



**Department of
Children & Youth**

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF CHILDREN AND YOUTH**

DATE: December 30, 2025
TIME: 11:30am
LOCATION: Teleconference and Punderson Conference Room
35 East Chestnut Street, Columbus, Ohio 43215

This meeting will be held by teleconference and in person. If you would like to submit oral testimony, please attend the meeting site location or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D # which is 443 342 178 #. Written testimony may also be submitted electronically to rules@childrenandyouth.ohio.gov.

Pursuant to sections 3107.083, 5101.141, 5103.03, 5107.05, and 5153.166 and in accordance with Chapter 119 of the Ohio Revised Code, the Ohio Department of Children and Youth gives notice of the department's intent to consider the adopting and rescinding of the rules as identified below and of a public hearing thereon.

The following OAC rules are being proposed for rescission, and rescission and readoption under a new number as a result of a review conducted in accordance with section 106.03 of the Ohio Revised Code (ORC), which requires five-year reviews of all state agency rules.

OAC 5180:2-42-04, Authority to assume and retain custody of a child: This rule provides guidance on when a public or private agency may assume or retain custody of a child. It is being rescinded and renumbered to **OAC 5180:3-13-04** as a result of its five year review and rule integration work at DCY.

OAC 5180:2-42-05, Selection of a placement setting: This rule provides guidance on the selection of a placement setting from the least restrictive option to place a child when a child is in the agency's custody. It is being rescinded and renumbered to **OAC 5180:3-13-05** as a result of its five year review and rule integration work at DCY. Additional substitute care settings were added to the new rule.

OAC 5180:2-42-08, Acceptance of temporary custody by agreement and court-approved extensions: This rule provides guidance on the establishment and extension of agreements for temporary custody. It is being rescinded and renumbered to **OAC 5180:3-13-08**, as a result of its five year review and rule integration work at DCY.

OAC 5180:2-42-09, Acceptance of permanent custody by permanent surrender: This rule provides guidance for an agency regarding the acceptance of permanent custody by permanent surrender. It is being rescinded and renumbered to **OAC 5180:3-13-09** as a result of its five year review and rule integration work at DCY.

OAC 5180:2-42-18.1, Non-discrimination requirements for foster care placements: This rule provides guidance on non-discrimination requirements for foster care placements. It is being rescinded and renumbered to **OAC 5180:3-13-18.1** as a result of its five year review and rule integration work at DCY. The federal definition of the Multiethnic Placement Act (MEPA) was also added.

OAC 5180:2-42-64, Preplacement services: This rule provides guidance regarding the provision and arrangement of preplacement services to families and children entering a substitute care placement. It is being rescinded and renumbered to **OAC 5180:3-13-64** as a result of its five year review and rule integration work at DCY.

OAC 5180:2-42-67, Preparation of lifebook: This rule provides guidance on the creation of a lifebook to document the developmental milestones, interests, and activities of a child in substitute care. It is being rescinded and renumbered to **OAC 5180:3-13-67** as a result of its five year review and rule integration work at DCY. The rule was updated to clarify that both the child and their caregiver may add identifying information to the lifebook.

OAC 5180:2-42-68, Necessity for continued substitute care placement: court reviews and hearing requirements: This rule provides guidance for determining the necessity for continued substitute care placement of a child. It is being rescinded and renumbered to **OAC 5180:3-13-68** as a result of its five year review and rule integration work at DCY. In addition, the case review time period was changed from three months to six months and clarifications were added pursuant to the foster care bill of rights that the custodial agency should encourage a child to be included when any decision is being made that affects their life.

OAC 5180:2-42-70, Provision of services to unmarried parents: This rule provides guidance on the provision of services to any unmarried minor female who meets outlined qualifications. It is being rescinded as a result of its five year review and DCY rule integration work.

OAC 5180:2-42-71, Approval of adult-supervised living arrangements: This rule sets forth the requirements of an adult-supervised living arrangement which includes an approved family setting, licensed or certified foster home. It is being rescinded as a result of its five year review and DCY rule integration work.

OAC 5180:2-42-89, Private child placing agency procedures when a child in agency custody dies: This rule provides guidance for when a child in custody or in a planned permanent living arrangement dies. It is being rescinded and renumbered to **OAC 5180:3-13-89** as a result of its five year review and rule integration work at DCY.

OAC 5180:2-42-92, Visitation for child in temporary custody: This rule's content sets the requirement for each child in temporary custody to have regular visitation with the parent, guardian, or custodian. It is being rescinded and renumbered to **OAC 5180:3-13-92** as a result of its five year review and rule integration work at DCY. Language is being added to clarify the factors that lead to restrictions on visitation.

OAC 5180:2-42-93, Change of placement or visitation plan prior to journalization of case plan: This rule provides guidance when a child's placement or visitation plan has been specified by a court order, or the court has ordered no change in the child's placement can occur without the court's approval. It is being rescinded as a result of its five year review and DCY rule integration work.

OAC 5180:2-42-95, Obtaining permanent custody: termination of parental rights: The content of this rule sets the requirements for the public children services agency or private child placing agency in obtaining permanent custody of a child. This rule is being rescinded as DCY does not have rule writing authority for courts.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>.

A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted to the attention of DCY Rules Coordinator by mail to the Ohio Department of Children and Youth, Legal Division, PO Box 183204, Columbus, Ohio 43218, or by e-mail at rules@childrenandyouth.ohio.gov.