




TITLE: Youth Rights and Responsibilities	PAGE 1 OF 4
	NUMBER: 159-YRI-06
RELATED RULE/CODE: 28 CFR 35.164	SUPERSEDES: 159-YRI-06 dated 06/28/2017
RELATED ACA STANDARDS: 2-CO-3C-014-JCF-3A-01,02, 03, 04, 19; 4-JCF-3B-07; 4- JCF-3D-08, 4-JCF-4C-19-M; 4-JCF-5D-06, 4-JCF-5H-01	EFFECTIVE DATE: May 16, 2018
RELATED PREA STANDARDS: 115.351, 115.353, 115.316	APPROVED:  Harvey J. Reed, Director

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5139.01, which delegates to the Director of the Department of Youth Services the authority to adopt rules for the governance of the department, the conduct of its officers and employees, the performance of its business, and the custody, use, and preservation of the department's records, papers, books, documents, and property.

II. PURPOSE

The purpose of this policy is to observe, uphold and enforce all laws pertaining to individual rights.

III. APPLICABILITY

This policy applies to persons employed by the Ohio Department of Youth Services (DYS), independent contractors providing a service to DHS, volunteers, and youth.

IV. DEFINITIONS

Prison Rape Elimination Act (PREA) - The first United States federal law passed dealing with the sexual assault of prisoners. The bill was signed into law on September 4, 2003.

Youth Rights - Certain constitutional or case law guarantees required to be provided for a youth's care, privacy and freedom of choice and action.

V. POLICY

It is the policy of the Ohio Department of Youth Services (DYS) that all DHS staff and youth in the custody of DHS shall observe, uphold and enforce all laws pertaining to individual rights. All DHS staff and youth in DHS custody shall respect and protect each youth's rights and comply with all applicable policies and procedures related to those rights.

VI. PROCEDURE

A. Youth in the custody of DYS shall have the right to:

1. Freedom from discrimination based upon race, religion, national origin, gender, sexual orientation, gender identity, disability, or political views
2. Rehabilitation programs and services that address their individual needs
3. Timely medical care, dental, and mental health services
4. Educational and vocational opportunities, as available
5. Access to religious services and literature
6. Respect, humane and culturally sensitive treatment, an opportunity for decision making and, while in DYS facilities, a safe living environment
7. Have their food, housing, clothing, cleanliness, hygiene and other basic needs met
8. Reasonable and confidential access to counsel through attorneys and their authorized representatives, as well as access to courts and legal materials
9. Staff supervision in a safe environment that prohibits other youth from having supervision and authority over another youth
10. Refrain from participating in uncompensated work assignments, unless the work is related to housekeeping, maintenance of the facility or grounds, personal hygiene needs, or is part of an approved vocational or training program or approved community service
11. Appropriate family contact through visitation, mail and telephone and access to parents or legal guardians
12. A system of incentives that specify privileges that can be earned through clearly identified expectations for behavior and achievement
13. Vocational training programs which are integrated with academic programs, are age appropriate, and are relevant to the vocational needs of juveniles and employment opportunities
14. Access to obstetrical, gynecological, family planning, health education, and pregnancy management services for female
15. Report incidents of sexual abuse, sexual assault and sexual harassment to a designated staff member other than an immediate point-of-contact line staff member

B. Youth in the custody of DYS shall have the responsibility to:

1. Attend programming, behave appropriately, actively participate and apply what they learn in programming
2. Honestly report mental health needs, participate in treatment and follow through with treatment services
3. Attend class and take advantage of educational opportunities provided without interfering with others learning
4. Honestly report medical needs, comply with treatment and make good decisions regarding a healthy lifestyle
5. Behave responsibly if they choose to participate in religious services and respect the religious beliefs of others
6. Respect themselves and others, be willing to learn tolerance of a diverse culture, take responsibility for their actions, comply with the rules of the living environment, report unsafe conditions and hold themselves accountable
7. Respect State and other people's property, take care of their clothing, maintain personal hygiene, clean their room and engage in programming to build and develop life skills
8. Follow all policies and procedures and to report and communicate honestly and respectfully
9. Maintain contact with family members, as appropriate, and, while in DYS facilities, follow all policies regarding telephone usage and mail
10. Behave in a positive manner, follow treatment guidelines and encourage positive behavior in others

C. Youth with Disabilities

DYS shall take appropriate steps to ensure that youth with disabilities (including, for example, youth who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, physical limitations or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of DYS's efforts to prevent, detect, and respond to sexual abuse, sexual assault and sexual harassment. (Title II of the Americans With Disabilities Act, 28 CFR 35.164)

VII. ATTACHMENTS

None.

Table of Effective Changes

Number	Effective Date	Superseded/Modified	Significant Changes
304.02	05/10/2013	NA	First Issuance
304.02	09/19/2014	05/10/2013	
304.02	06/28/2017	09/19/2014	Renumbered to 159-YRI-06 (Dec.2017)
159-YRI-06	05/16/2018	06/28/2017	Adopted new policy template.