriff's Office will transfer these reports to the PCSA's scheduled after-hours caseworker by calling the PCSA's On-Call phone. The PCSA will make a screening decision and determine the immediacy of need for any agency response, if needed, to ensure child safety within the appropriate time from receipt of the information following the categorization of the referral information.

C. Responding to mandated reporters

When the PCSA receives a referral from a mandated reporter who provides their name and contact information, the PCSA will forward an initial mandated reporter notification to the referent within seven days. The notification will be provided, in accordance with the mandated reporter's preference. Information shared with the mandated reporter will include the information permitted by ORC 2151.421(K):

- Whether the agency or center has initiated an investigation of the report;
- Whether the agency or center is continuing to investigate the report;
- Whether the agency or center is otherwise involved with the child who is the subject of the report;
- The general status of the health and safety of the child who is the subject of the report;
- Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.

When the PCSA closes an investigation/assessment reported by a mandated reporter, the PCSA will forward a mandated reporter referral outcome notification to the referent. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter will be that permitted by ORC 2151.421 to include a notification that the agency has closed the investigation along with a point of contact.

Failure to Report. If it is learned by the PCSA or Law Enforcement while performing their duties under this MOU that a mandated reporter has failed to report suspected child abuse or neglect, then that agency shall refer the matter to Ashland County Prosecutor or Ashland City Law Director, as appropriate.

D. Roles and responsibilities for handling emergency cases of child abuse, neglect, and dependency

1. PCSA's Response Procedure

When the PCSA determines that a report is emergent, the PCSA will attempt a face-to-face contact with the child subject of the report/ alleged child victim within one hour of the receipt of the report.

If the PCSA identifies an active safety threat at any point during the assessment/investigation, the caseworker or supervisor will implement a safety response. The PCSA is to immediately develop and implement a safety plan if the PCSA determines a child is in immediate danger of serious harm due to an active safety threat. The PCSA will follow the requirements of OAC Rule 5101:2-37-02 in developing and implementing the safety plan.

If the PCSA determines a child cannot be maintained safely through the implementation of a voluntary safety plan, the PCSA will pursue removal of the child from the home. The PCSA will request the assistance of law enforcement under Juv. R. 6 if exigent circumstances require immediate intervention and it is impractical to wait for a court order. In making this decision, the PCSA will consult

and coordinate with law enforcement and consider the least restrictive means to ensure child safety.

Following removal of the child, the PCSA will exercise due diligence in identifying appropriate relatives for custody and/or placement, placing siblings together when possible, and establishing a family visitation plan. The unique circumstances of each case and the best interest of the child will determine what are the appropriate decisions in these areas.

2. Children in Need of Medical Attention Special Response Procedures – Drug Use

In cases involving children who suffer from a serious medical condition for which they have not been provided appropriate medical treatment or other necessary care, law enforcement and/or the PCSA will seek immediate medical attention for the child.

When responding to an emergency involving a child who is suspected to be under the influence of a dangerous or illicit drug, law enforcement and/or the PCSA will seek immediate medical attention for the child.

When a case involves the possible *risk* of dangerous drug exposure to a child, the PCSA will either seek to obtain an oral fluids drug test of the child or seek immediate medical attention—whichever is most appropriate under the circumstances to ensure the child's health and safety.

E. Standards and procedures to be used in handling and coordinating investigations of reported cases of child abuse and/or neglect

Methods to be used in interviewing the child who is the subject of the report and who allegedly was abused and/or neglected, alleged perpetrators, and other family members and witnesses/collaterals will be discussed in advance by the PCSA and the corresponding law enforcement agency.

To the extent possible investigative interviews of children who are the alleged victims of reports of abuse and/or neglect where criminal activity is suspected, including reports of human trafficking, are cooperatively planned by the PCSA and the law enforcement agency of the jurisdiction.

Every effort will be made by the signatories of this MOU to prevent or reduce duplicate interviews of the victims or witnesses. When feasible, to reduce trauma, the PCSA and law enforcement will complete only one interview with the alleged child victim/ child subject of the report. The PCSA and law enforcement will collaborate in scheduling the time, place, and location of joint interviews as well as notifying all participants.

Before starting the interview, the participants will determine who is to be present in the room, who will be asking the questions, what areas are to be covered, and who will be the scribe for the interview. Audio and video recordings may be used when necessary.

When law enforcement or the prosecutor's office interviews a participant in a criminal investigation and a representative of the PCSA is not present, the interviews conducted by law enforcement or the prosecutor's office may be used by the PCSA to meet the agency investigative requirements set forth in rule. Law enforcement or the prosecutor's office will forward a written summary of the interview to the PCSA upon request.

The PCSA agrees not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. The PCSA will not jeopardize criminal investigations but will work with law enforcement to protect the safety of the child victim or witnesses. Law enforcement will be the lead agency in the collection of forensic evidence and will coordinate with the necessary facilities to obtain and store such evidence properly.

The PCSA will follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the sixty-day timeframe.

Information sharing by the PCSA. ORC section 2151.423 and OAC Rule 5180:2-33-21 require the PCSA to disclose confidential information discovered during child welfare investigations conducted pursuant to ORC sections 2151.421 or 2151.422 to any federal, state, or local government entity that needs the information to carry out its duty to protect children from abuse and neglect.

Information sharing by law enforcement. During a criminal investigation conducted pursuant to section 2151.421 of the Ohio Revised Code, law enforcement may share specific types of information with the PCSA so that the agency can fulfill its duty to protect children from abuse and neglect. This information may include the following:

- The nature and extent of the suspected abuse or neglect.
- Circumstances surrounding the incident(s).
- Observations and impressions by law enforcement or witnesses.
- Names and addresses of the children, parents, or custodians.
- Names of the alleged perpetrator(s) or other individuals involved.
- Contact information for witnesses or others with relevant knowledge.
- Statements or interviews conducted by law enforcement.
- Photographs, videos, medical records, or forensic evidence.
- Police reports or summaries relevant to the child's safety.
- Any emergency removal actions taken.
- Safety plans or referrals made.

As may be appropriate under the circumstances of the pending investigation, law enforcement may direct the PCSA to not disclose specific information provided until directed otherwise.

F. Standards and procedures addressing the categories of persons who may interview the child who is the subject of the report and who allegedly was abused or neglected

The categories of personnel who may conduct interviews of children who are the subjects of reports of alleged abuse, neglect, and/or dependency are limited to the following:

- Casework and supervisory staff of the PCSA
- Law enforcement personnel
- County or city prosecuting attorneys, assistant prosecuting attorneys, in-house JFS legal counsel if applicable, and their investigative staff.
- Qualified forensic interviewer

G. Standards and procedures for PCSA requests for law enforcement assistance

The PCSA may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist:

- An exigent circumstance.
- The PCSA has reason to believe that the child is in immediate danger of serious harm.
- The PCSA has reason to believe that the worker is, or will be, in danger of harm.
- The PCSA has reason to believe that a crime is being committed, or has been committed, against a child.
- The PCSA worker needs to conduct a home visit after regular PCSA business hours and a law enforcement escort is requested as a standard operating procedure.
- The PCSA is removing a child from his or her family via an order of the court, and the assistance of law enforcement is needed as the PCSA has reason to believe the family will resist or be uncooperative with the removal order.
- The PCSA is working with a client who has a propensity toward violence, and the assistance of law enforcement is needed to ensure the safety of all involved.
- The PCSA is working with a family that has historically threatened to do harm to PCSA staff.

H. Specialized Investigations or Circumstances

To the extent possible, investigative interviews of children who are the alleged child victims/child subjects of the report of abuse and neglect where criminal activity is suspected, including reports of human trafficking, physical and sexual abuse, domestic violence, child endangering, or the like, are cooperatively planned by the PCSA and the law enforcement agency of jurisdiction.

1. Out-of-Home Care

The PCSA conducts an out-of-home care investigation in response to a child abuse or neglect report that includes an alleged perpetrator who meets one or more of the following criteria:

- Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in rule 5180:2-1-01 of the Administrative Code.
- Is a person responsible for the alleged child victim's care in out-of-home care as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim by virtue of their employment by or affiliation to an organization as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim through placement in an out-of-home care setting.

Section 2151.011 (A)(28) of the Ohio Revised Code defines out-of-home care as "detention facilities, shelter facilities, certified children's crisis care facilities, certified foster homes, placement in a prospective adoptive home prior to the issuance of a final decree of adoption, organizations, certified organizations, child care centers, type A family child care homes, type B family child care homes, child care provided by in-home aides, group home providers, group homes, institutions, state institutions, residential facilities, residential care facilities, residential camps, day camps, private, nonprofit therapeutic wilderness camps, public schools, chartered nonpublic schools, educational service centers, hospitals, and medical clinics that are responsible for the care, physical custody, or control of children.

The PCSA follows the procedures for conducting out-of-home care investigations as described in section 5180:2-36-04 of the OAC. The PCSA will cross-refer these reports to the appropriate law enforcement agency and share any relevant child welfare information as necessary. For emergencies, the PCSA or law enforcement will attempt a face-to-face contact with the alleged child victim(s) within one hour from the time the report is screened in. For non-emergencies, the PCSA or law enforcement will attempt to make that contact with the alleged child victims within twenty-four hours.

If law enforcement declines to assist with an out-of-home care investigation, the PCSA will evaluate whether a third-party investigator is necessary based on the reported information known at the time, and if not, the PCSA will proceed directly as the investigating agency.

2. Third-Party Investigations

In accordance with section 5180:2-36-08 of the OAC, the PCSA is to request a third-party in the assessment/investigation for reports of child abuse or neglect where there is potential for a conflict of interest because one of the following parties is a principal of the report:

- Any employee of an organization or facility that is licensed or certified by the Ohio Department of Children and Youth (DCY) or another state agency and supervised by the PCSA.
- A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA.
- A type B family childcare home or type A family childcare home licensed by DCY when the CDJFS has assumed the powers and duties of the county children services function defined in Chapter 5153 of the Revised Code.
- Any employee or agent of DCY or the PCSA as defined in Chapter 5153 of the Revised Code.
- Any authorized person representing DCY or the PCSA who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by DCY and the alleged child victim is in the custody of, or receiving services from, the PCSA that accepted the report.
- Any time a PCSA determines that a conflict of interest exists. The PCSA is to document in the case record if a conflict of interest is identified.

The PCSA will request that law enforcement serve as the third-party when a report alleges a criminal offense. The PCSA is to request the assistance of a third-party within 24 hours of identifying a conflict of interest. The PCSA will share information with the third-party investigative agency.

If law enforcement declines to serve as the third-party investigator, the PCSA will request either the Medina County Department of Job and Family Services' Children Services Division, or Wayne County Children Services to assume that role. If both agencies decline, the PCSA may then seek assistance from another public children services agency in a neighboring county to serve as the third-party investigator.

The third-party investigator will share relevant information with the PCSA both during the investigation and upon its conclusion. The PCSA remains responsible for ensuring that all assessment and investigation activities are completed in accordance with Ohio Administrative Code rules 5101:2-36-03 and 5101:2-36-04. As permitted under OAC 5101:2-36-08(G), the PCSA may conduct the assessment and investigation internally when appropriate. In situations involving a conflict of interest, the PCSA will implement necessary safeguards, such as restricting access to the case record and related information, to maintain the integrity of the investigation.

3. Child Fatality- Suspected cause of death is abuse or neglect

In accordance with Ohio Revised Code Section 307.622, the Health Commissioner of the Ashland County Health Department will establish a Child Fatality Review Board. The board will meet at least once annually and will include members as specified in the statute, such as the Director of the PCSA. The board's primary purpose, as outlined in ORC Section 307.623, is to reduce the number of preventable child deaths in the county. To achieve this, the board will carry out duties including reviewing child death cases, promoting interagency collaboration, maintaining a comprehensive database of child deaths, recommending service improvements, and reporting trends to the Ohio Department of Health.

4. Child Fatality- Death of a child in the custody of the PCSA

When a child in the custody of the PCSA dies, the agency will follow the procedures outlined in OAC Rules 5180:2-33-14 and 5180:2-42-89. These rules require the PCSA to take immediate steps such as notifying law enforcement and relevant agencies, documenting the incident in the statewide child welfare system, informing the child's family or legal guardian, and assisting with funeral arrangements if requested.

5. Allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions

The PCSA follows the procedures described in section 5180:2-36-07 of the OAC for responding to these reports.

The withholding of medically indicated treatment is the refusal to provide appropriate nutrition, hydration, medication, or other medically

indicated treatment from a disabled infant with a life-threatening condition.

Medically indicated treatment includes medical care most likely to relieve, or correct, the life-threatening condition. Nutrition, hydration, and medication, as appropriate for the infant's needs, are medically indicated for all disabled infants; in addition to, the completion of appropriate evaluations or consultations necessary to assure that sufficient information has been gathered to make informed medical decisions on behalf of the disabled infant.

In determining whether treatment is medically indicated, reasonable medical judgments made by a prudent physician, or treatment team, knowledgeable about the case and its treatment possibilities are considered. The opinions about the infant's future "quality of life" are not to bear on whether a treatment is judged to be medically indicated. Medically indicated treatment does not include the failure to provide treatment to a disabled infant if the treating physician's medical judgment identifies any of the situations listed in OAC section 5180:2-36-07(A)(3)(a-d).

The PCSA's screening decision-making must involve determining whether (1) whether the infant has a life-threatening condition, and (2) whether medically indicated treatment is being withheld, and consideration of factors under OAC section 5180:2-36-07 (B). If these are answered in the affirmative, the report is an allegation of medical neglect, as defined under section 2151.03 (A)(3) of the Ohio Revised Code. If the report is screened in for investigation, the PCSA's supervisors/staff should notify the agency director immediately.

The PCSA must ensure the child receives the medically indicated treatment. Based on the circumstances, the PCSA will obtain the consent of the parents/caregivers or, through legal action, obtain an emergency court order or order of custody of the child to ensure the child's safety, assessment and treatment. During this investigation and case, there should be regular and frequent consultation with the treatment health care facility/hospital, review of available medical records, and consultation with physicians and medical staff by the assigned PCSA staff. If the PCSA has custody of the child, the PCSA director should be involved in treatment decision-making.

Based on the direction of emergency medical personnel, the child may be taken to the nearest available hospital in Ashland County. Ashland County has two hospitals/emergency rooms in the county: University Hospital Samaritan Medical Center at 1025 Center Street and OhioHealth Emergency Care at 1720 OhioHealth Way, both in the City of Ashland. Historically, children in this type of critical medical condition have been transferred immediately to large regional based hospitals (in most cases, Akron Children's Hospital or Nationwide Children's

Hospital in Columbus), because those hospitals can provide urgent and critical medical care for medically fragile children. The PCSA will immediately address this condition upon learning which hospital the child has been transported to for treatment. The appropriate contact(s) at the hospital to gather medical information under OAC 5180:2-36-07 are medically case specific. Based on the child's specific medical condition, the PCSA will consult with physicians from the child's treatment team, and the health care facility's review/ethics committee, if they are involved in the case.

If the PCSA has custody of the child, they should arrange for a safe and appropriate level of contact for the parents/caregivers with the child during treatment. The PCSA should encourage and promote communication between the hospital and the parents/caregivers to develop their understanding of the child's serious medical.

6. Allegations of child abuse and/or neglect constituting a crime against a child, including human trafficking, and needing a joint assessment/investigation with law enforcement

The PCSA will endeavor to ensure child safety while concurrently assisting law enforcement with the criminal investigation. The PCSA will coordinate with law enforcement (the lead agency) so as not to compromise the law enforcement investigation. (See Section E above.)

7. Reports of cases involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming dependent, neglected, unruly, and/or delinquent

The PCSA will refer these reports to law enforcement within 24 hours of the report being made to the PCSA and promptly disseminate all information determined to be relevant, in accordance with OAC Sec. 5180:2-33-21(G).

8. Reports involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court leaving the custody of any person, department, or public or private institution without the legal consent of that person, department, or institution

The PCSA will refer these reports to law enforcement within 24 hours of the report being made to the PCSA and promptly disseminate all information determined to be relevant, in accordance with OAC Sec. 5180:2-33-21(G).

9. Receiving and responding to reports of missing children involved with the PCSA

Upon learning that a minor child has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent, the following actions will take place:

- When an MOU signatory agency is made aware that a child is missing, they will coordinate with the custodian to report their concerns to the law enforcement agency in the appropriate jurisdiction.
- The law enforcement agency will enter known information into the National Crime Information Center (NCIC) database if the child is in PCSA custody.
- The law enforcement agency will take prompt action upon the report, including, but not limited to, concerted efforts to locate the missing child.
- The law enforcement agency will promptly enter any additional, relevant information into NCIC.
- The law enforcement agency will promptly notify the missing child's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian, or any other person responsible for the care of the missing child, that the child's information was entered into NCIC.
- The PCSA will contact the National Center for Missing and Exploited Children (NCMEC) if the child is in PCSA custody.

Upon request of law enforcement, the PCSA is to provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by the PCSA that may be relevant in the investigation.

All MOU signatory agencies are to notify the PCSA upon learning that a minor child who is alleged to be in the children services system or who is known or suspected to be abused or neglected has either run away or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent.

I. Standards and procedures for removing and placing children

1. Emergency

Emergency removal of a child from home is necessary when the child is at imminent risk of harm and in need of protection from abuse, neglect, or dependency.

An ex parte order may be issued with or without a complaint being filed. Prior to taking the child into custody the judicial fact finder is to decide that reasonable efforts were made to notify the child's parents, guardian, or custodian, or there were reasonable grounds to believe doing so would jeopardize the safety of the child, or lead to the removal of the child from the jurisdiction.

Juv. R 6 orders can be issued in-person, by phone, video conference, or otherwise. Reasonable grounds need to exist to believe the child's removal is necessary to prevent immediate or threatened physical or emotional harm.

Findings need to be made that the agency either did or did not make reasonable efforts to prevent the removal of the child from their home with a brief description of services provided and why those did not prevent the removal or allow the child to return home, and if temporary custody is granted to the PCSA an additional finding that it would be contrary to the welfare and best interest of the child to continue in the home. If granted, a shelter care hearing is to be scheduled the next business day (but not later than seventy-two hours) after the emergency order has been issued. If the ex parte motion is denied, the matter is to be set for a shelter care hearing within ten days from the filing date.

2. Non-emergency

Upon receiving a report alleging child abuse, neglect, and/or dependency, the PCSA commences an investigation in accordance with the requirements of section 2151.421 of the ORC. If the final case decision rises to the level of court involvement, the PCSA is to approach the juvenile court and file a complaint alleging the child(ren) to be abused, neglected, or dependent per ORC 2151.27. The matter will be set for an initial hearing expeditiously by the juvenile court.

Reasonable oral or written notice of the time, place, and purpose of the hearing are to be provided to the parents, guardian, or custodian unless they cannot be found. The same parties are also entitled to notification that a case plan may be prepared, the general requirements, and possible consequences of non-compliance with the case plan.

The parties will be served with the complaint and summons to appear before the juvenile court. Unrepresented parties are advised by the juvenile court of their right to counsel. Counsel is appointed for children when abuse is alleged. A guardian ad litem is appointed to all children subjects of abuse, neglect, or dependency proceedings. A separate guardian ad litem may be appointed to minor parents or parents who appear mentally incompetent.

The judicial fact finder is to determine whether there is probable cause that the child is abused, neglected, or dependent, the child is in need of protection, whether or not there is an appropriate relative or kin willing to assume temporary custody of the child, reasonable efforts were made by the PCSA to prevent the removal or continued removal or to make it possible for the child to return home safely, and for temporary custody orders to the PCSA that it would be contrary to the welfare and best interest of the child to continue in the home. All other temporary orders should be requested and considered at this time.

IV. TRAINING

Cross system training is to be provided to, and a plan developed by all signatories of this MOU to ensure parties understand the mission and goals identified in this MOU and are clear about the roles and responsibilities of each agency. Periodic trainings events will be coordinated by the PCSA as the lead agency and notification of the trainings will be provided to the signatories of this agreement. By agreeing to participate in the county MOU process signatories express a commitment to attend training opportunities when presented.

V. CONFLICT RESOLUTION

When a conflict occurs among county partners, the effect is often broader than the individuals directly involved in the dispute. As disputes are often inevitable, this MOU is to set forth the local process by which disputes will be resolved so as not to disrupt program effectiveness.

As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse and neglect investigations lies with the PCSA. Every effort will be made to consider other signatories' requests and concerns relating to services.

Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. The PCSA will assist these agencies, but in no way will they interfere or jeopardize a criminal investigation or prosecution.

Each agency will make a concerted effort to help with joint interviews, investigations, evidence collection, information sharing, and fact-finding. Each

agency will not hinder or interfere with the express duties of another and will do their best to cooperate and collaborate with the other county partners.

In the event internal conflict resolution efforts fail and a statutorily required participant refuses to sign or engage in the MOU process, the PCSA is to consult with the County Prosecutor to explore available remedies.

VI. CONFIDENTIALITY AND DISCLOSURE STATEMENT

Any report made in accordance with ORC section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 will not be released to the public for use and will not be used as evidence in any civil action or proceeding brought against the person who made the report, except as permitted by law.

Children services records are not public records and are exempt from Ohio's Sunshine Laws under ORC 149.43. Children Services records are confidential in nature and should be treated accordingly.

ORC section 2151.423 requires the PCSA to disclose confidential information discovered during an investigation conducted pursuant to section 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state, or local government entity, including any appropriate military authority or any agency providing prevention services, that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement and other entities are expected to release information to the PCSA for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.

If disclosure of confidential Children Services records or law enforcement records concerning child abuse and neglect is permitted as discussed in this MOU under the sections above, the following organizations' records may have further protections from release under state and federal law and therefore are not to be released unless directed to do so by the Ashland County Prosecutor's Office: LEADS; Ohio Bureau of Criminal Investigation (BCI) and Federal Bureau of Investigation (FBI); Ohio Law Enforcement Gateway (OHLEG); Computerized Criminal Histories (CCH) and other records as directed by the Ashland County Prosecutor's Office.

The confidentiality provisions of this MOU will survive the expiration or termination of this agreement.

Information regarding the report and/or investigation of alleged abuse or neglect may be shared only when dissemination is authorized by OAC section 5180:2-33-21 and in accordance with the procedures outlined in that section. The unauthorized dissemination of confidential information is a misdemeanor offense and is punishable by law. Confidential information disseminated between the members of this MOU as discussed above will be transmitted in a manner that avoids unauthorized disclosure.

In the event of unauthorized dissemination of information, the party who learns of the breach of confidentiality will notify the Director of the PCSA as soon as possible. The notification will be sent to the Director in writing describing the circumstances surrounding the breach. The notification will specify the confidential information released, who is responsible for disseminating the confidential information, how it was disseminated, and the parties who have access to the information without authorization. The Director of the PCSA will then refer this information to the prosecutor or city director of law at their discretion.

VII. TERMS AND CONDITIONS AND STATUTORY REQUIREMENTS

This MOU is to be retained for a period of at least seven years per the state of Ohio records retention schedule. Please refer to the PCSA records retention policy for information on forms to be completed and processes to be followed for the destruction of records.

Consultation among the signatories may be done in person, whenever practicable. When an in-person meeting is not practical, the signer may employ the use of alternative methods of communication including but not limited to MS Teams, Skype, Zoom, or telephone as agreed upon by all members. When the PCSA is seeking consultation with a signer of this MOU regarding an active referral of child abuse and/or neglect and has met in person or spoken with another signer, the PCSA will make written contact with the appropriate agency by the next working day to request the needed information and make the referral in writing.

The required members are to review and evaluate the terms and conditions of the MOU every biennium. All required members to the MOU will sign the new or updated agreement. The PCSA is to submit the MOU to the Board of County Commissioners for review and approval with enough time for any revisions to be made prior to December thirty-first of the year.

This MOU does not inhibit good faith compliance with a subpoena issued by a Grand Jury or in a criminal case. Dissemination of records pursuant to the State's discovery obligations is authorized. However, work product and other privileges are expected to be upheld.

Failure to follow the procedure set forth in the MOU by the concerned officials is not grounds for, and will not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as a result of reported child abuse or child neglect and does not give, and will not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person pursuant to section 2151.4223 of the Revised Code.

This MOU will be governed by and construed in accordance with applicable state and federal laws and regulations. Any identified or listed citations to Ohio Administrative Code revised during the implementation of this MOU are to defer to the current finalized codification. In the event any other portion of this MOU is

inconsistent with state or federal law, that portion will be without effect as if stricken from the document and the remaining portion will remain in full force and effect.

VIII. SIGNATURES OF EACH PARTICIPATING AGENCY

In accordance with OAC 5180:2-33-26, the parties to this Memorandum of Understanding (MOU) agree to collaborate in a manner that prioritizes the health, safety, and well-being of children involved in the local child welfare system. All participating agencies commit to operating in a trauma-informed manner, recognizing the profound impact that adverse experiences can have on a child's development and functioning. This approach is supported by best practices emphasizing cross-system collaboration and agreement to pursue interventions that are the least restrictive and most appropriate to the child's needs. Furthermore, all actions taken under this MOU shall be guided by the best interest of the child, considering factors such as the child's safety, permanency, and emotional well-being. These shared commitments will guide the implementation of each agency's statutory responsibilities under this county child abuse and neglect MOU.

The signature section authorizes the participating parties of the agreement to begin enactment of MOU protocols and activities. The participating members agree to follow the terms of this MOU and to meet at minimum once every biennium to review terms and conditions, evaluate if updates are needed, and sign a new or amended MOU.


If any individual serving as a signatory changes mid-term, the PCSA is to provide the new required member with the current MOU. The new member remains bound by the most recently approved version of the MOU. Their signature is to be obtained.

A required member to this agreement may terminate their involvement in the MOU for good cause upon giving reasonable written notice to the other required members in this MOU.

This agreement may be modified, changed or amended by unanimous consent of the members.

The term of this MOU is January 1, 2026 to December 31, 2027.

The MOU may be signed in person or electronically.



Kurt Schneider, Sheriff
Ashland County Sheriff's Office

12/12/2025

Date

David A. Lay, Chief
City of Ashland, Police Department

Date

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Kurt Schneider, Sheriff
Ashland County Sheriff's Office

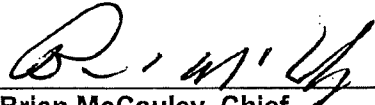


David A. Lay, Chief
City of Ashland, Police Department

Date

12/5/2026

Date



Brian McCauley, Chief
Village of Loudonville, Police Dept.

12.12.25

Date

Christopher R. Tunnell, Prosecutor
Ashland County Prosecutor's Office

Date

Richard Wolfe, Law Director
City of Ashland, Law Director's Office

Date

Karen DeSanto Kellogg, Judge
Ashland County Common Please Court,
Juvenile Division

Date

J.Peter Stefaniuk, Director
Ashland County Dept. of Job & Family Services

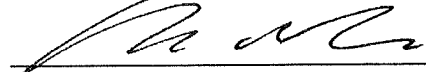
Date

Rhonda Hofer, President
Humane Society of Ashland County

Date

Brian McCauley, Chief
Village of Loudonville, Police Dept.

Date



12/12/2025

Christopher R. Tunnell, Prosecutor
Ashland County Prosecutor's Office

Date

Richard Wolfe, Law Director
City of Ashland, Law Director's Office

Date

Karen DeSanto Kellogg, Judge
Ashland County Common Please Court,
Juvenile Division

Date

J.Peter Stefaniuk, Director
Ashland County Dept. of Job & Family Services

Date

Rhonda Hofer, President
Humane Society of Ashland County

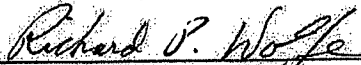
Date

Brian McCauley, Chief
Village of Loudonville, Police Dept.

Date

Christopher R. Tunnell, Prosecutor
Ashland County Prosecutor's Office

Date


Richard Wolfe, Law Director
City of Ashland, Law Director's Office

Date 12/18/25

Karen DeSanto Kellogg, Judge
Ashland County Common Please Court,
Juvenile Division

Date

J. Peter Stefaniuk, Director
Ashland County Dept. of Job & Family Services

Date

Rhonda Hofer, President
Humane Society of Ashland County

Date

Brian McCauley, Chief
Village of Loudonville, Police Dept.

Date

Christopher R. Tunnell, Prosecutor
Ashland County Prosecutor's Office

Date

Richard Wolfe, Law Director
City of Ashland, Law Director's Office

Date


K Judge Karen
Ashland County Juvenile Division DeSanto Kellogg

Digitally signed by

Judge Karen

DeSanto Kellogg

Date

12/16/2025

J. Peter Stefaniuk, Director
Ashland County Dept. of Job & Family Services

Date

Rhonda Hofer, President
Humane Society of Ashland County

Date

Brian McCauley, Chief
Village of Loudonville, Police Dept.

Date

Christopher R. Tunnell, Prosecutor
Ashland County Prosecutor's Office


Date

Richard Wolfe, Law Director
City of Ashland, Law Director's Office

Date

Karen DeSanto Kellogg, Judge
Ashland County Common Please Court,
Juvenile Division

Date


J. Peter Stefaniuk, Director
Ashland County Dept. of Job & Family Services

12-23-25

Date

- See page 22 -

Rhonda Hofer, President
Humane Society of Ashland County

Date

IX. Refusal to Sign

The PCSA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.

Date:

Agency, Name, Title: *Human Society of Ashland County*

Reason the individual refused to sign:

No human agent - must enlist local law enforcement instead.

Date:

Agency, Name, Title:

Reason the individual refused to sign:

--

X. Board of County Commissioners

The PCSA submits this MOU signed by all participating agencies to the Board of County Commissioners. The participating agencies will ensure there is adequate time for both the County Board of Commissioners and DCY review and approval process along with any returns for correction prior to the end of the contractual period.



County Commissioner Signature

1/15/26

Date/Resolution/Vote



County Commissioner Signature

1/15/26

Date/Resolution/Vote



County Commissioner Signature

1/15/26

Date/Resolution/Vote

The Board of Ashland County Commissioners hereby review and approve the Ashland County Child Abuse & Neglect Memorandum of Understanding.

[END of MOU]