ACTION: Final

5101:2-9-21 **Disciplinary policy and procedures**<u>Care, supervision and</u> <u>discipline</u>.

- (A) Disciplinary policy and procedures of a residential facility shall be explained to all staff and each child, according to their age and functioning level.all staff, and a A copy of the disciplinary procedures shall be made available to persons or agencies who desire to place children in the facility.
- (B) The residential facility disciplinary policy and procedures required pursuant to rule 5101:2-5-13 of the Administrative Code shall be humane, instructive and shall be administered with fairness, consistency and respect and regardless of the child's race, sex, religion or cultural heritage. The policy and procedures shall prohibit all<u>All</u> cruel and unusual punishments/practices are prohibited including, but not limited to:
 - (1) Physical punishment such as spanking, punching, paddling, shaking, biting, hair pulling, pinching, <u>pushing</u>, physical hitting inflicted in any manner upon the body or roughly handling a child.
 - (2) Physically strenuous work or exercises, when used solely as a means of punishment or discipline.
 - (3) Forcing a child to maintain an uncomfortable position, or to continuously repeat physical movements when used solely as a means of punishment <u>or discipline</u>.
 - (4) Group punishments for the behavior of an individual. <u>A group activity shall not</u> be cancelled for the entire group due to the behavior of one or more individuals.
 - (5) Verbal abuse, including swearing, directed at a child or derogatory remarks about a child's family, race, religion, or cultural background or threats of physical violence against the child or removal of the child from the facility.
 - (6) Denial of social or recreational activities for more than <u>sevenfive</u> consecutive days without prior written approval of the facility administrator <u>and a</u> <u>certified or licensed practitioner of behavioral science</u>.
 - (7) The denial of social, mental health or casework services, medical treatment, educational services or access to thetheir guardian ad litem or attorney, probation officer, court appointed special advocate, placement worker or caseworker.

[stylesheet: rule.xsl 2.14, authoring tool: i4i 2.0 Apr 9, 2003, (dv: 5, p: 70878, pa: 123900, ra: 255853, d: 301678)]

- (8) The deprivation of meals or any required snack.
- (9) The use or denial of any medication as a punishment or discipline.
- (10) The denial of visitation or communication rights with a child's family as a means of punishment <u>or discipline</u>.
- (11) The denial of sleep.
- (12) The denial of shelter, clothing, bedding, or restroom facilities.
- (13) The use of physical restraint as a means of punishment or discipline.
- (14) Organized social ostracism such as codes of silence.
- (15) The use of chemical restraint.
- (16) The use of mechanical restraint.
- (17) Isolation in a locked or unlocked room used as punishment.
- (18) Separation of a teenage mother and her child in a residential parenting facility as a means of punishment.
- (19) The use of prone restraints. Prone restraint is defined as all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time. Prone restraint includes physical or mechanical restraint.
- (20) Time out exceeding one minute for each year of the child's age, unless approval is granted by a certified or licensed practitioner of behavioral science and documented in the child's service plan.
- (21) Punishment for actions over which the child has no control such as bedwetting, enuresis, encopresis or incidents that occur in the course of toilet training activities.
- (C) Discipline shall be administered only by persons who are administrators or employees with direct care responsibilities of the residential facility. Children shall not discipline other children, except their own. <u>All staff involved in the discipline</u>

of children shall meet the requirements of rule 5101:2-9-03 of the Administrative Code.

- (D) If a residential facility places any restrictions upon any rights of a child including those pursuant to paragraph (A) of rule 5101:2-5-35 of the Administrative Code, the facility shall:
 - (1) Inform the child and the child's custodian of the conditions of and the reasons for the restriction of rights;
 - (2) Place a written report summarizing the conditions of and reasons for the restriction of the child's rights in that child's record pursuant to rule 5101:2-5-10 of the Administrative Code;
 - (3) When a restriction of a child's rights affects another individual, inform the individual, as appropriate, of the conditions of and reasons for the action;
 - (4) Document review of the restriction at least weekly. Any such restriction shall be included in the service plan and approved by the child's custodian.
- (D) Agency employees, contract staff, student interns and volunteers shall not engage in any act of omission or commission which results in the death, injury, illness, abuse, neglect, or exploitation of any child.

Effective:

12/01/2010

R.C. 119.032 review dates:

08/09/2010 and 12/01/2014

CERTIFIED ELECTRONICALLY

Certification

11/04/2010

Date

Promulgated Under: Statutory Authority: Rule Amplifies: Prior Effective Dates: 119.03 5103.03 5103.02, 5103.03 12/30/66, 10/1/86, 1/1/91, 9/18/96, 9/1/02, 1/1/08