5101:2-9-21 **Care, supervision and discipline.**

(A) Disciplinary procedures of a residential facility shall be explained to all staff and each child according to their age and functioning level. 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 procedures shall be humane, instructive and shall be administered with fairness, consistency and respect and regardless of the child's:

(1) Race.

(2) Sex.

(3) Gender identity.

(4) Sexual orientation.

(5) Disability.

(6) Religion.

(7) Cultural heritage.

(8) Color.

(9) Ethnicity.

~~(B)~~(C) ~~The residential facility disciplinary procedures shall be humane, instructive and shall be administered with fairness, consistency and respect and regardless of the child's race, sex, gender identity, sexual orientation, disability, religion or cultural heritage.~~ All cruel and unusual punishments/practices are prohibited including, but not limited to:

(1) Physical punishment such as spanking, punching, paddling, shaking, biting, spitting, hair pulling, pinching, pushing, physical hitting inflicted in any manner upon the body or roughly handling a child.

(2) Physically strenuous work or exercises, when used as a means of punishment, consequence or discipline.

(3) Forcing a child to maintain an uncomfortable position, or to continuously repeat physical movements when used as a means of punishment, consequence or discipline.

(4) Group punishments for the behavior of an individual. A group activity shall not be cancelled for the entire group, prior to the activity, 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, gender identity, sexual orientation, disability, 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 five consecutive days without prior written approval of the facility administrator or designee and a certified or licensed practitioner of behavioral science.

(7) The denial of social, mental health or casework services, medical treatment, educational services or access to their guardian ad litem or attorney, probation officer, court appointed special advocate, placement worker or caseworker.

(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 or discipline.

(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~~restraint is prohibited. ~~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 is a method of

intervention where a person's face and/or frontal part of his or her body is placed in a downward position touching any surface for any amount 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)~~(D) 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. All staff involved in the discipline of children shall meet the requirements of rule 5101:2-9-03 of the Administrative Code.

~~(D)~~(E) 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:

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Certification

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Date

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