

LAKE COUNTY BOARD OF DD/DEEPWOOD

BOARD POLICY

Reviewed and Adopted by the Board:
Date: March 22, 2021

Signature on File
Elfriede Roman, Superintendent

I. SUBJECT: RULES OF CONDUCT FOR BOARD PROGRAMS

II. PURPOSE:

While discharging its responsibility, the Board seeks to establish Rules of Conduct to protect each individual's rights to participate in such programs and services offered by the Board without the fear of violence, force, coercion or threat from other individuals. The Board has an affirmative responsibility for the control and management of individuals who choose to participate in such programs and services. Any violations of the Rules of Conduct shall be dealt with immediately in an individualized manner to assure the safety and welfare of all Board, individuals, program participants, staff, and visitors.

III. REFERENCES:

45 CFR §160 and 164 Health Insurance Portability and Accountability Act
Ohio Revised Code 2305.51

IV. POLICY:

All Rules of Conduct apply to individuals:

- a) participating in programs and services offered by the Board,
- b) on Board property or
- c) under Board authority – including on Board operated transportation or at any Board-sponsored activity.

Individuals under temporary suspension as a result of any rule violation shall not be permitted to attend Board programs or any Board-sponsored activity unless authorized by the Superintendent or designee.

Individuals who violate any of the following Rules of Conduct shall submit to a review of their conduct and possible remedial action by the Superintendent, which may include a temporary suspension from program participation for enrolled individuals or administrative action for individuals not enrolled in Board programs/services.

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Any remedial action for an individual shall be preceded by a meeting, review and recommendation(s) of the individual's Interdisciplinary Team. Alternative methods for the continued delivery of Board program services as required by the Individual Plan shall be offered to the individual during the period of temporary suspension.

In the event that no plan satisfactorily reduces the risk of harm of the offending behavior to an acceptable level, the Superintendent may limit the individual to the alternative service delivery method or initiate the process for individual's disenrollment from Board program services.

For individuals not enrolled in Board programs/services, the Superintendent shall review the circumstances of the violation and determine the appropriate administrative action.

Rule 1. Disruption of Programs/Services: An individual shall not engage in criminal activity of any nature, or in any act of violence, force or coercion causing material disruption or obstruction to the operation of Board programs/services or another individual's participation or enjoyment of such programs/services. This includes the setting or use of any fire.

Rule 2. Dangerous Weapons-Instruments and Explosives: An individual shall not possess, use, handle, transmit or conceal any object or material which when used, misused or attempted to be used, may cause injury to persons or damage to property.

Rule 3. Narcotics, Alcoholic Beverages and Drugs: An individual shall not possess, use, transmit, conceal or be under the influence of alcoholic beverages and/or unprescribed or illegal narcotics or other drugs. This rule includes drug-related paraphernalia. Individuals of legal age residing at ARC/JCDC or in a community living arrangement or participating in a Board-approved recreational activity shall not be considered in violation of the prohibition against alcohol usage while participating in another Board program or service.

The Board reserves the right to address behavior having a similar effect on the provision and/or enjoyment of Board programs/services, even though such behavior is not specified in any of the preceding rules.

If beyond the scope of an individual's existing behavior support strategies in their individual plan, individuals who make an explicit threat of inflicting imminent and serious physical harm against one or more clearly identifiable victims, for whom the administrator in charge has reason to believe that the individual has the intent and ability to carry out the threat shall be immediately evaluated considering each of the options below:

- 1) To establish and undertake a documented treatment plan that is reasonably

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calculated to eliminate the possibility that the individual will carry out the threat.

2) To refer the individual for voluntary or involuntary hospitalization on an emergency basis.

3) To communicate to a law enforcement agency and to communicate to each potential victim:

(a) The nature of the threat;

(b) The identity of the individual making the threat;

(c) The identity of each potential victim of the threat.

The administrator in charge shall ensure the reasons for choosing or rejecting each option listed above are fully document in the individual's record.

Concurrent with the establishment of the treatment plan, the agency shall seek a second opinion risk assessment through a management consultation with the individual's mental health professional about the treatment plan. Any information about the individual or in regards to their treatment plan will only be disclosed in accordance with the requirements of the Health Insurance Portability and Accountability Act of 1996 and Board policy.

Each program area shall establish procedures to make all program participants aware of the Rules of Conduct and to implement the provisions of this policy.

V. DISTRIBUTION:

Board Members

All Management

All Staff (via Department Managers)

LEADD President

VI. REVIEWED:

3/21, 3/17, 3/16, 3/15, 3/14, 3/13, 3/11, 4/09, 4/07, 3/05, 4/03, 10/02, 3/02, 8/99