



Ohio Administrative Code Rule 5139-37-15 Juvenile rights.

Effective: February 1, 2019

The following standards are mandatory:

(A) The detention center shall have a written policy and procedure which prohibits employees from violating any civil rights of juveniles which shall include but not be limited to:

- (1) The detention center shall have written policies protecting children from being used as human subjects for medical, pharmaceutical, or cosmetic experiments.
- (2) The right to a reasonable amount of privacy.
- (3) The right to have his/her opinions heard and to be assured reasonable due process in all matters.
- (4) The right to receive adequate and appropriate food, clothing, and housing.
- (5) The right to participate in an appropriate educational and/or vocational program.

(B) The detention center shall have a written policy and procedure to ensure the right of a child to have access to courts, including the right to reasonable and confidential access to counsel through attorneys and their authorized representatives as well as access to courts and legal materials provided by the attorney or courts.

(C) The detention center shall have written policies and procedures regarding the photographing and audio or audio-visual recordings of children in their custody which require that:

- (1) The written consent of a child and the child's parent(s) or guardian be obtained before the child is photographed for fund raising or program publicity purposes.
- (2) All photographs and recordings are used in a manner which respects the dignity and



confidentiality of the child.

(D) The discipline policies and procedures of the detention center shall incorporate the philosophy that discipline is to be both constructive and educational in nature. The detention center's discipline policies and procedures shall prohibit all acts of punishments including, but not limited to:

- (1) Any type of corporal punishment inflicted in any manner upon the body.
- (2) The assignment of physically strenuous harsh work or exercises, when used solely as a means of punishment.
- (3) Requiring or forcing a child to maintain an uncomfortable position, such as squatting or bending, or requiring a child to continuously repeat physical movements when used solely as a means of punishment.
- (4) Group punishments for the behavior of an individual, except in accordance with a recognized therapeutic modality and as described by written detention center's policy.
- (5) Verbal abuse or derogatory remarks.
- (6) Denial of planned and required recreational activity.
- (7) The denial of social or casework services.
- (8) The denial of religious or educational services.
- (9) The deprivation of meals, although scheduled meals may be provided individually.
- (10) The denial of sleep.
- (11) The denial of shelter, clothing, bedding, or restroom facilities.
- (12) Inappropriate or intentionally painful physical restraint.



(13) Organized social ostracism, including codes of silence.

(14) The use of chemical or medical restraints.

(15) The denial of medical treatment.