



## Ohio Administrative Code

### Rule 5139-69-01 Creation of a juvenile sex offender treatment program certification advisory board.

Effective: September 24, 2018

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(A) The purpose of this rule is to create a juvenile sex offender treatment program certification advisory board, outline its duties, and identify its membership.

(B) As used in this rule, the following definitions shall apply:

(1) "Advisory board" means the juvenile sex offender treatment program certification advisory board.

(2) Certification means the review, approval and recommendation for certification by the advisory board to the department for the operation of a juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment program that complies with the standards established by the department.

(3) "Child-victim offender" means a person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for committing, or has been adjudicated a delinquent child for committing any child-victim oriented offense, pursuant to section 2950.01 of the Revised Code.

(4) "Department" means the Ohio department of youth services.

(5) "Juvenile sex offender" means a child who is adjudicated a delinquent for committing, or has been adjudicated a delinquent child for committing any sexual offense as defined in section 2950.01 of the Revised Code.

(6) "Program" means an entity that provides assessment, treatment, and/or transition services to juvenile sex offenders child-victim offenders and/or youth with sexually abusive behaviors in accordance with rule 5139-69-03 of the Administrative Code.



(7) Recertification means the review, approval and recommendation for recertification by the advisory board to the department for the continued operation of a juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment program that complies with the standards established by the department.

(8) "Treatment" means a comprehensive set of therapeutic experiences and interventions planned and organized to improve the prognosis and functioning of a juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors and to reduce the risk of sexual re-offense or other sexually abusive and aggressive behavior.

(9) "Youth with sexually abusive behaviors" means a child who has been identified as engaging in behavior that could be defined as any sexual offense defined in section 2950.01 of the Revised Code regardless if the youth was formally adjudicated of the behavior.

(C) For the purposes of complying with section 2950.16 of the Revised Code, there is hereby created within the Ohio department of youth services a juvenile sex offender treatment program certification advisory board.

(1) Duties of the advisory board:

(a) The advisory board will review and recommend for certification to the director of the department or designee, the operation of juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment programs that comply with standards established by the department.

(b) The advisory board will review and recommend for recertification to the director of the department or designee, the operation of juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment programs that comply with standards established by the department.

(2) Duties of the department:

(a) The department shall direct the inspection and monitoring of juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment programs.



(b) The department shall maintain a list of certified juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment programs that is open to public inspection.

(c) The DYS liaison shall evaluate and monitor the compliance of certification for certified juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment programs.

(d) The advisory board shall require certified juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors assessment, treatment and transition programs to establish performance or outcome measures that evaluate effectiveness of the program.

(3) Advisory board membership

(a) The board shall, at a minimum, consist of the following members:

(i) One member appointed by the director of the Ohio department of youth services who can represent sex abuse victims and victim's rights organizations;

(ii) One member representing the Ohio department of youth services appointed by the director of the department;

(iii) One member representing the Ohio department of rehabilitation and corrections appointed by the director of that department;

(iv) One member who is recommended by the buckeye state sheriff's association representing local county sheriff offices and appointed by the director of that association;

(v) One member representing juvenile community corrections appointed by the director of the department of youth services;

(vi) One member representing the governor's office of the state of Ohio appointed by the governor;

(vii) One representative of a juvenile or family court appointed by the president of the Ohio



association of juvenile court judges.

(viii) One member with demonstrated expertise in working with juvenile sex offenders, child-victim offender and/or youth with sexually abusive behaviors representing public children services agencies or county department of job and family services, appointed by the director of the Ohio department of youth services; and,

(ix) One member representing each of the following areas, appointed by the director of the Ohio department of youth services:

(a) Assessment of juvenile sex offenders/child-victim offenders;

(b) Treatment of juvenile sex offenders/child-victim offenders;

(c) Supervision, transition and re-entry of juvenile sex offenders/child-victim offenders; and,

(d) Quality assurance or quality improvement for treatment services.

(b) The membership of the advisory board shall reflect to the extent possible, the geographic, rural and urban areas, and cultural diversity of the state.

(c) The board shall elect a chair from among the advisory board members by a majority vote. The director of the Ohio department of youth services shall approve the appointments.

(d) Members appointed by the director of the Ohio department of youth services shall serve on the advisory board for a period of two years. All other members shall serve for a period of one year. Regardless of appointing authority, all members may be reappointed to no more than two terms consecutively.

(e) The advisory board shall operate strictly as an advisory board in the capacity of reviewing applications and making recommendations to the director of the department or designee regarding the certification and/or recertification of juvenile sex offender, child-victim offender and/or youth with sexually abusive behaviors treatment programs that comply with standards established by the



department.

(f) No member holding a financial or personal interest in a program applying for certification before the advisory board shall participate in the deliberations or approval of that program for certification and/or recertification.