

APPENDIX A

AGENCY POLICIES, EXECUTIVE ORDERS & OARs

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OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Disability and Reasonable Accommodation

Section – Policy Number:

D: Personnel Management - 1.3

Supersedes:

N/A

Effective Date:

11/1996

Date of Last Review:

07/25/08

Related Standards and References:

- The Americans with Disabilities Act (ADA) of 1990
- (The American with Disabilities Act Public Law 101-336)
- The Rehabilitation Act of 1973
- ORS Chapter 240 (State Personnel Relations)
- ORS Chapter 659A (Unlawful Discrimination in Employment, Public Accommodations and Real Property Transactions; Administrative and Civil Enforcement)
- Department of Administrative Services, Human Resource Services Division (DAS-HRSD), Classification (Human Resource Services Division)
- OYA policy: 0-3.1 (Equal Employment Opportunity and Affirmative Action)

Related Procedures:

- None

Interpretation:

Employee Services

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy provides staff information on OYA's reasonable accommodation to persons with disabilities.

II. POLICY DEFINITIONS:

None.

III. POLICY:

It is the policy of the OYA to provide reasonable accommodation to staff, applicants, offenders, and members of the public who use OYA offices and facilities. The agency will actively seek out and encourage persons with disabilities to apply for employment positions in the agency.

The rights of persons with disabilities are protected under federal and state laws. Reasonable accommodation is a provision required by law. This policy ensures the implementation of Civil Rights Laws which are designed to enhance job opportunities, to provide for convenient access to all public facilities, and to prevent discrimination in employment based on disability.

Persons with disabilities, who either apply for, are currently employed by or work on contract with this agency, will be provided reasonable accommodation when requested, if such measures are not an undue hardship on the agency.

IV. GENERAL STANDARDS:

- A. The following criteria will be used for reasonable accommodation:
 - 1. The person must meet minimum qualifications and pass experience and test criteria established for the position.
 - 2. The person must demonstrate he/she is able to perform the essential functions of the job, with or without accommodation.
 - 3. Medical documentation must be provided to establish eligibility.

- B. Severely disabled
 - 1. Exams
 - a) Persons certified as severely disabled by the Department of Human Services, Office of Vocational Rehabilitation Services (DHS-OVRS) need not take exams for state jobs.
 - b) They will be given the opportunity to interview for open, vacant, authorized positions using the minimum qualifications established in the DAS-HRSD class specifications and those qualifications described in the position description.
 - 2. Hiring
 - a) Severely disabled individuals may be appointed as temporary staff, on a non-competitive basis.
 - b) After having satisfactorily completed 90 days of service, the person shall be placed on trial service status for a permanent appointment without additional examination.

- C. Discrimination

Discrimination or harassment based on an individual's disability is prohibited by federal law.

1. An individual who believes he/she is a victim of discrimination may:
 - a) Contact his/her Supervisor/Manager and/or a central Human Resource Analyst for assistance.
 - b) File a grievance with his/her union if represented.
 - c) File a complaint with the agency by writing to the Director.
 - d) File an external complaint with the Bureau of Labor and Industries or the Equal Employment Opportunity Commission.

Internal complaints should be filed within 30 days of the incident so the issue can be addressed promptly.

2. Retaliation for having filed a discrimination complaint is strictly forbidden by law.

D. Policy distribution and training

1. Senior management staff will be briefed on this policy at both the Superintendent's/Camp Director's and administrative team meetings.
2. A copy of this policy will be provided to each new staff during orientation.
3. When first established, copies of this policy will be distributed to current staff through payroll distribution.
4. Reasonable accommodation for the disabled will be among the topics covered when OYA conducts supervisory/management training on equal opportunity, civil rights, or diversity.

E. Confidential medical records

1. Disabled staff are to be treated fairly and with respect.
2. To the extent possible, sensitive medical information regarding an applicant's or staff's disability will be protected as confidential information.
3. Medical documents are not filed in the official personal file. The distribution of such material is strictly restricted by regulation.

F. Communication

1. Persons with speech or hearing disabilities can communicate with the agency by using the toll-free relay service provided by the Public Utility Commission.

2. Technical assistance is available from the Oregon Disabilities Commission and the Civil Rights Division, U.S. Department of Justice.

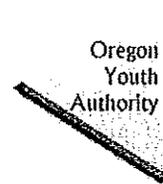
V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO



OREGON YOUTH AUTHORITY

Policy Statement

Part 0 - Mission, Values, Principles



Subject

Harassment-free Workplace

Section – Policy Number:

0-3.0

Supersedes:

I-D-1.2 (1/96)

Effective Date:

02/27/2006

Date of Last

Revision:

12/22/2008

Related Standards and References:

- 42 USC §2000d, Title VI of Civil Rights Act of 1964
- ORS 659a.030 (Discrimination because of race, religion, color, sex, national origin, marital status or age prohibited)
- ORS Chapter 240 (State Personnel Relations)
- ORS 243.305; ORS 243.315 (Affirmative Action)
- Department of Administrative Services, Human Resource Services Division (DAS-HRSD) 50.010.01 (Harassment-Free Workplace)
- OAR 105.040.001 (Equal Employment Opportunity and Affirmative Action)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-1C-07-1 (Prohibition of Sexual Harassment)
- Collective Bargaining Agreements (AFSCME Local 191, SEIU)
- OYA policy: 0-2.1 (Professional Standards)
0-2.4 (Conflict of Interest)
0-3.1 (Equal Employment Opportunity and Affirmative Action)
0-5.0 (Violence-free Workplace)

Related Procedures:

- None

Interpretation:

Human Resources Section

Approved:


Bobby S. Mink, Director

I. PURPOSE:

The OYA recognizes that harassment in any form undermines the agency's mission. This policy defines and prohibits all forms of harassment in the workplace, articulates management's responsibilities and provides remedies for staff if they have experienced harassment by a coworker.

II. POLICY DEFINITIONS:

Harassment: A form of offensive treatment or behavior which to a reasonable person creates an intimidating, hostile or abusive work environment. Harassment may include, but is not limited to, verbal harassment, such as racial epithets, ethnic or sexual jokes, inappropriate use of sexually explicit language, demeaning and derogatory comments; physical harassment, such as unwanted touching, physical interference with normal work or movement, or assault; visual or audio harassment, such as derogatory or sexually or racially offensive posters, degrading songs, cartoons, or drawings in any form, including written, computer generated or telephonic; and sexual harassment.

Sexual harassment: Any advance, request for sexual favors or other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made whether explicitly or implicitly a term or condition of an individual's employment;
2. submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting that individual; or
3. such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

III. POLICY:

The OYA values its workforce and believes that staff have the right to work in an environment that is free from harassment. Harassment violates human dignity, undermines integrity, and diminishes morale. The OYA will maintain a work environment free from behavior, action or language that may be perceived as harassment. Staff have the responsibility to conduct themselves in accordance with this policy to maintain an environment that is free from harassment. Therefore, abusive, demeaning, or hostile behavior will not be tolerated and is subject to the complaint process of this policy.

In addition, any harassment based on race, color, national origin, physical or mental disability, age, religion, sex, sexual orientation, and marital status is a violation of state and federal law and unacceptable conduct, and will not be tolerated. Staff that have been subjected to harassment that is a violation of state and federal law, have the option to pursue any of the complaint processes described in this policy.

It is the responsibility of each staff to promote a positive and affirming workplace environment free from intimidation, harassment and discrimination. The OYA encourages staff to take action if they experience unwelcome behavior. Staff have the right, and are encouraged to communicate such concerns in the manner they feel is most safe, including, but not limited to, advising the offending person about his/her behavior.

The OYA is committed to promoting a professional work environment for staff. However, it is not the intent of the OYA to interfere with social interaction or relationships freely entered into between staff unless those interactions and relationships have a negative impact on morale, performance in the workplace, or the work environment.

The OYA recognizes that staff who work directly with offenders are routinely exposed to the risk of harassing behavior. However, this policy pertains to the prohibition of and complaint processes if harassing behavior is experienced, observed or reported by management, staff, contractors, and the public while working for the OYA. While harassing behavior of any type is not tolerated within the OYA, staff response to situations involving offenders will be handled according to OYA policy and local procedure that defines appropriate action in those situations.

It is the policy of the OYA that all staff will participate in harassment-free workplace training when offered.

IV. GENERAL STANDARDS:

- A. Harassment in any form is prohibited, whether between management staff and subordinates; lead workers and subordinates; contractors, the public, or coworkers.
- B. A substantiated incident of any form of harassment or retaliation for reporting harassment or failure to cooperate in an investigation will result in corrective action, which may include disciplinary action, up to and including dismissal of the staff or termination of volunteer assignments.
- C. Management Responsibilities (Includes Executive Staff)
 - 1. Management staff are expected to be alert to activity in the workplace which may constitute harassment of any form and have a duty to initiate immediate and appropriate action whenever they witness or become aware of interactions or conditions which may be construed as harassment.
 - 2. Management staff will consult with Human Resources Section to discuss the alleged harassing behavior they have observed, or which others have brought to their attention.
 - a) The reporting management staff and the Human Resources Manager/designee will determine the best approach for addressing the questionable behavior and determine appropriate corrective action to be taken, if any.
 - b) In the investigation of harassment allegations, the OYA will provide confidentiality for both the complainant and the alleged respondent to the greatest extent possible.

3. Management staff should avoid developing close personal or romantic relationships with any staff who reports directly or indirectly to them. However, if such a relationship does develop, the management staff will notify their immediate supervisor, the appropriate Assistant Director, or Director/Deputy Director, and Human Resources Manager of the relationship so appropriate steps can be taken to remove the conflict of interest. (See OYA policy 0-2.4 Conflict of Interest.)

Failure to make such relationships known may result in disciplinary action to include dismissal from state service.

4. Management staff are expected to communicate this policy to their subordinates and to provide leadership in carrying out its intent.
5. Management staff that are aware of, know, or should have known of workplace harassment and fail to report such behavior or fail to take immediate and appropriate corrective action will be subject to disciplinary actions up to and including dismissal.

D. Staff Responsibilities

1. Staff have the following options to address harassing behavior:
 - a) Inform the offending individual of the harassing behavior and requesting that the behavior stop. If staff choose to inform the offending individual of the harassing behavior, it is recommended that the staff document the conversation.
 - b) Inform management staff of the harassing behavior.
 - c) Inform the offending individual and management staff of the harassing behavior.
2. If a management staff engages in conduct/behavior which may constitute harassment, the staff will report the behavior to the next immediate management staff or Human Resources staff.

E. Complaint Process Procedure

1. Staff may pursue the complaint process described in Section IV of this policy for any alleged harassment.
2. The following sets out the process for the filing of an internal harassment complaint.
 - a) Staff:
 - (1) Reports incident(s) to his/her Supervisor/Manager, any other management staff, or the Human Resources

Manager/designee. Staff may file an oral or written complaint.

(2) SEIU-represented staff may have union representation during this process.

b) Supervisor or Manager: Documents the report and immediately contacts the appropriate Supervisor/Manager or the Human Resources Manager/designee with the oral or written complaint.

c) Human Resources Manager/designee: Determines what action will be taken. Such action includes, but is not limited to:

(1) recording the complaint in writing;

(2) informing the alleged harasser about the complaint;

(3) investigating the complaint;

(4) determining whether the alleged conduct occurred and the appropriate type and level of corrective action, if any;

(5) implementing corrective or disciplinary action pursuant to the collective bargaining agreement and/or state policy as appropriate;

(6) responding to complainant and alleged harasser in writing within 30 days of receiving the complaint.

F. Harassment that is a Violation of State or Federal Law

1. If the alleged harassment is a violation of state or federal law (i.e. harassment based on race, color, national origin, physical or mental disability, age, religion, sex, sexual orientation, and marital status), the complainant may pursue any complaint process described in Section IV of this policy and any of the complaint processes that follow, as appropriate.

2. Grievance Process Procedure

a) Classified represented staff may file a grievance in accordance with SEIU collective bargaining agreement, or the American Federation of State, County or Municipal Employees (AFSCME) collective bargaining agreement, whichever is applicable.

b) Classified unrepresented, unclassified unrepresented, management, executive service or temporary employees, volunteers cannot file a grievance through a collective

bargaining agreement, but may file a complaint in accordance with this policy.

3. In addition to the complaint process articulated above, staff may choose to pursue their harassment complaint with the entities described in below.
 - a) Staff may contact OYA Human Resources Section, the Oregon Bureau of Labor and Industry (BOLI), or the Equal Employment Opportunity Commission (EEOC) to determine if the harassing behavior is illegal.
 - b) Staff may file a complaint directly with any of the following agencies:
 - (1) Oregon Bureau of Labor and Industry (BOLI)
Civil Rights Division
800 NE Oregon Avenue #32
Portland OR 97323
503-731-4106 (voice or TDD)
 - (2) Equal Employment Opportunity Commission (EEOC) Seattle District Office
909 First Avenue Ste 400
Seattle, WA 98104-1061
206-220-6883 (voice) 206 220-6882 (TTD)

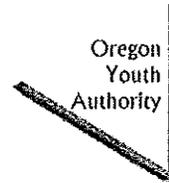
V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO



OREGON YOUTH AUTHORITY

Policy Statement

Part 0 – Mission, Values, Principles



Subject

Violence-free Workplace

Section – Policy Number:
0-5.0

Supersedes:
I-C-7.2 (06/03)

Effective Date:
12/15/06

Date of Last
Review/Revision:
None

Related Standards and References:

- ORS 278.120 (Claims management)
- Department of Administrative Services, Human Resource Services Division (DAS-HRSD): 50.010.01 (Harassment-Free Workplace); 50.010.02 (Violence-Free Workplace)
- OR-OSHA Training: (Training, Violence in the Workplace) *Creating a Workplace Violence-Prevention Program*
- OYA policy: 0-2.0 (Principles of Conduct)
0-3.0 (Harassment Free Work Place)
0-3.1 (Equal Opportunity and Affirmative Action)
0-5.0 (Firearms in the Workplace)
I-C-7.0 (Safety Program)
I-C-7.1 (Emergency Situations in Offices)
II-B-1.1 (Use of Physical Intervention and/or Restraints in Facilities)
II-B-1.2 (Use of Isolation in Facilities)
- OYA forms: YA 8300 (Incident/Accident/Hazard Report)

Related Procedures:

- None

Interpretation: Employee Services

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy provides guidelines for OYA staff in responding to violent or potentially violent behavior in the workplace by people other than offenders. Specifically, this policy addresses interactions between supervisor/managers and staff; staff and other staff; and staff and non-staff.

II. POLICY DEFINITIONS:

Workplace violence: Workplace violence includes, but is not limited to, any threat, intimidation, or other disruptive behavior that frightens staff. It includes any form of treatment or behavior which, to a reasonable person, is hostile, abusive or offensive and is perceived as intent to cause physical or psychological harm or damage to property, including:

- oral or written statements, gestures, or expressions that communicate a direct or indirect threat;
- threatening or disruptive behavior; or
- behavior in any form that may lead to immediate danger of physical and/or emotional harm of individuals.

III. POLICY:

The OYA is committed to providing an emotionally safe, respectful environment free of intimidation, hostility, harassment, humiliation, isolation and other disruptive behaviors. Such protection applies to all persons who work at or visit facilities or offices, including staff, offenders, volunteers, visitors, and service providers.

Staff are responsible for maintaining a safe and healthful work environment. Preventing violence takes good observation skills, awareness of the environment, willingness to report and interest in the safe functioning of the workplace.

The OYA recognizes that staff who work directly with offenders are routinely exposed to the risk of threatening or violent behavior. While violence of any type is not tolerated within the OYA, staff response to situations involving offenders will be handled according to OYA policy and local procedure that defines appropriate action in those situations.

IV. GENERAL STANDARDS:

- A. The OYA will respond to all workplace violence.
 - 1. This policy applies to the interactions involving the following persons:
 - a) Supervisor/Managers and staff;
 - b) Staff and other staff; and
 - c) Staff and non-staff.
 - 2. When workplace violence involving offenders occurs, staff will refer to policy and local procedure that define appropriate actions in those situations.

3. Staff who participate in or retaliate against a person who reports workplace violence are subject to discipline up to and including dismissal.
- B. Under no circumstance is any type of firearm, weapon, ammunition, or destructive device to be brought into a facility. Law enforcement personnel will be notified that weapons will be secured outside the perimeter of a facility or with security staff.
 - C. Staff who obtain a protective or restraining order that lists OYA locations as protected areas must provide a copy of the order to the Employee Services Manager.
 1. In the event both parties listed in the restraining order are staff, the OYA will expect staff to comply with the order during the workday.
 2. To the extent possible, the OYA will maintain confidentiality with respect to the privacy of the reporting staff.
 - D. Immediate threat

Immediate threat situations are those in which staff observe any form of behavior that may lead to immediate danger of physical and/or emotional harm. In those situations, staff will:

1. Assess the situation to determine whether it is safe to enlist the support of other persons on site or by calling 911;

When possible and without increased risk to persons, contact law enforcement (dial 911) if firearms or other weapons are present.
2. Remain calm and employ nonphysical skills to de-escalate aggressive behavior;
 - a) Staff should attempt to remove him or herself from the situation, or isolate the violent person, if doing so would not increase risk.
 - b) Staff will not take any action that will risk his/her own safety or the safety of other individuals. This is not meant to prohibit a person from using physical force for self-defense or to defend a third person if necessary.
 - c) No attempt should ever be made to restrain or forcibly evict an angry or armed person from the premises.
 - d) When it is safe to do so, notify others in the area of the situation so they might avoid the immediate area.

3. Refer to the worksite emergency plan for specific procedures relevant to that location.

E. Incident debrief

After the incident, the Supervisor/Manager will obtain a written statement, Incident/Accident/Hazard Report (YA 8300), from all persons who were involved in or witnessed the incident and conduct an incident debrief.

1. The OYA may request a critical incident stress debriefing. This may involve the Employee Assistance Program (EAP) provider.
2. The debrief information will also be used to identify corrective action to prevent or better respond to future similar events.

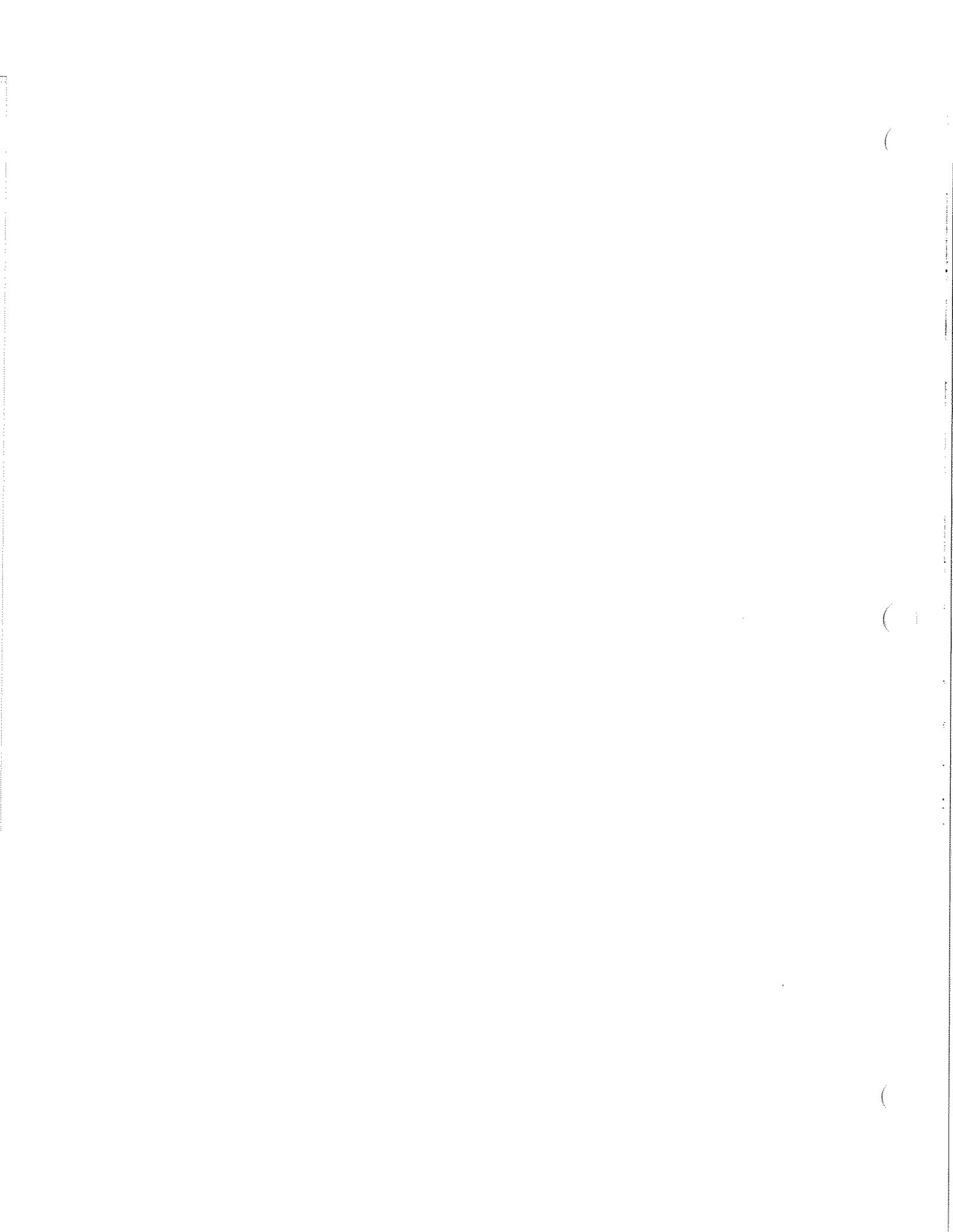
F. Perceived threat

1. Any person who makes threats, exhibits threatening behavior, or engages in other disruptive behavior may be removed from OYA premises as quickly as safety permits and may be required to remain off the premises pending the outcome of any review.
2. When an allegation of threatening behavior is made, the OYA will immediately investigate or request an investigation by the appropriate authority.
3. A review of the charges will be conducted for the protection of staff or individuals involved and the OYA.
4. The OYA will not tolerate any retaliation toward a staff who has reported threatening behavior or is cooperating in such an investigation.
5. Any individual who observes or believes he/she has been subjected to any kind of disruptive behavior or conduct, or has witnessed or received information of such conduct will submit a written notice to his/her Supervisor/Manager, any Supervisor/Manager, or Employee Services that includes:
 - a) An explanation of the situation;
 - b) Identification of persons involved;
 - c) The date the action(s) occurred; and
 - d) The relief requested.
6. The Supervisor/Manager or Employee Services will review the alleged incident(s) and respond to the staff with written confirmation of the review. If the review substantiates the incident, appropriate action will be initiated.

G. Preventative measures

1. The OYA will post a copy of this policy in locations visible to staff and visitors.
2. Employee Services will provide an overview of this policy during New Employee Orientation.
3. The OYA will respond to any workplace violence vulnerability or hazards identified by OR-OSHA during its routine inspections.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO





OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Job Rotations, Transfers, and Promotions

Section – Policy Number:

D: Personnel Management – 3.3

Supersedes:

I-D-2.5 (4/4/02)
I-D-2.4 (8/6/96)

Effective Date:

12/2002

Date of Last

Review:

07/25/2008

Related Standards and References:

- OAR 105-40-020 (Filling Positions)
- American Correctional Association; Standards for Juvenile Correctional Facilities; 3-JTS-1C-08 and 3-JTS-1C-09 (Selection and Promotion)
- State of Oregon Website www.oregon.gov
- Department of Administrative Services, Human Resource Services Division (DAS-HRSD): 50.015.01 (Job Rotation)
40.045.01 (Transfers)
- Applicable Collective Bargaining Agreements: SEIU, AFSCME
- OYA Form: YA 8006 (Job Rotation Assignment Agreement)

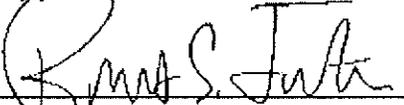
Related Procedures:

None

Interpretation:

Employee Services

Approved:


 Robert S. Jester, Director

I. PURPOSE:

This policy provides OYA staff information regarding job rotations, transfers, and promotions.

II. POLICY DEFINITIONS:

None.

III. POLICY:

The OYA recognizes that it is a benefit to staff, the OYA, and other state agencies to encourage new job assignments through the use of job rotations, transfer, or promotion of staff.

IV. GENERAL STANDARDS:

A. Notification

Central Employee Services will distribute announcements of OYA job opportunities on a weekly basis.

1. The announcements will include the classification and location of each position to be filled.
2. Each facility or local office will place these announcements on a general-interest bulletin board.
3. It is the responsibility of interested staff to pay attention to announcements and to make proper and timely application.
4. Staff may access the State of Oregon website for general state employment opportunities.

B. Job rotation assignments

There are two types of rotational assignments - developmental rotations, and career enhancement rotations.

1. Developmental rotations - provide staff with the opportunity to acquire new skills that may qualify them for other positions. Staff is normally not expected to initially perform the full range of duties, but will be expected to develop the skills necessary to perform them during the term of the rotation.
2. Career enhancement rotations - provide staff the opportunity to use existing knowledge and skills in a new setting. Staff is expected to satisfactorily perform the full range of duties from the onset of the assignment.

C. General specifications

1. Staff requesting consideration for a job rotation assignment must have supervisory approval.
2. Each job rotation must be documented using OYA form YA 8006 (Job Rotation Assignment Agreement).
3. A signed copy of the YA 8006 will be sent to central Employee Services to be filed in the staff's personnel file.
4. Job rotations should not last more than two years.

Exceptions to this time limit must be approved by the agency's appointing authority.

5. A staff on job rotation will normally retain his/her same salary.

If the duties and responsibilities of the job rotation assignment are of a higher level than the staff's permanent position, the supervisor/manager may, at any time during the assignment, request work-out-of-class pay on behalf of the staff. It must first be determined the staff is satisfactorily performing the full range of duties and responsibilities of the assignment.

6. Miscellaneous expenses (i.e., travel, per diem, etc.) involved in a job rotation assignment will be borne by the receiving unit.
7. Vacancies resulting from a staff participating in a job rotation assignment may be double-filled.
8. Intra-agency job rotation agreements require review by each agency's Contracts Unit.

D. Transfers

The OYA recognizes that it is to the benefit of the staff and the agency to consider internal transfer candidates for positions.

1. Qualifications for transfers are listed in the DAS-HRSD policy referenced above and applicable Collective Bargaining Agreements.
2. The OYA will allow staff a reasonable amount of time away from the job without charge to vacation, compensatory time, or leave without pay for the purpose of interviewing for positions in state service.
 - a) For interviews in the local area, two hours is generally considered "reasonable."
 - b) For interviews where travel is necessary, the agency will allow up to one day agency time, but will not allow per diem reimbursement or use of a state vehicle for these purposes.

If more than one day is needed, staff must use his/her own time or schedule around his/her days off.

E. Promotion

The OYA encourages promotion of its staff.

1. The OYA will allow staff a reasonable amount of time away from the job without charge to vacation, compensatory time, or leave without pay for the purpose of interviewing for positions in state service.
2. For interviews in the local area, two hours is generally considered "reasonable."

3. For interviews where travel is necessary, the agency will allow up to one day agency time, but will not allow per diem reimbursement or use of a state vehicle for these purposes.
4. If more than one day is needed, staff must use his/her own time or schedule around his/her days off.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Staff Exit Survey – Department of Administrative Services (DAS)

Section – Policy Number:

D: Personnel Management – 3.5.a

Supersedes:

N/A

Effective Date:

03/28/2008

Date of Last Review/Revision:

None

Related Standards and References:

▪ OYA policy: I-D-3.5 (Exit Interviews)

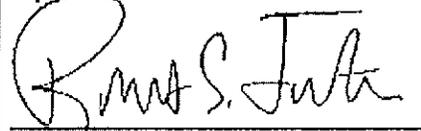
Related Procedures:

▪ None

Interpretation:

Employee Services

Approved:


 Robert S. Jester, Director

I. PURPOSE:

This policy implements the Department of Administrative Services (DAS) confidential electronic exit survey of staff leaving the OYA as a result of resignation or transfer to another state agency.

II. POLICY DEFINITIONS:

None

III. POLICY:

The State of Oregon and OYA is concerned with the occupational satisfaction of its staff and in retaining well-qualified and capable staff. In order to ensure a working climate conducive to productivity and job satisfaction, it is essential that management at all levels of the agency be aware of staff perception of the agency and concerns that contribute to a staff's departure.

This policy describes the DAS exit survey facilitated by Employee Services to solicit feedback from staff leaving state service or transferring to another state agency.

IV. GENERAL STANDARDS:

A. Notice of Resignation or Transfer

Upon receipt of notice from staff of their intent to resign from state employment or transfer from OYA to another state agency, the supervisor/manager will immediately notify a Human Resources Assistant in the Employee Services Unit by email of such event.

B. Notice to Staff

1. A Human Resource Assistant will immediately send an email to the staff's work email address with the following message and current link to the Department of Administrative Service's survey:

We understand that you are leaving your position in our agency. We appreciate your feedback as an employee of state government and would like to learn more about your employment experience. The survey you are about to complete has been created by the State of Oregon to gather data about why people take jobs in state government, their employment experience and why they choose to change jobs. The responses you offer are strictly confidential and will be used only to assess how we are performing as an employer and what areas we can improve upon. This is a web-based survey tool that does not require your identification. You may use state equipment to access the survey or access the survey through any internet connection.

The information you can provide is very important to us. Please take the time to complete the survey. Thank you.

2. The DAS staff exit survey data will be compiled and communicated to OYA according to DAS policy.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Agency Training Program

Section – Policy Number:

D: Personnel Management – 3.8

Supersedes:

I-D-2.11 (06/99)

I-D-3.8 (09/02)

Effective Date:

09/29/2009

Date of Last
Review/Revision:

None

**Related
Standards
and
References:**

- American Correctional Association, *Standards for Administration of Correctional Agencies*; 2-CO-1D-01 (Program Coordination and Supervision); 2-CO-1D-04 (Training Resources)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-1D-01 (Program Coordination and Supervision); 3-JTS-1D-02 (Training Plan)
- DAS policy 50.045.01 (Employee Development and Implementation of Oregon Benchmarks for Workforce Development)
- OYA policy: I-D-3.9 (Staff Training)

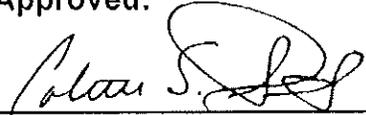
**Related
Procedures:**

- None

Interpretation:

Business Services
Training Academy

Approved:


Colette S. Peters, Director

I. PURPOSE:

This policy describes OYA's staff training development process.

II. POLICY DEFINITIONS:

Cabinet: An administrative group that provides oversight of agency operations.

Design teams: Workgroups of content experts who are convened at the request of Cabinet to develop curriculum and an implementation plan for specific training topics or needs. Design team members include OYA staff and representatives from various juvenile justice stakeholder groups. Membership varies according to topic and need.

III. POLICY:

OYA recognizes its staff as its greatest resource. Investing in staff development and enhancing staff knowledge, skills, and abilities is one of the agency's highest priorities. OYA has a planned, coordinated training program that prioritizes training requests, curriculum design/review, agency approval, evaluation and monitoring, and on-going quality improvement.

IV. GENERAL STANDARDS:

A. Training program

OYA's training program is designed to assess, develop, implement, and monitor dynamic training within the agency. This program:

1. Identifies and plans for training needs that are essential to all staff;
2. Addresses specialized needs and skills;
3. Supports implementation of new agency initiatives; and
4. Assures that training remains current and is sustained over time.

B. Agency responsibilities

The training program includes agency staff and identified stakeholder participation to ensure the curriculum and implementation plans reflect the OYA mission, values and training goals.

1. Cabinet
 - a) Reviews, requests, approves and prioritizes agency training needs.
 - b) Reviews and approves agency training plan and goals.
 - c) Establishes design team leaders and provides direction to membership.
 - d) Designates mandatory training.
 - e) Commits necessary resources to meet established training priorities.
 - f) Communicates OYA training policy and values.
2. Design Team
 - a) Reviews Cabinet's guidance and establishes objectives for task.

- b) Works collaboratively with the Training Academy to conform to training standards when designing training.
- c) Considers three key areas when designing training:
 - (1) Training curriculum content;
 - (2) Governance issues including rule, policy, and procedural changes/supports necessary; and
 - (3) Reinforcement of training materials and assurance of post-training competencies.
- d) Develops continuous quality improvement and communication plans to ensure successful implementation of approved recommendations.

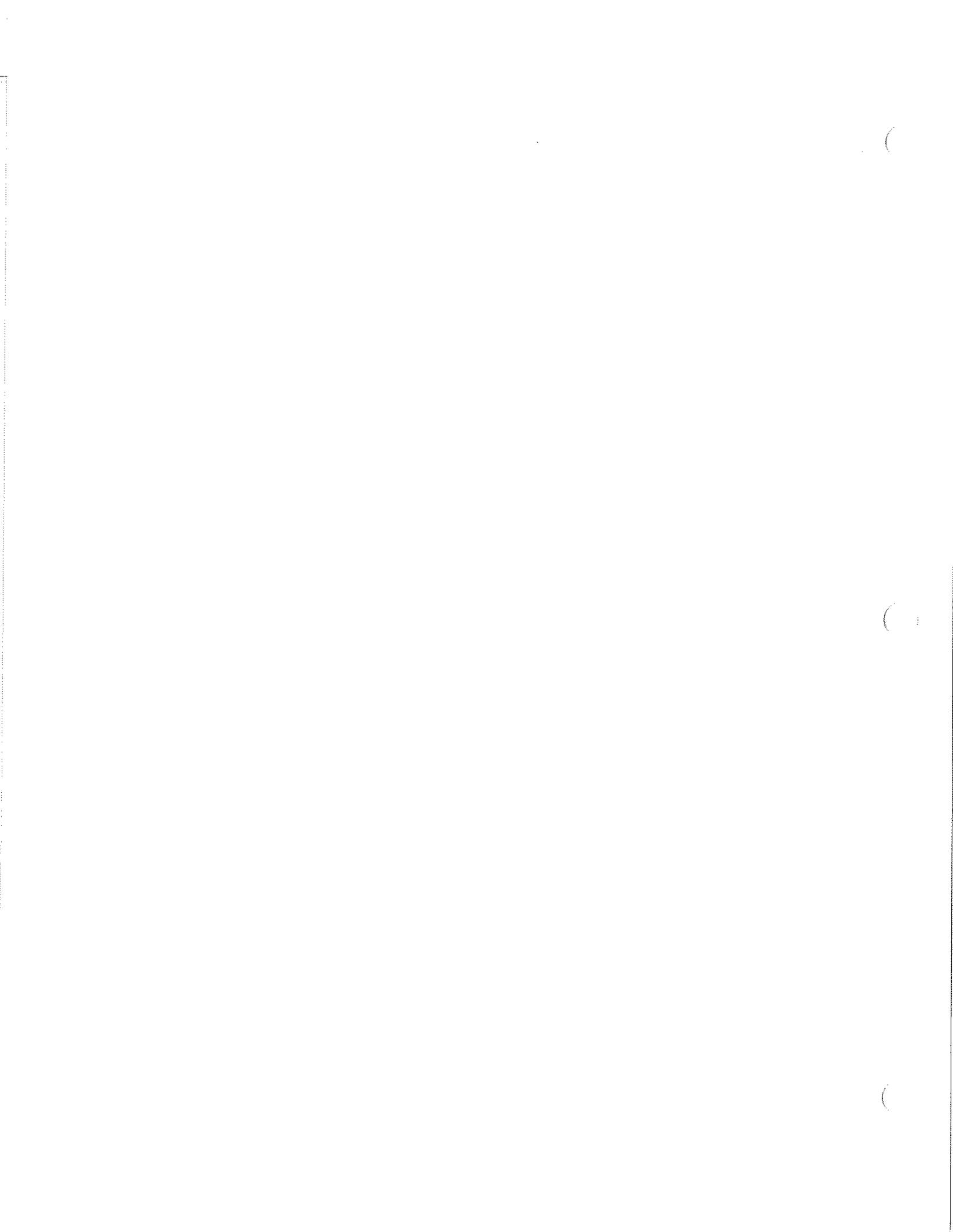
3. Training Academy

- a) Consults with agency managers to develop the biennial agency training plan and presents the plan to Cabinet.
- b) Reviews design team work product (curriculum and implementation plan) and prepares recommendations for presentation to Cabinet.
- c) Works collaboratively with design teams to define curriculum goals, content and training delivery concepts.
- d) Develops procedures to facilitate the operation of the Training Academy.
- e) Develops, coordinates, and provides training to accomplish the agency training plan.
- f) Creates and distributes the OYA training calendar.
- g) Documents staff training. (See related policy I-D-3.9, Staff Training.)

4. Local offices and facilities

Review draft curriculum and implementation plans upon design team request.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO





OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Staff Training and Development

Section – Policy Number:

D: Personnel Management – 3.9

Supersedes:

**I-D-3.9 (9/02)
I-D-3.9 06/03**

Effective Date:

09/29/2009

Date of Last Review/Revision:

None

Related Standards and References:

- DAS policy 50.035.01 (Performance Management Process)
- DAS policy 50.045.01 (Employee Development and Implementation of Oregon Benchmarks for Workforce Development)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-1D-01 (Program Coordination and Supervision); 3-JTS-1D-02 (Training Plan)
- OYA policy: 0-2.1 (Professional Standards)
I-D-3.8 (Agency Training Program)
I-E-3.0 (Public Statements, Representations, and Media Requests)
- OYA forms: YA 1200 (Training Roster)
YA 1203 (New GLC Training Notification Letter)
YA 1204 (Training Feedback)
YA 2229 (Out-of-State Travel Authorization)

Related Procedures:

- None

Interpretation:

Business Services
Training Academy

Approved:

Colette S. Peters, Director

I. PURPOSE:

This policy addresses the OYA staff training and development process, standards and the role of the Juvenile Justice Training Academy.

II. POLICY DEFINITIONS:

Cabinet: An administrative group that provides oversight of agency operations.

Design teams: Workgroups of content experts who are convened at the request of Cabinet to develop curriculum and an implementation plan for specific training topics or needs. Design team members include OYA staff and representatives

from various juvenile justice stakeholder groups. Membership varies according to topic and need.

Professional Development: Organized, planned activities that provide for the continuous improvement of a staff's job-related knowledge and skills.

Training: An organized, planned, and evaluated activity designed to achieve specific learning objectives. A training must have a lesson plan and learning objectives to improve specific knowledge, skills and abilities.

Training expenses: Include, but are not limited to, leave requests, travel and per diem costs, and tuition expenses.

Qualified OYA trainers: OYA staff who have knowledge and expertise in the subject matter presented, and are skilled in presenting topics to adult learners.

III. POLICY:

OYA values a highly productive, well-motivated, and culturally diverse workforce. OYA will coordinate a comprehensive system of staff development and training designed to meet the following purposes.

- To help meet internal and external mandates by providing the training necessary to execute agency policies and procedures in a consistent and timely manner.
- To provide effective services to offenders by ensuring that staff have the basic competencies to carry out their job responsibilities.
- To enhance staff knowledge, skills, and abilities to perform jobs more effectively.
- To provide staff with opportunities for continued personal and professional development.

The Juvenile Justice Training Academy (Training Academy) will facilitate the agency's training to ensure the training needs of local offices and facilities are met in a consistent manner reflective of the agency's mission and values. The Training Academy will ensure all OYA agency staff training curriculum and lesson plans meet recognized professional standards.

In addition, the Training Academy will develop partnerships with other state agencies, county juvenile departments, other correctional and juvenile justice organizations and community colleges in an effort to develop a consistent and competent continuum of services throughout the State of Oregon.

IV. GENERAL STANDARDS:

- A. All OYA agency training presented to staff will use an OYA-approved lesson plan or curriculum and be presented by qualified trainers.

1. Training Academy staff will review curriculum/lesson plans to ensure compliance with OYA standards and mission and that instructors are qualified.
 2. OYA agency training must contain:
 - a) A lesson plan documenting content delivered to participants;
 - b) Documented learning objectives; and
 - c) Documented attendance (e.g. training roster).
- B. Training affecting service delivery to offenders (such as a change in field or facility practice) requires approval from the Cabinet before it is implemented.
- Local supervisors may send staff to observe such training without the Cabinet's approval when the intent is to gather information to share with the agency.
- C. Local supervisors must assess the local training needs and collaborate with the Training Academy regarding service delivery options.
1. All training requests, including authorization for training expenses, must be approved by the local supervisor before training begins.
 2. Requests for out-of-state training must be approved by an assistant director, who will forward the request to the Director's Office for final approval.
- D. **Training for other agencies or community partners**
1. Staff will notify their supervisors when asked to represent OYA while providing training to other agencies or community partners.
 2. The supervisor will review the lesson plan for curriculum compliance prior to authorizing the training delivery through the local management structure. The Training Academy director may be contacted for guidance in this process.
- See OYA policy I-E-3.0 (Public Statements, Representations, and Media Requests) for more details on participation in public events.
- E. **Agency training plan**
1. The agency's training plan will be developed biennially and include annual goals.
 2. The training plan will be approved by Cabinet and reviewed annually in accordance with OYA policy I-D-3.8 (Agency Training Program).

3. Training Academy staff will develop the plan using data from needs assessments, design team input and current training mandates.

F. Individual staff development

OYA will develop its staff to enable them to perform their jobs with excellence.

1. Staff will meet the following agency training goals:

- a) New Employee Orientation (NEO) training

All new staff will complete 32 hours of NEO training.

- (1) Staff who do not work directly with offenders will complete NEO training within three months of their date of hire.
- (2) Staff who work directly with offenders will complete an additional 80 hours of Basic Training.

These staff will not be posted to positions until they successfully complete Basic Training.

- b) Completion of an applicable on-the-job orientation program (dependent upon job classification) within the first three months of employment.
- c) Exceptions to these guidelines must be approved by the Training Academy director and applicable assistant director.

3. Annual training and professional development

- a) All OYA staff will complete training annually. Training topics will include those required according to job classification, and those that are agency mandated and reflected in the agency training plan.

OYA encourages participation in professional development opportunities as identified in staff individual development plans.

- b) Facility staff who work directly with offenders will complete annual training and professional development activities totaling, at a minimum, 24 hours.

4. All OYA supervisors will complete the OYA Supervisory Course within two years after becoming a supervisor for OYA.

The Training Academy director may approve substitution of another supervisor training for the OYA Supervisory Course on a case-by-case basis.

5. Approval for non-mandatory training and staff development activities is a local management decision which will consider:
 - a) Local need, including alignment with the staff's development plan and the work unit's training needs;
 - b) Available training funds (including per diem, travel, tuition, and staffing costs);
 - c) The unit/office ability to meet operating requirements while the staff participates in training;
 - d) Training that meets staff need; and
 - e) Fulfilling agency goals, mission.

6. Specific roles
 - a) Supervisors
 - (1) Assess and identify staff development and training needs.
 - (2) Facilitate training opportunities to fulfill the training and development needs of individual staff or working unit.
 - (3) Schedule staff for mandatory training and arrange workload to facilitate participation in training.
 - (4) Approve or deny non-mandatory training and professional development activities in accordance with the priorities of the agency training plan, budget availability and workload coverage needs.
 - (5) Ensure participation in and documentation of all mandatory training and professional development activities are completed.
 - b) Staff
 - (1) Assess training and development need in relation to job duties and developmental goals.
 - (2) Identify development plan with supervisor at time of performance appraisal.

- (3) Provide documentation of completed professional development activities to supervisor.
- (4) Attend training as approved and scheduled.
- (5) Sign attendance document (roster).
- (6) Request and record training as outlined in local procedures.
- (7) Make recommendations for curriculum development and improvement through the local management structure.

G. Training documentation

1. All training requests will be made in writing by the staff or supervisor, as appropriate.
2. OYA will maintain computerized training records to document specific training and staff development activities a staff has completed reflecting the date and hours of attendance.

The computerized training records are located in the Juvenile Justice Information System (JJIS).

- a) OYA-mandated training or agency training approved by the Training Academy or JJIS Training and Implementation Unit will be documented on OYA form YA 1200 (Training Roster).
 - (1) Agency training approved by the Training Academy

A copy of the YA 1200 will be forwarded by the qualified trainer to the Training Academy. Designated Training Academy staff will enter the corresponding training into each attendee's training record.
 - (2) Agency training approved by the JJIS Training and Implementation Unit

A copy of the YA 1200 will be forwarded by the qualified trainer to OYA Central Information Systems. A designated Information Systems staff will enter the corresponding training into each attendee's training record.
- b) Completion of training or professional development activities that do not meet the criteria described in section IV.G.2.a. above will be documented in the attendee's training record by designated staff at the local facility or office.

- (1) The training or professional development activity must be authorized or paid for by OYA, or established in the staff member's individual development plan.
 - (2) Staff are responsible for providing their supervisor with supporting documentation of the training or activity.
 - (3) An activity is deemed professional development as determined by the supervisor.
- c) OYA staff may view their individual training records in JJIS.

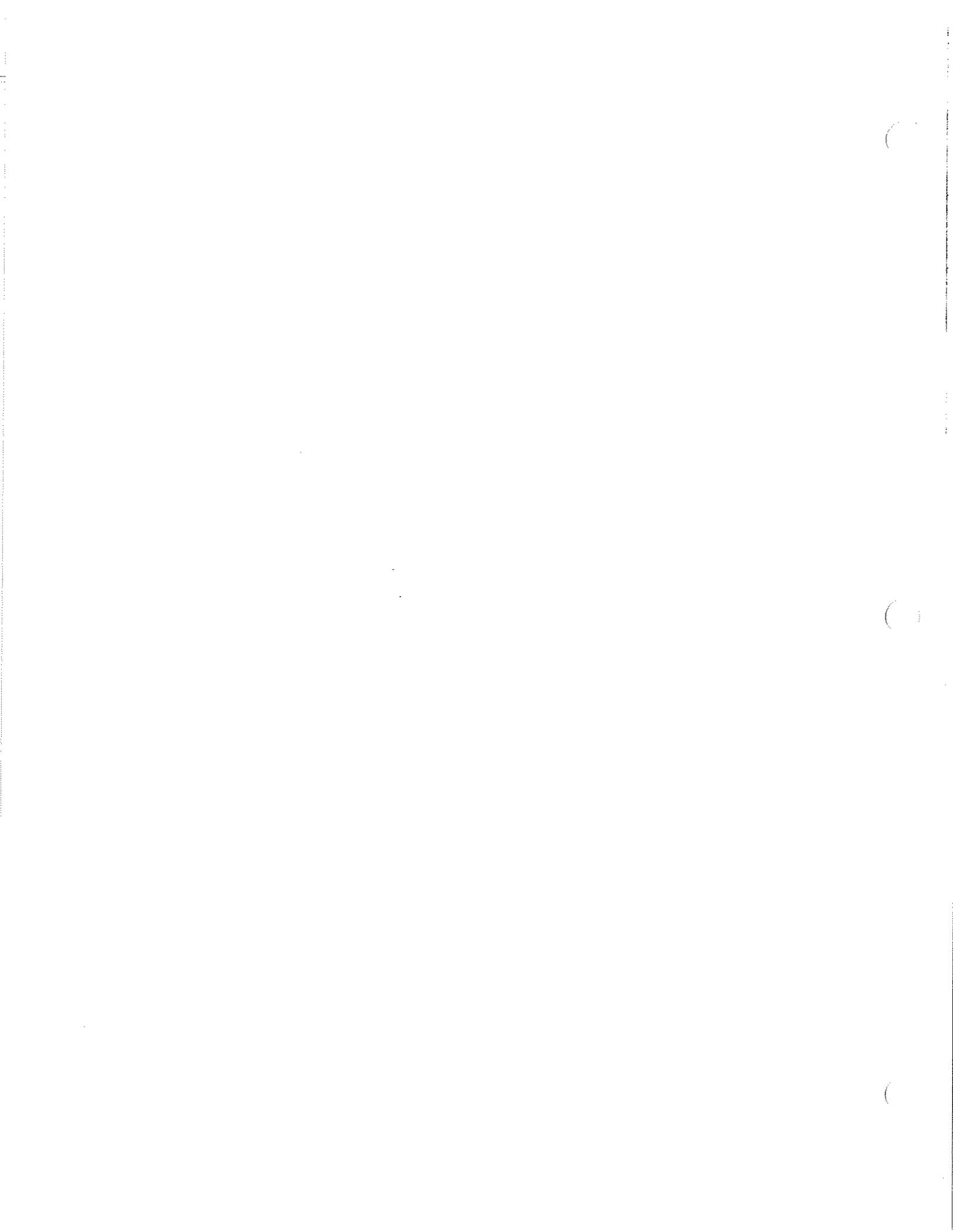
H. **Staff responsibilities during training sessions**

1. Training sessions are considered part of a regular workday. As such, training participants will maintain professional standards and be fully prepared to take part in all aspects of the training.

Participants will:

- a) Bring required materials;
 - b) Wear appropriate clothing for the training activity and appropriate for a professional setting;
 - c) Be on time for each training session and promptly return from announced and designated breaks; and
 - d) Follow the directives of the qualified trainer or others presenting the training.
2. Qualified trainers will maintain an appropriate learning environment by correcting any training participant's activity that is unsafe or undermines the learning environment.
 3. Any training participant failing to follow the reasonable directives of a qualified trainer may be considered disruptive and will be subject to appropriate corrective action.

V. **LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO**





EXECUTIVE ORDER 08-18

AMENDING EXECUTIVE ORDER 05-01 RELATING TO AFFIRMATIVE ACTION

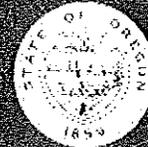
On January 26, 2005, I issued Executive Order 05-01, relating to affirmative action. That Executive Order directs Agency Directors and Administrators to review and discuss their affirmative action plans, to initiate training on affirmative action issues, to include affirmative action responsibilities in key job descriptions and to conduct Cultural Competency Assessment and Training.

Since the issuance of Executive Order 05-01, many state agencies have met with the Governor's Affirmative Action Office (GAAO) to review and discuss their affirmative action plans. The Department of Administrative Services (DAS) has concluded an audit of position descriptions for the inclusion of affirmative action duties and has shared audit results with GAAO. In addition, a number of state agencies have completed Cultural Competency Assessment and Training.

Despite these gains, much more can be accomplished. The State of Oregon remains committed to the right of all persons to work and advance on the basis of merit, ability and potential. In order to clarify the provisions of Executive Order No. 05-01, I amend that order as follows.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. The GAAO and each Agency Director and Administrator shall review and discuss each agency's affirmative action plan and affirmative action goals to identify resources for improving the hiring and developmental opportunities of underrepresented persons.
2. To continue the State of Oregon's progress in the elimination of the effects of past and present discrimination, intended or unintended, Agency Directors and Administrators shall:
 - a. Provide ongoing leadership in implementing agency's affirmative action plan;
 - b. Include affirmative action and diversity responsibilities in executive and/or management job descriptions, as appropriate, on or before January 31, 2009;
 - c. Ensure that Affirmative Action Representatives attend GAAO's informational trainings to assist Representatives in fulfilling their affirmative action responsibilities;



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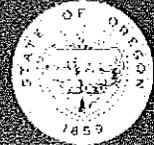
- d. Post each agency's affirmative action policy statement in a visible area. The policy statement shall include contact information for the agency's Affirmative Action Representative;
- e. Communicate to all employees about the Affirmative Action resources available within each agency and the important role of Affirmative Action Representatives in responding to employees' concerns of discrimination in the areas of hiring, retention, promotion and career development;
- f. Evaluate and assess any trends showing an increase or decrease in discrimination and/or harassment claims; and
- g. Work to improve implementation of the agency's affirmative action plan through the use of performance assessments and/or performance evaluations.

3. Under ORS 659A.012, state agencies are "required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action objectives as a key consideration of the manager's or supervisor's performance." Periodically, DAS shall conduct audits of agencies to determine whether management personnel are being evaluated based on effectiveness in achieving affirmative action objectives. Results of this audit shall be provided to GAAO.

4. GAAO will continue to coordinate with DAS in the development and presentation of training designed to improve employees' skills and competency in managing affirmative action and diversity issues.

5. GAAO will continue to monitor agencies' implementation of Cultural Competency Assessment and Implementation Services. Agency Directors and Administrators are strongly encouraged to utilize Cultural Competency Assessment and Implementation Services within their agencies if, in the opinion of GAAO and the Agency Director or Administrator, it is beneficial and appropriate for the agencies to do so.

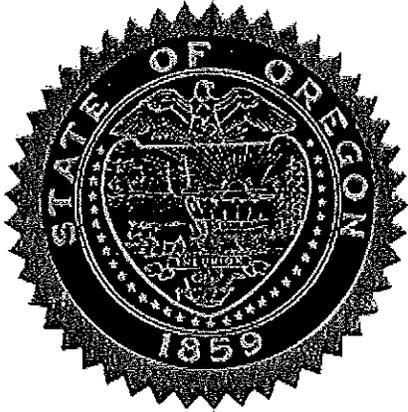
6. DAS, in conjunction with GAAO and the Oregon Department of Justice, has developed a confidential web-based exit interview survey tool. Agency Directors and Administrators shall allow employees to utilize state equipment to access the Exit Interview survey and shall encourage all employees to complete the survey prior to their transfer or departure.



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PAGE THREE

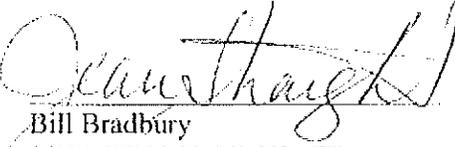
7. This Executive Order and Executive Order 05-01 expire on December 31, 2014.

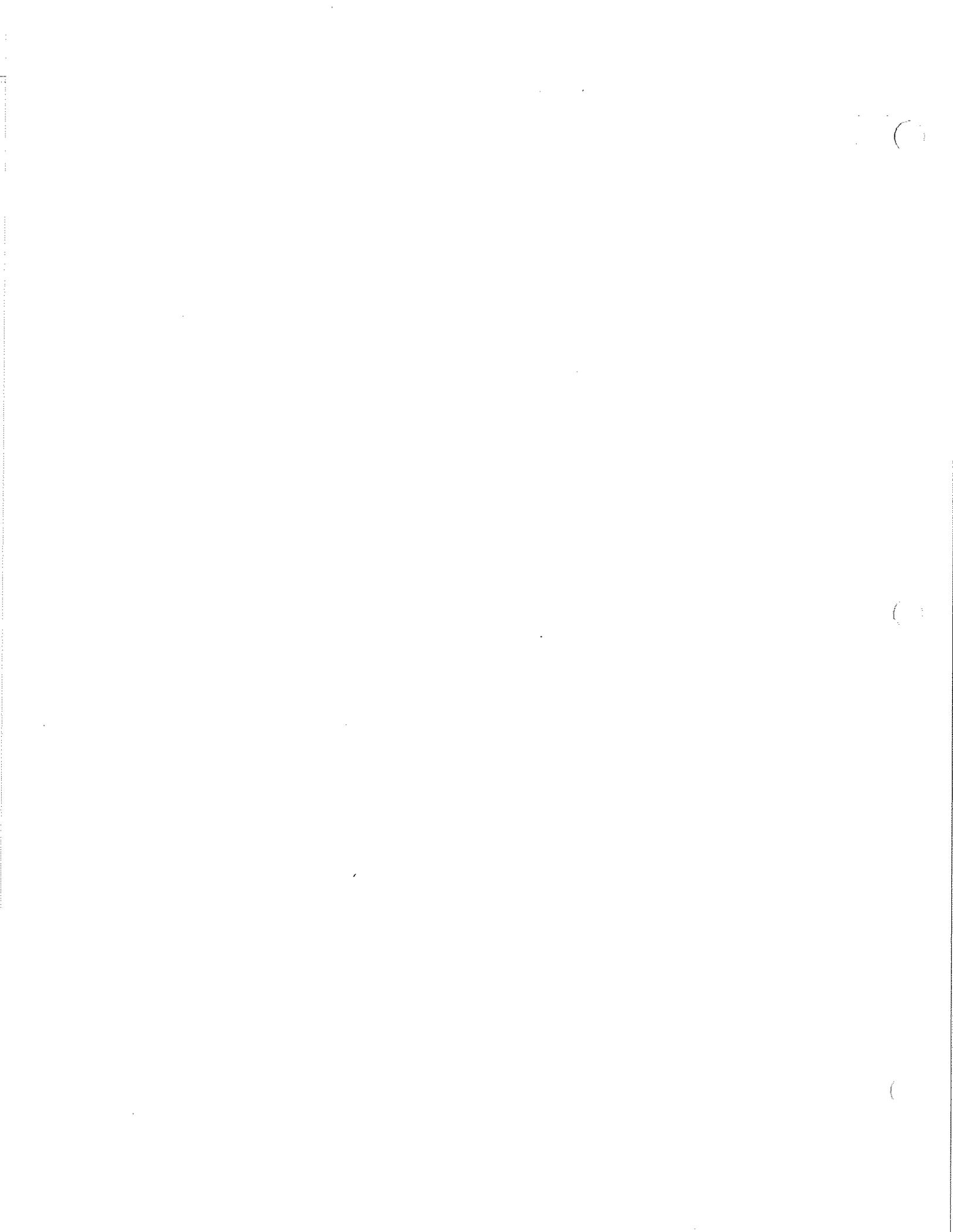
Done at Salem, Oregon, this ___ day of August, 2008.




Theodore R. Kulongoski
GOVERNOR

ATTEST:


Bill Bradbury
SECRETARY OF STATE



EXECUTIVE ORDER NO. EO - 99-14

EMPLOYMENT OF PEOPLE WITH DISABILITIES

WHEREAS, the 1990 passage of the Americans with Disabilities Act represented an historical benchmark and a milestone in America's commitment to full and equal opportunity for all of its citizens,

WHEREAS, the State of Oregon recognizes that the surest path to Oregon's continued vitality, competitiveness and resourcefulness is through the full realization of the contributions of all of its citizens,

WHEREAS, work is a valued activity, both for individuals and society and fulfills the need of an individual to be productive, promotes independence, enhances self-esteem, and allows for full inclusion in the mainstream of life,

WHEREAS, the State of Oregon has long recognized the value of maximizing the employment potential of all its citizens, including individuals with disabilities,

WHEREAS, increased employment of individuals with disabilities can be achieved through the provision of reasonable accommodations and expanded employment opportunities in the public and private sector,

WHEREAS, individuals with disabilities continue to encounter various forms of exclusion and discrimination in the critical area of employment,

WHEREAS, as a group, individuals with disabilities experience staggering levels of unemployment and poverty,

WHEREAS, the State of Oregon has long recognized the need to eliminate the effects of past and present societal discrimination based on physical, mental or developmental disabilities in which it has played a passive or active role,

WHEREAS, the State of Oregon requires that every state agency present the affirmative action objectives and performance of that agency to the Governor and to the Legislative Assembly,

WHEREAS, the increasing diversity of Oregon's population demands that we extend our efforts to maintain our economic viability and provide a high quality of life for all our citizens,

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WHEREAS, state government can play a leadership role in promoting the employment of individuals with disabilities by serving as a model employer,

WHEREAS, the state of Oregon has had a state government hiring program for individuals with disabilities for twenty years,

WHEREAS, the Office on Affirmative Action reports that the state government workforce has seen a decline in job share by individuals with disabilities,

THEREFORE, IT IS HEREBY ORDERED AND DIRECTED:

- 1) The Department of Administrative Services shall establish a revised state hiring program to increase the employment of individuals with disabilities in state service.
- 2) The mission of the new state hiring program is to create a coordinated and aggressive state program to bring individuals with disabilities into state employment at a rate that is as close as possible to that of the general population of working Oregonians.
- 3) The Department of Administrative Services, in partnership with the Department of Human Services, the Commission for the Blind and in cooperation with the Oregon University System which is responsible for its personnel under ORS 351.070, shall promote, administer and be accountable for the program.
- 4) The Department of Administrative Services shall report biennially to the Director of Affirmative Action the representation of individuals with disabilities in the state population who are ready and able to work. The Department shall base the report on the most current census and other data available to the Oregon Progress Board, relevant state agencies, Commissions and Councils.
- 5) The Director of Affirmative Action shall biennially set affirmative action objectives for the employment of individuals with disabilities for each division of state service and for state service overall; the Chancellor of the Oregon University System shall report to the Director on the related objectives of the OUS and the progress made during the biennium.

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- 6) To aid and advise the Department of Administrative Services in implementing and evaluating the state hiring program, the Director of the Department of Administrative Services, the Chancellor of the Oregon University System and the Oregon Disabilities Commission shall jointly appoint an advisory committee that shall meet regularly and issue a progress report annually. The first report shall be delivered to my Affirmative Action Director by February 1, 2000.

Done at Salem, Oregon, this 20 day of October, 1999.

/S/
John A. Kitzhaber, M.D.
GOVERNOR

ATTEST:

/S/
Phil Keisling
SECRETARY OF STATE

State of Oregon
DEPARTMENT OF ADMINISTRATIVE SERVICES
Human Resource Services Division



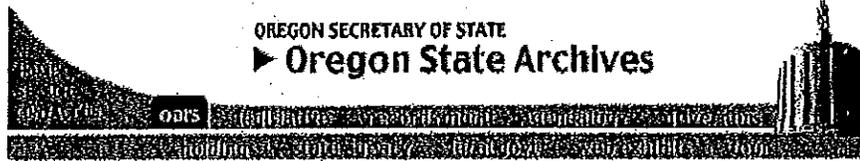
Administrative Rule: 105-040-0001 Equal Employment Opportunity and Affirmative Action

See HRSD Permanent Rule 105-040-0001 as published by the Secretary of State.

Performance Measure: Percentage of under-utilized EEO categories at the beginning of fiscal year versus under-utilized EEO categories at end of fiscal year.

Performance Standard: Quantitative progress in meeting affirmative action goals.

(The performance measure and standard cited above are not a part of the official rule. This information appears only on internal copies for administrative purposes.)



The Oregon Administrative Rules contain OARs filed through February 15, 2005

**DEPARTMENT OF ADMINISTRATIVE SERVICES, HUMAN RESOURCE
SERVICES DIVISION**

DIVISION 40

FILLING POSITIONS

105-040-0001

Equal Employment Opportunity and Affirmative Action

(I) The State of Oregon is committed to achieving a workforce that represents the diversity of the Oregon community and being a leader in providing its citizens with fair and equal employment opportunities. Accordingly:

(a) State agency heads shall insure:

(A) Equal employment opportunities are afforded to all applicants and employees by making employment related decisions that are non-discriminatory;

(B) Employment practices are consistent with the state's Affirmative Action Plan and state and federal laws to:

(i) Promote good faith efforts to achieve established affirmative action goals, which include persons with disabilities; and

(ii) Take proactive steps to develop diverse applicant pools for position vacancies and assess the diversity of each applicant pool prior to closing a job announcement.

(b) The Department of Administrative Services shall:

(A) Maintain an automated affirmative action tracking system which uses a uniform methodology for communicating affirmative action goals for each state agency. The system shall also communicate goals for hiring persons with disabilities as required by state and federal law;

(B) Produce periodic reports showing hiring opportunities and each agency's progress toward achieving established affirmative action goals as identified in the state wide automated system.

(c) Persons, who believe they have been subjected to discrimination by an agency in violation of this rule, may file a complaint with the agency's designated office within 30 calendar days of the alleged act or upon knowledge of the occurrence.

(2) Employment related decisions include, but are not limited to: hiring, promotion, demotion, transfer, termination, layoff, training, compensation, benefits, and performance evaluations;

(3) Diverse applicant pools are developed by using proactive steps in outreach strategies which generally include targeted newspapers, professional organizations, employee networks, community organizations, and resume banks;

(4) The statewide automated affirmative action system establishes goals for each equal employment opportunity category and ethnic group for each state agency;

(5) Nothing in this rule precludes any person from filing a formal complaint in accordance with a collective bargaining agreement, or with appropriate state or federal agency under the applicable law.

Stat. Auth.: ORS 184.340, ORS 240.145 & ORS 240.250

Stats. Implemented: ORS 240.306 & ORS 243.305

Hist.: PD 2-1994, f. & cert. ef. 8-1-94; HRSD 11-2003, f. 7-15-03, cert. ef. 7-21-03

"SAMPLE"

Servicios Directos

Programas Institucionales: los programas institucionales de OYA ofrecen seguridad al público y proporcionan a los delincuentes juveniles —que no pueden recibir servicios dentro de la comunidad porque son muy peligrosos para el público o para ellos mismos— servicios para la toma de responsabilidad y programas de reforma; también proporcionan estos servicios a los delincuentes del Departamento Correccional que son transferidos a OYA para ser colocados en sus instalaciones. OYA ofrece sanciones escalonadas dentro del estado, incluyendo instituciones para menores, campamentos de trabajo y programas de rehabilitación para que los menores asuman responsabilidad por sus acciones.

Servicios de Libertad Provisional/Condicionales: los agentes de libertad provisional/condicionales de OYA supervisan a los menores de los programas de libertad provisional/condicional de los menores delincuentes que son colocados en el hogar o en la comunidad. Los agentes de libertad provisional/condicional mantienen comunicación con la familia, la comunidad y del condado para asegurar que los menores necesitan mientras que está en libertad.

Servicios de reforma de OYA

Todas las instalaciones de custodia ofrecen a los menores oportunidades para reformarse a través de programas de servicios de tratamiento, programas educativos y actividades supervisadas. OYA se esfuerza por proporcionar un tratamiento que sea apropiado a la edad y género del menor que sea apropiado al origen cultural y étnico del menor. Los servicios de reforma en las instalaciones de OYA incluyen: tratamiento para conducta incendiaria, modificación de la conducta/manejo del enojo, intervención de pandillas, servicios psicológicos y psiquiátricos, responsabilidad por la restitución, tratamiento para ofensores sexuales y para sobrevivientes del abuso, tratamiento para ofensores violentos, y experiencia laboral. El tratamiento es obligatorio, no es opcional.

En la comunidad, los casos de cada menor son guiados por una orden judicial del Tribunal de menores; el plan de reforma se desarrolla bajo la dirección de un agente de libertad provisional o condicional de OYA. Los requisitos de la libertad provisional/condicional incluyen la participación en programas educativos mientras que viven en el hogar o en la comunidad. También se requieren actividades sociales y de restitución, al igual que los siguientes servicios de reforma: cuidado de seguimiento para ofensores sexuales, asesoría Individual, tratamiento de drogas y alcohol y transición para jóvenes de minorías. Si el menor no participa en los programas señalados en el plan de reforma o si ocurren nuevas conductas delictivas, esto podría traer como resultado la pérdida de la libertad provisional/condicional y el regreso o la reclusión en alguna de las instalaciones de OYA.

**Autoridad
Juvenil de
Oregon**
Oregon Youth Authority

**"Invirtiendo
en la juventud
de Oregon"**

Nuestra Misión es...

proteger al público haciendo que los delincuentes juveniles
asuman responsabilidad por sus actos, al mismo tiempo
que se les ofrece oportunidades para reformarse.

Para lograr esto, nosotros:

- Ponemos énfasis en la seguridad pública;
- Ofrecemos sanciones certeras y consistentes para los delincuentes juveniles;
- Apoyamos las preocupaciones de las víctimas de los crímenes;
- Ofrecemos a los menores programas completos de reforma;
- Promovemos y apoyamos actividades para la prevención de la delincuencia juvenil;
- Estimulamos la responsabilidad y la participación de la familia;
- Seleccionamos, capacitamos, apoyamos y alentamos a una fuerza laboral competente y diversa.

Un mandato para enfrentar la delincuencia juvenil

La Autoridad Juvenil de Oregon (OYA, por sus siglas en inglés) se fundó como departamento independiente el 1 de enero de 1996 por el Proyecto de Ley 1 del Senado. Este proyecto de ley fue aprobado por la legislatura de Oregon y firmado por el gobernador en 1995. OYA ofrece servicios continuos para proteger al público y reducir la delincuencia juvenil a través de programas y trabajando en conjunto con los condados y comunidades locales. Los servicios continuos de OYA ponen énfasis en la intervención en el comportamiento delictivo, ciertas sanciones por los crímenes cometidos por los menores, restitución a las víctimas, y en programas de rehabilitación innovadores y eficaces para los delincuentes juveniles.

Administración

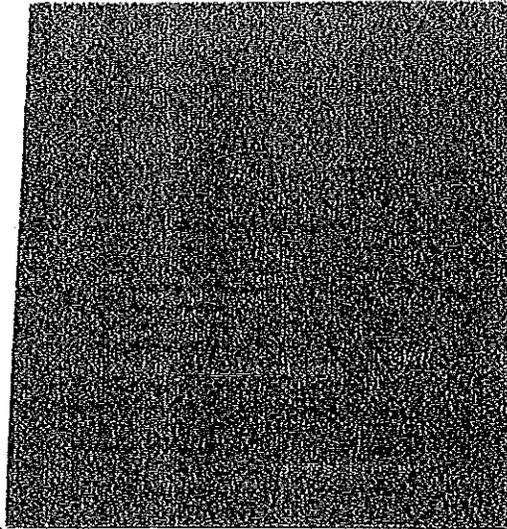
Oficina del director ofrece liderazgo global, dirección y administración de la agencia con el aporte de un comité ejecutivo formado por el personal y que representa todas las áreas del programa. La Oficina es responsable de la comunicación interna y externa y de cultivar fuertes relaciones con asociaciones comunitarias. En la Oficina del Director también se encuentra la Oficina de Servicios para las Minorías.

La misión de la *Oficina de Servicios para las Minorías (OMS)* es ofrecer liderazgo, abogacía, y directrices para ayudar a la Autoridad Juvenil de Oregon en sus esfuerzos continuos para llegar a ser una organización culturalmente competente y tratar los asuntos complejos de una agenda cultural y étnicamente diversa. OMS apoya a OYA en la integración de los valores y fortalezas de todas las culturas y en la ejecución de servicios de tratamiento culturalmente relevantes y específicos para cada género, y que tienen como fin animar a los delincuentes juveniles para que realicen cambios positivos.

Servicios Empresariales es responsable del desarrollo y mantenimiento del más moderno sistema de información así como de los servicios de planilla (nómina), contabilidad y compras. Servicios Empresariales también está a cargo del presupuesto de OYA y de la preparación de contratos con asociaciones locales para la administración de servicios y programas correccionales para los menores.

La *Oficina de Programas* ofrece directrices, facilita y asegura la calidad de la programación de justicia para menores. La *Oficina de Programas* también sirve como un recurso para proporcionar información y asistencia técnica a la comunidad de justicia para menores de Oregon. Sus sub-unidades incluyen: Desarrollo y evaluación de programas; Recursos comunitarios; Administración de servicios de salud; Administración de reglas y políticas, y Capacitación y desarrollo.

Los servicios de OYA son administrados regionalmente por *Coordinadores de área*, estas personas supervisan todos los programas en las regiones, incluyendo las instalaciones, servicios de libertad provisional, libertad condicional, y otros servicios en su área. Los Coordinadores de área trabajan muy de cerca con los condados y las asociaciones de la comunidad. El estado está dividido en cinco regiones de servicio: Noroeste, Valle del norte, Valle del sur, sur, y Central/Este.



LA VIDA EN UNA CORRECCIONAL OYA PARA MENORES...

- ♦ Si se aprueba puedes recibir visitas familiares una vez a la semana.
- ♦ No se permiten las visitas de amigos.
- ♦ Las llamadas de teléfono son de 5 a 10 minutos, generalmente una vez a la semana. Las llamadas deben ser aprobadas y el personal de la correccional marca los números de teléfono.
- ♦ No se pueden realizar llamadas telefónicas a amigos.
- ♦ Privacidad limitada.
- ♦ Siempre hay alguien vigiándote.
- ♦ En la mayoría de los casos, se debe compartir el mismo dormitorio con otros 24 jóvenes delincuentes.
- ♦ La hora de levantarse es a las 6:00 de la mañana.
- ♦ Las luces se apagan a las 9:00 p.m. para la mayoría de las personas.
- ♦ Poca televisión. Alguien elige lo que puedes ver.
- ♦ Trasiados en fila hacia la escuela y de regreso de la escuela. No se permite hablar cuando se está en la fila.
- ♦ Muchas tareas a realizar.

Como puedes ver, la vida es muy estricta. Y no puedes irte.

MEDIDA 11: ¡UN "STRIKE" Y ESTAS FUERA!

En el pasado, la mayoría de los adolescentes en Oregon eran juzgados casi siempre en cortes de menores del condado. Desde que se aprobó la Medida 11, esto ha cambiado. Si tienes por lo menos 15 años de edad y se te acusa de alguno de los siguientes delitos, automáticamente se te juzgará como una persona adulta en una corte penal. Y si eres declarado culpable enfrentarás por lo menos una de las siguientes condenas en la cárcel. No se hacen preguntas.

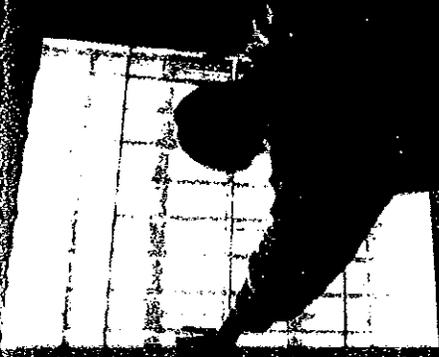
¡Un "strike" y estas fuera!

Asesinato	25 años
Intento o conspiración para cometer un asesinato con agravantes	10 años
Intento o conspiración para cometer un asesinato	7 años y 6 meses
Homicidio sin premeditación I	10 años
Homicidio sin premeditación II	6 años y 3 meses
Asalto I	7 años y 6 meses
Asalto II	5 años y 10 meses
Secuestro I	7 años y 6 meses
Secuestro II	5 años y 10 meses
Violación I	8 años y 4 meses
Violación II	6 años y 3 meses
Sodomía I	8 años y 4 meses
Sodomía II	6 años y 3 meses
Penetración sexual ilegal I	8 años y 4 meses
Penetración sexual ilegal II	6 años y 3 meses
Abuso sexual I	6 años y 3 meses
Robo I	7 años y 6 meses
Robo II	5 años y 10 meses
Incendio intencional I	7 años y 6 meses
Usando un menor mostrándolo(a) en una conducta sexual explícita	5 años y 10 meses
Obligando a prostituirse	5 años y 10 meses



Oregon Youth Authority (Autoridad para Jóvenes de Oregon)
 530 Center St. N.E., Suite 200 • Salem, OR 97301-3740 • (503) 373-7205
 VSP 9503 (12/97)

MEDIDA 11:



¡UN "STRIKE" Y ESTAS FUERA!

OREGON ES SEVERO CON LOS DELITOS DE MENORES

MEDIDA 11

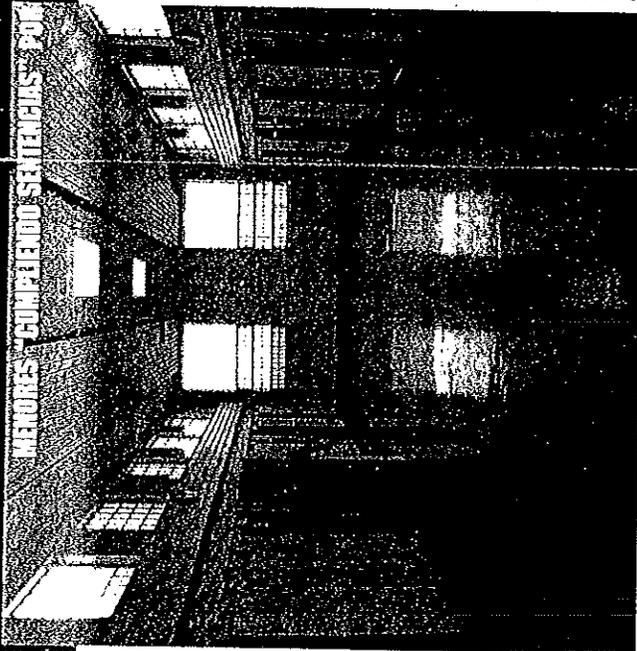
Oregon esta aplicando la ley con mayor severidad en los casos de delitos de menores. Los votantes de Oregon aprobaron la Medida 11 por medio del voto en noviembre de 1994. La nueva ley exige que los adolescentes entre los 15 y los 17 años de edad, a quienes se les acusa de ciertos delitos graves, sean juzgados como personas adultas en cortes penales. Considera esta historia verdadera:

"Travis" cumplió 16 años en febrero de 1996. Después de fumar una gran cantidad de "crack" la noche del 15 de marzo, Travis decidió salir y "causar un pequeño problema".

Travis fue al parque y se encontró con otro adolescente. Sin provocación, Travis golpeo en la cara al otro joven con una pequeña linterna que estaba sujeta a un llavero de cadena. El otro adolescente requirió puntos en la herida causada por el golpe. El presentó cargos contra Travis. Travis ya tenía precedentes en la corte de menores por peleas y agravio penal.

Como Travis tenía 16 años cuando ocurrió el delito, se le acusó de Asalto II, un delito de la Medida 11. Se le juzgó y condenó en una corte penal.

La sentencia de Travis fue de 5 años y 10 meses tras las rejas. Sin oportunidad de libertad condicional. Sin oportunidad de liberación temprana.



DELITOS DE LA MEDIDA 11

En caso de que pienses que sólo los asesinos pasan largos períodos de tiempo en custodia, considera esta otra historia verdadera:

"Andrés", de 15 años de edad y su amigo, "Miguel", de 16 años, estaban en un autobús Tri-Met. Ellos vieron a otro adolescente en el autobús que llevaba puesta una chaqueta de cuero muy bonita. Andrés y Miguel decidieron que la querían.

Cuando el joven se bajó del autobús, Andrés y Miguel lo siguieron. Después de que el autobús se fue, Andrés y Miguel le detuvieron. Andrés le dijo que tenía un cuchillo y exigió que le diera la chaqueta.

El joven les dijo que no quería tener problemas y dio la chaqueta a Andrés y a Miguel. Andrés y Miguel se escaparon con la chaqueta. Tres días después Andrés y Miguel fueron arrestados.

Miguel fue acusado de Robo III en una corte de menores. Se le condenó a OYA durante 1 año y se le ubicó en la Correccional de Menores MacLaren.

Debido a que Andrés fue la persona que dijo que tenía un cuchillo, el fiscal lo acusó de Robo II, un delito de la Medida 11. Andrés fue juzgado y declarado culpable en una corte penal para adultos.

La sentencia de Andrés fue de 5 años y 10 meses tras las rejas. Sin libertad condicional. Sin liberación temprana. Sin libertad provisional.

Непосредственные Услуги

Программы в Местах Изоляции: Программы в местах изоляции ОУА предлагают общественную безопасность, услуги по реформации и повышенную ответственность молодежи правонарушителями, которые представляют повышенную опасность для общества или для самих себя на свободе. Также, программы направлены на работу с правонарушителями из Управления Мест Заключения (Department of Corrections), которые были переведены в ОУА для содержания в учреждениях. ОУА предлагает целый ряд воспитательных программ в многоступенчатой системе исправительных учреждений, включая: колонии для несовершеннолетних правонарушителей, лагерь повышения ответственности и др.

Услуги по Освобождению на Свободу: Офицеры Покуки и Условно-освободившиеся (Probation Officers) работают с правонарушителями, которые находятся в процессе выплаты условно-освободившихся, и обеспечивают соблюдение условий. Действие программы направлено на предотвращение рецидива среди ведущих правонарушителей. Программы в ОУА, а также в учреждениях, финансируются из бюджета штата Орегон. Программы включают интернаты или программы дневного пребывания в Условно-освободившихся. Программы направлены на помощь многочисленным правонарушителям, которые являются источниками помощи, которые являются правонарушителями по мере успешного завершения программы в соответствии с планом своей реформации.

Реформационные Услуги

Все места заключения ОУА предлагают воспитательные программы через многоаспектные лечебные услуги, образовательные программы и мероприятия под наблюдением наставника. ОУА ставит перед собой целью предоставление лечения, которое покрывает потребности и культурно-этническому прошлому правонарушителя. Программы реформации в учреждениях ОУА включают в себя: оказание помощи подопечным, исправление поведения и управление чувствозависимости, работу с представителями группировок, психологические и психиатрические услуги, ответственность за возмещение ущерба, оказание помощи лицам, совершившим акты полового насилия или прошедшим через подопечное, проведение работы с преступниками, совершившими акты жестокости, а также приобретение опыта работы. Лечение является обязательным, а не по желанию.

Вне учреждений, каждое дело подростка ведется в соответствии с приказом Суда для Несовершеннолетних и планом реформации, разработанным под руководством офицера поручительства или условного заключения ОУА. К требованиям поручительства/условного заключения относится обязательное участие в образовательных программах по времени проживания дома или в общественных учреждениях. Социально направленные мероприятия и мероприятия по привлечению участия в судьбе жертвы правонарушения являются обязательными, как в прочем и любые из ниже перечисленных реформационных услуг: наблюдение за поведением правонарушителями, индивидуальная терапия, лечение от наркотической и алкогольной зависимости, а также переходный период для несовершеннолетней молодежи. Отказ от участия в мероприятиях указанных в плане реформации подростка, или иное условное наказание может привести к прекращению действия статуса поручителя или условного заключения и возвращению подопечного в учреждение ОУА.

ВНЕШНЕЕ
УПРАВЛЕНИЕ
ОБРАЗОВАТЕЛЬНЫМИ
ПРОГРАММАМИ
ОРЕГОНА
Youth Authority

«Вносим Свой Вклад
в Дело Воспитания
Молодежи Орегона»

Нашей Миссией является...

защита общества, посредством привлечения к ответственности молодых правонарушителей и предоставления им возможности для исправления.

Для достижения этого, мы:

- Уделяем особое внимание общественной безопасности;
- Обеспечиваем последовательное применение мер наказания в отношении молодых правонарушителей;
- Выражаем солидарность с беспокойствами жертв правонарушений;
- Предлагаем полноценную программу исправления (реформации) для молодежи;
- Пропагандируем и поддерживаем мероприятия по предотвращению подростковой преступности;
- Воодушевляем участие семьи и несение ей ответственности; и
- Отбираем, обучаем, поддерживаем и передаем полномочия компетентным сотрудникам.

Полномочие на Рассмотрение Вопросов Подростковой Преступности

Управление Молодежьей Делами Орегона (Oregon Youth Authority - OYA) было организовано, как независимая организация 1 Января, 1996 года в соответствии с Законом Сената 1, который был принят Законодательным Орегона и подписан Губернатором в 1995 году. OYA предлагает целый ряд разнообразных услуг с целью защиты общественности и уменьшения подростковой преступности, посредством проведения программ и установления деловых отношений с представителями общественности и округов. Разнообразные услуги уделяют особое внимание противозаконному поведению, мерам наказания за совершение правонарушений молодежью, выплатам компенсаций пострадавшим сторонам, а также инновационные и эффективные реабилитационные программы для правонарушителей.

Администрация

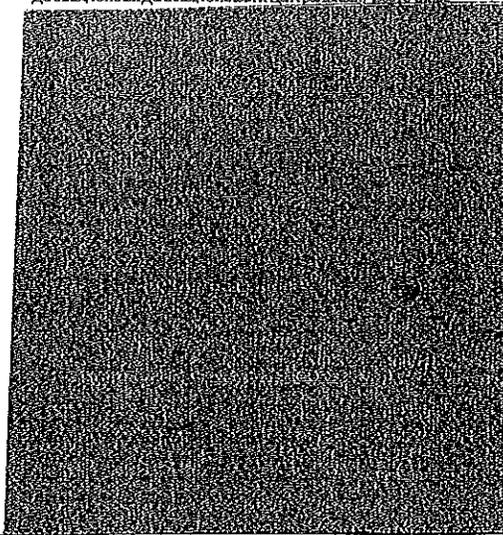
Отдел Директората (Director's Office) осуществляет общее руководство, выработку направления развития и управление организацией с учетом пожеланий главного комитета работников, представляющего все направления программы. Он несет ответственность за осуществление внутренних и внешних связей, а также за установление крепких отношений с общественными партнерами организации. Директорат также выделяет бюджетные для Отдела Услуг Меньшинствам.

Основными задачами **Отдела Услуг Меньшинствам (Office of Minority Services - OMS)** является управление, защита и выработка основополагающих принципов для оказания помощи Управлению Молодежьей Делами Орегона в его желании стать компетентной в культурном плане организацией. Также, к задачам отдела относится проявление внимания к сложным вопросам культурной и этнической разнообразности организации. OMS поддерживает OYA в стремлении пережить ценности и положительные аспекты всех культур, а также в предоставлении культурно приемлемых, специфичных в аспектах пола лечебных услуг, которые побуждают молодых правонарушителей к положительным изменениям.

Отдел Детских Услуг (Business Services) несет ответственность за разработку и поддержание новейшей информационной системы. Помимо этого отдел отвечает за предоставление услуг штатному персоналу, ведение бухгалтерии и закупочные операции. Отдел Детских Услуг также несет ответственность за составление бюджета OYA и заключение контрактов с партнерами для проведения программ и оказания услуг молодежи правонарушителям.

Отдел Программ (Program Office) осуществляет поддержку, руководство и наблюдение за качеством программ для работы с подростками в системе правоохранительных органов. Отдел программ также включает функции справочно-информационного отдела и отдела технической помощи для всей системы работы правоохранительных органов с подростками. Его подразделения включают в себя: Разработку и Оценку Программ, Общественные Ресурсы, Административные Услуги Здравоохранения, Адвокатскую Правовую Помощь, а также Обучение и Развитие.

Услуги OYA предоставляются на базе различных регионов Руководителей Регионов. В их задачи входит управление всеми программами OYA и в каждом из регионов, включая содержание необходимых помещений, оказание услуг условного заключения, услуги по освобождению на поруки и предоставление других услуг в различных регионах штата. Руководители Регионов работают в тесном сотрудничестве с общественными и окружными партнерами. Штат разделен на пять регионов OYA: Северо-западный, Северный, Южный, Юго-восточный и Центральный / Восточный.



**ИНФОРМАЦИЯ РОДИТЕЛЯМ
ОТНОСИТЕЛЬНО ОБЯЗАТЕЛЬСТВ ПО
ВЫПЛАТЕ АЛИМЕНТОВ И НАПРАВЛЕНИЮ
В ОТДЕЛЕНИЕ АЛИМЕНТОВ (DCS).**

- Закон штата Орегон (Постановление ORS 419C.590, 419C.595 и 419C.597) позволяет Управлению по Делах Несовершеннолетних штата Орегон (ОУА) получать любую материальную поддержку, оказываемую вашему ребенку взятному под опеку.
- ОУА имеет соглашение с Отделением Алиментов (DCS) по взысканию этих алиментов.
- Денежный сбор алиментов используется для того, чтобы возместить часть расходов: правительства штата Орегон связанных с размещением вашего ребенка вне дома.
- Родители имеют право, за свой счет, на консультацию с адвокатом.
- DCS не может предоставить юридический совет родителям.
- DCS может предоставить ответ на общие вопросы.
- Вы можете обратиться в ближайший офис DCS по вашему местожительству для получения дополнительной информации о вычетах из заработной платы или принудительному выполнению существующего ордера.

ЭТА БРОШЮРА ИЗДАНА ДЛЯ ТОГО, ЧТОБЫ ПРЕДОСТАВИТЬ ВАМ ОБЩУЮ ИНФОРМАЦИЮ О ПРОГРАММЕ ШТАТА ПО ВЫПЛАТЕ АЛИМЕНТОВ И КАК ЭТО МОЖЕТ ПОВЛИЯТЬ НА ВАС И ВАШЕГО РЕБЕНКА В СЛУЧАЕ ПРИНЯТИЯ РЕБЕНКА ПОД ОПЕКУ УПРАВЛЕНИЯ ПО ДЕЛАМ НЕСОВЕРШЕННОЛЕТНИХ ШТАТА ОРЕГОН (ОУА).

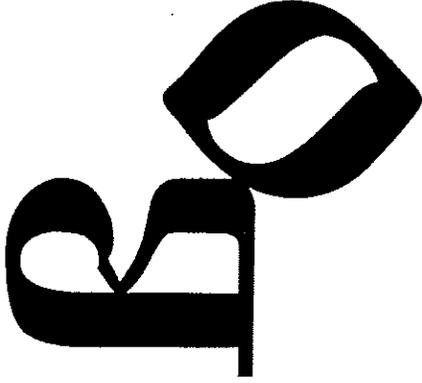
**Отделение Алиментов (DCS)
Местные отделения**

- | | | | | | |
|--|--|---|---|---|---|
| Albany
118 Second Ave. SE, Ste. B
Albany, OR 97321
(541) 967-2028
<i>Benton, Lincoln, Linn</i> | Bend
1001 SW Emkay Dr. Ste. A
Bend, OR 97702
(541) 389-6141
<i>Stark, Deschutes, Gilliam,
Hood River, Jefferson,
Shastah, Wasco, Wheeler</i> | Pendleton
700 SE Emigrant, #100
Pendleton, OR 97801
(541) 276-6932
<i>Baker, Grant, Harney,
Malheur, Morrow, Umatilla,
Union, Wallowa</i> | Portland
1515 SW 5th, Ste. 415
Portland, OR 97201
(503) 229-5825
<i>Cleburne, Clatsop,
Columbia, Multnomah,
Tillamook, Washington</i> | Roseburg
723 SE Main
Roseburg, OR 97470
(541) 440-3357
<i>Cook, Douglas</i> | Salem
1495 Edgewater NW, Ste. 260
Salem, OR 97304
(503) 378-4489
<i>Marion, Polk, Yamhill</i> |
| Medford
39 N. Central
Medford, OR 97501
(541) 776-6043
<i>Curry, Jackson, Josephine,
Klamath, Lake</i> | Eugene
McKenzie Center
2885 Chad Dr.
Eugene, OR 97408
(541) 686-7834
<i>Lane</i> | | | | |

Для получения информации о вычетах из заработной платы или принудительному применению существующего ордера, пожалуйста, позвоните в Отделение Принудительного Применения.

Отделение Алиментов
Division of Child Support
1495 Edgewater NW, Ste. 290
Salem, OR 97304
(503) 373-7300

Резюме - 1980 2512 (Rev. 9/91)



Информация о DCS

Ответы на общие
вопросы относительно
алиментов Для
Несовершеннолетних
Лиц, переданных на
попечение в
Управление по Делах
Несовершеннолетних
штата Орегон(ОУА).

В ПО КАКОЙ ПРИЧИНЕ ОТДЕЛЕНИЕ АЛИМЕНТОВ ПРИНЯЛО НА РАССМОТРЕНИЕ МОЁ ДЕЛО?

По существующему законодательству штата Орегон, Отделение Алиментов (DCS) Департамента Юстиции США, является уполномоченным агентством по вопросам определения родительских прав, выполнении принятых обязательств по выплате алиментов и оплате медицинского страхования и алиментов. По закону штата Орегон, оба родителя обязаны оказывать поддержку своим детям. Управление по Делах Несовершеннолетних штата Орегон (ОУА) обязано направить вашу семью в DCS в случае принятия вашего ребенка под опеку ОУА.

По существующему законодательству штата Орегон, в случае наличия ордера по выплате алиментов (т.е. постановление о выплате алиментов, признание родителем своих прав и т.д.), ОУА будет являться "кредитором" на время нахождения вашего ребенка под опекой или в учреждении ОУА. Это называется "передачей опекуновских прав". Постановление ORS 419C.597 также позволяет правительству штата, взыскивать неоплаченные алименты по существующему ордеру. Если Вы продолжаете получать алименты после того, как ваш ребенок взят под опеку, то вам необходимо обратиться в DCS.

В случае отсутствия ордера по выплате алиментов, DCS вышлет ордер на взыскание алиментов и ОУА будет являться "кредитором".

В ПОЧЕМУ МНЕ НЕОБХОДИМО ВЫПЛАЧИВАТЬ АЛИМЕНТЫ. КОГДА МОЙ РЕБЕНОК НАХОДИТСЯ ПОД ОПЕКОЙ ОУА?

Закон государства и штата обязывает Орегонское правительство взыскивать с вас алименты в случае принятия вашего ребенка под опеку штата. Полученные деньги используются для возмещения части расходов правительства штата по уходу за вашим ребенком.

В КАК БУДЕТ ОПРЕДЕЛЯТЬСЯ СУММА АЛИМЕНТОВ?

Представленная для оплаты сумма алиментов зависит от вашего индивидуального дохода. DCS назначает "директиву по выплате алиментов" для определения суммы непосредственных выплат.

В КАК DCS ВЫПИСЫВАЕТ ОРДЕР НА ВЫПЛАТУ АЛИМЕНТОВ?

Родителям вручается формуляр "уведомление и Решение о Финансовой Ответственности". Уведомление указывает текущую сумму алиментов для выплаты и сумму неоплаченных алиментов с даты принятия вашего ребенка под опеку ОУА. DCS подсчитывает сумму ордера по выплате алиментов, используя информацию о доходе родителей и директив по выплате алиментов (упомянутые в предыдущем абзаце). Как родитель, Вы можете потребовать проведения слушания, обратившись в местный офис DCS, если Вы не согласны с представленным ордером.

В ЧТО ПОДРАЗУМЕВАЕТ ПРОЦЕСС СЛУШАНИЯ?

Слушания по выплате алиментов называются "административными слушаниями" согласно законодательству штата. Они проводятся чиновником слушания по телефону. Чиновник слушания звонит родителям для сбора информации о доходе и расходах. Эта информация используется для определения суммы выплаты алиментов. После этого, чиновник слушания выписывает ордер на выплату алиментов. Этот административный ордер на выплату алиментов имеет такую же юридическую силу как и решение суда. Родители имеют 60 календарных дней для подачи апелляции в окружной суд относительно решения, принятого чиновником слушания.

В КАКИМ ОБРАЗОМ Я ПРОИЗВОЖУ ОПЛАТУ АЛИМЕНТОВ?

Законодательство штата Орегон требует, чтобы все ордера по выплате алиментов были оплачены через автоматическую систему вычетов из заработной платы. Существуют исключения, которые разъяснены в формуляре "Уведомление и Решение о Финансовой Ответственности".

В ЧТО ЕСЛИ МОЕМУ РЕБЕНКУ НЕ ИСПОЛНИЛОСЬ 18 ЛЕТ, НО ОН БЫЛ СОВЕРШЕННОЛЕТНИМ И ПОМЕЩЕН В КОЛОНИЮ ДЛЯ НЕСОВЕРШЕННОЛЕТНИХ?

Даже если ваш ребенок осужден в суде для несовершеннолетних, правительство штата будет взыскивать с вас алименты на протяжении времени нахождения вашего ребенка в учреждении ОУА до наступления его 18-летия.

Direct Services

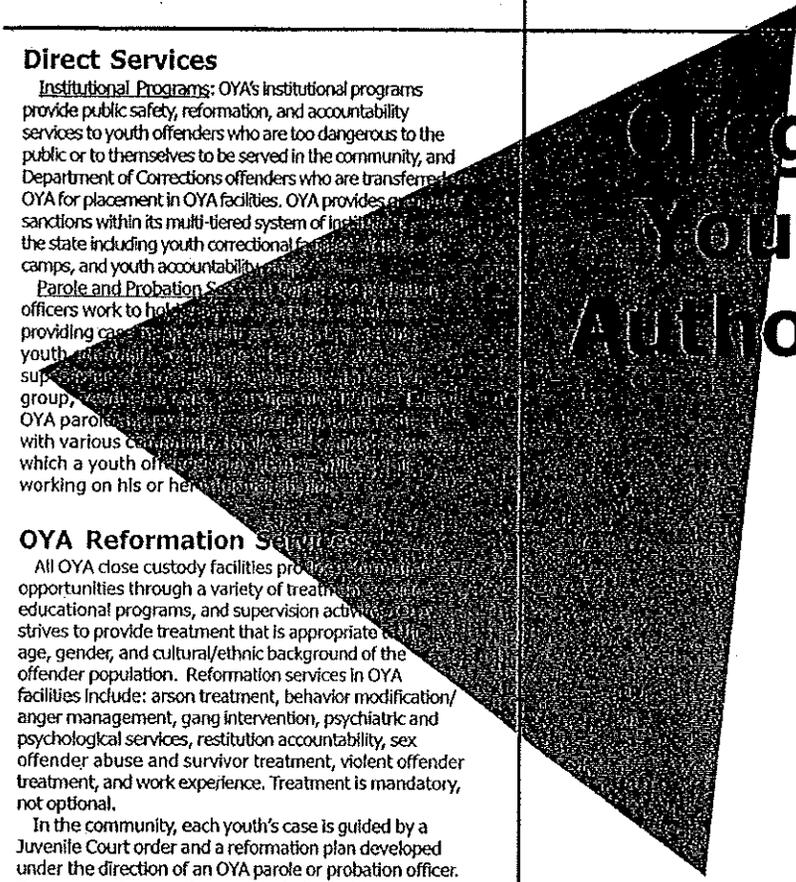
Institutional Programs: OYA's institutional programs provide public safety, reformation, and accountability services to youth offenders who are too dangerous to the public or to themselves to be served in the community, and Department of Corrections offenders who are transferred to OYA for placement in OYA facilities. OYA provides reformation sanctions within its multi-tiered system of institutional facilities across the state including youth correctional facilities, residential camps, and youth accountability centers.

Parole and Probation Services: OYA's parole and probation officers work to help youth offenders reintegrate into the community, providing case management, supervision, and support services. OYA parole and probation officers work with a group, parole, or probation officer in the community. OYA parole and probation officers work with various community-based organizations, which a youth offender may be required to participate in, such as working on his or her community service project.

OYA Reformation Services

All OYA close custody facilities provide reformation opportunities through a variety of treatment, educational, and vocational programs, and supervision activities. OYA strives to provide treatment that is appropriate to the age, gender, and cultural/ethnic background of the offender population. Reformation services in OYA facilities include: arson treatment, behavior modification/anger management, gang intervention, psychiatric and psychological services, restitution accountability, sex offender abuse and survivor treatment, violent offender treatment, and work experience. Treatment is mandatory, not optional.

In the community, each youth's case is guided by a Juvenile Court order and a reformation plan developed under the direction of an OYA parole or probation officer. Parole/probation requirements include participation in education programs while living in home or community-based placements. Pro-social and victim restoration activities are required as well as any of the following reformation services: aftercare for sex offenders, individual counseling, drug and alcohol treatment, and minority youth transition. Failure to participate in programs outlined in a youth's reformation plan or new criminal behaviors can result in revocation of parole/probation and a return or commitment to an OYA facility.



Oregon Youth Authority

*“Investing
in Oregon’s
Youth”*

Our Mission is to...

protect the public by holding youth offenders accountable and providing opportunities for reformation.

To achieve this, we:

- emphasize public safety;
- provide certain, consistent sanctions for youth offenders;
- support the concerns of crime victims;
- provide comprehensive youth reformation programs;
- promote and support juvenile crime prevention activities;
- encourage family involvement and responsibility; and
- select, train, support and empower a competent and diverse workforce.

A Mandate to Address Juvenile Crime

The Oregon Youth Authority was established as an independent department on January 1, 1996, by Senate Bill 1, which was passed by the Oregon Legislature and signed by the Governor in 1995. OYA provides a continuum of services to protect the public and reduce juvenile crime through programs and partnerships with communities and counties. The continuum of services emphasizes intervention of delinquent behavior; certain sanctions for crimes committed by youth; restitution to victims; and effective and innovative rehabilitation programs for offenders.

Administration

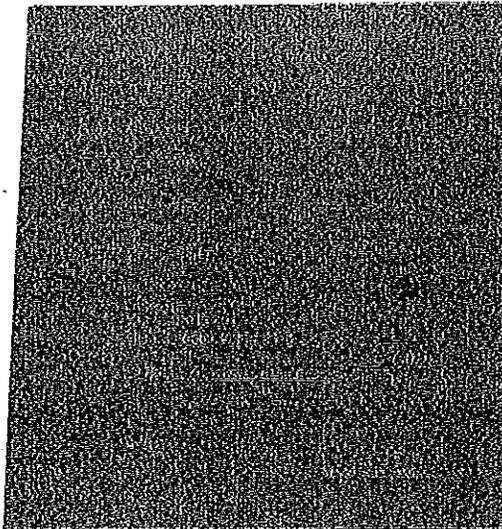
Director's Office provides overall leadership, direction, and management of the agency with input from an executive staff committee representing all program areas. It is responsible for internal and external communications and developing strong relationships with community partners. The Director's Office also houses the Office of Minority Services.

Office of Minority Services' mission is to provide leadership, advocacy, and guiding principles to assist the Oregon Youth Authority in its ongoing efforts to become a culturally competent organization and address the complex issues of a culturally and ethnically diverse agency. OMS supports OYA in embracing the values and strengths of all cultures and the implementation of culturally relevant/gender specific treatment services that empower youth offenders to make positive changes.

Business Services is responsible for the development and maintenance of a state-of-the-art information system, as well as employee, accounting, and purchasing services. Business Services is also responsible for the OYA budget and developing contracts with partners to administer juvenile corrections programs and services.

Program Office provides facilitation, guidance, and quality assurance for juvenile justice programming. The Program Office also serves as a resource for information and technical assistance to the Oregon juvenile justice community. Its subunits include: Program Development and Evaluation; Community Resources; Health Services Administration; Rule and Policy Administration and Training and Development.

OYA services are administered on a regional basis by **Area Coordinators** who oversee all OYA programs in the regions including facilities, probation, parole, and other field services in their area of the state. Area Coordinators work closely with counties and community partners. The state is divided into five OYA service regions: Northwestern, North Valley, South Valley, Southern, and Central/Eastern.

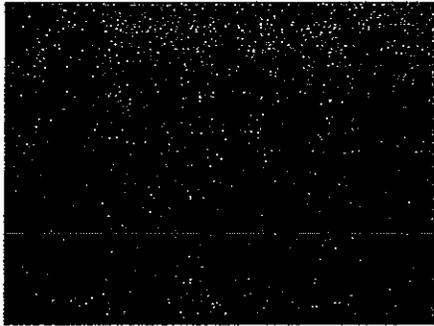


**Measure 11 offenses
and minimum sentences**

Murder	25 years
Attempt or conspiracy to commit aggravated murder	10 years
Attempt or conspiracy to commit murder	7 years, 6 months
Manslaughter I	10 years
Manslaughter II	6 years, 3 months
Assault I	7 years, 6 months
Assault II	5 years, 10 months
Kidnapping I	7 years, 6 months
Kidnapping II	5 years, 10 months
Rape I	8 years, 4 months
Rape II	6 years, 3 months
Sodomy I	8 years, 4 months
Sodomy II	6 years, 3 months
Unlawful Sexual Penetration I	8 years, 4 months
Unlawful Sexual Penetration II	6 years, 3 months
Sexual Abuse I	6 years, 3 months
Robbery I	7 years, 6 months
Robbery II	5 years, 10 months
Arson I	7 years, 6 months
Using child in display of sexually explicit conduct	5 years, 10 months
Compelling prostitution	5 years, 10 months

**A,
ASURE 11,
WAIVED
FENDERS**

**JUDICIAL PROCESSES:
AND DIFFERENCES**



Oregon Youth Authority



Young offenders sentenced by the adult court may be placed in OYA close custody facilities by two judicial processes: adult court on waived offenses and adult court on Ballot Measure 11 offenses.

YOUTH SENTENCED IN ADULT COURT & OYA

In Oregon, the majority of young people who commit crimes are adjudicated in juvenile court, where a juvenile court judge determines appropriate sanctions or "dispositions." However, youth under the age of 18 may also be convicted and sentenced in adult court pursuant to specific regulations regarding age and type of offense committed.

These young offenders sentenced by adult court may be placed in OYA close custody facilities by two judicial processes: adult court on "waived" offenses and adult court on "Ballot Measure 11" offenses.

"Waived" offenders are youth, at least 15 years of age, who are determined through a hearing before a juvenile court judge to be appropriately handled by the adult court due to their crimes and specific criteria. In some circumstances, youth under 15 years of age may also be waived to adult court for a number of serious offenses.

"Waivable" crimes are murder, certain Class A, Class B and Class C felonies, as well as any Class C felony involving the use or threatened use of a firearm. The Juvenile Court reviews criteria including history, maturity, sophistication and amenability to treatment. Cases waived by the juvenile court are prosecuted and sentenced in the adult criminal court, according to guidelines.

"Ballot Measure 11" offenders are persons convicted in adult court and given determinate sentences. Ballot Measure 11, passed by Oregon voters in 1994, requires mandatory minimum sentences for specific serious and violent crimes. Young persons under 18 years of age and charged with Ballot Measure 11 offenses committed on or after April 1, 1995, are automatically

prosecuted in adult court. Those sentenced for Measure 11 offenses are not eligible for post-prison supervision, early release or reductions in sentences. (See *Measure 11 crimes on back*.)

In both Ballot Measure 11 and Waived cases, young offenders are convicted and sentenced by the adult court to the legal custody of the Department of Corrections, but are transferred to the physical custody of the Oregon Youth Authority for placement in OYA youth correctional facilities.

These offenders may remain in OYA facilities until a maximum age of 25 years. OYA retains the option to return a youth at any time to the physical custody of DOC if it is determined that the conditions or circumstances that warranted the initial transfer to OYA are no longer present.

OYA SERVICES AND TREATMENT

Young offenders transferred from the Department of Corrections to OYA are offered the same services afforded to anyone placed in OYA's facilities. All OYA close custody facilities provide reformation opportunities through a variety of treatment services, educational programs, vocational programs and work assignments.

Treatment is mandatory, not optional. OYA strives to provide treatment that is appropriate to the age, gender and cultural ethnic background of the offender. Reformation services include:

- Violent offender treatment
- Sex offender treatment
- Psychiatric and psychological services
- Gang Intervention treatment
- Cognitive restructuring
- Behavioral modification/anger management
- Victims restoration

LIFE IN AN OYA YOUTH CORRECTIONAL FACILITY...

- ◆ If approved, visits by your family once a week.
 - ◆ No visits by friends.
 - ◆ 5-10 minute telephone calls, usually one time per week. Calls must be approved and staff dial numbers.
 - ◆ No telephone calls to friends.
 - ◆ Limited privacy.
 - ◆ Someone always watching you.
 - ◆ In most cases, sleeping in same room with 24 other youth offenders.
 - ◆ Getting up every morning at 6:00 a.m.
 - ◆ Lights out at 9:00 for most people.
 - ◆ Little television. Someone chooses what you watch.
 - ◆ Movements in lines to and from school. Talking is not permitted in lines.
 - ◆ Lots of chores.
- As you can see, life is very strict. And, you cannot leave.

MEASURE 11: ONE STRIKE, YOU'RE OUT!

In the past, Oregon teenagers were almost always tried in county juvenile courts. With the passage of Measure 11, that has all changed.

If you are at least 15 years old and are charged with one of the following crimes, you will automatically be tried as an adult in criminal court. And, if convicted, you face the following time behind bars, as a minimum. No questions asked.

One strike, you're out!

Murder	25 years
Attempt or conspiracy to commit aggravated murder	10 years
Attempt or conspiracy to commit murder	7 years, 6 months
Manslaughter I	10 years
Manslaughter II	6 years, 3 months
Assault I	7 years, 6 months
Assault II	5 years, 10 months
Kidnapping I	7 years, 6 months
Kidnapping II	5 years, 10 months
Rape I	8 years, 4 months
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Sexual Abuse I	6 years, 3 months
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Arson I	7 years, 6 months
Using a child in a display of sexually explicit conduct	5 years, 10 months
Compelling Prostitution	5 years, 10 months

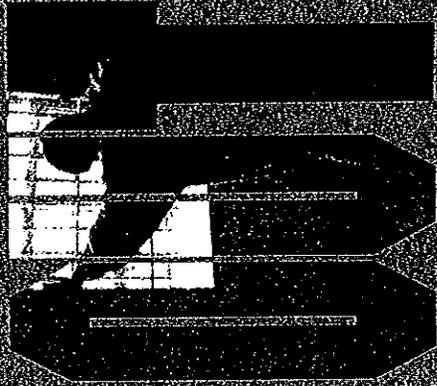


Protecting a Oregon's Youth

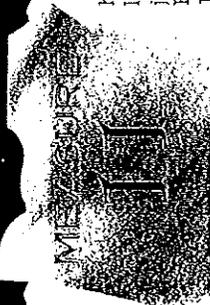
Oregon Youth Authority
530 Center St., N.E., Suite 200 • Salem, OR 97301-3740 • (503) 373-2705
YA 9503 (rev 12/97)

MEASURE 11:

ONE STRIKE YOU'RE OUT!



OREGON IS TOUGH ON JUVENILE CRIME



Oregon has gotten a lot tougher on juvenile crime. Ballot Measure 11 was passed by Oregon voters in November, 1994. The new law requires teenagers 15 to 17 years old who are charged with certain serious crimes to be tried as adults in criminal court.

Consider this true story:

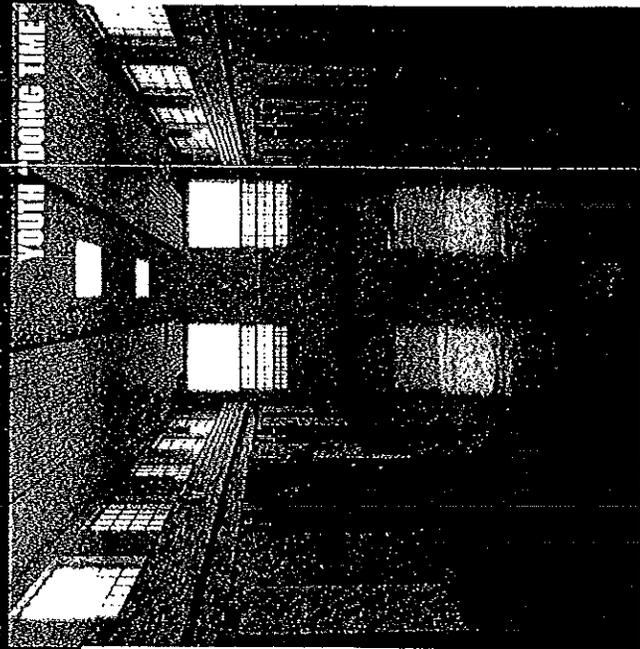
"Travis" turned 16 years old in February, 1996. After getting high on crack on the night of March 15th, Travis decided to go out and "cause a little trouble".

Travis went to the park and happened on another teenager. Travis, without provocation, hit the other youth in the face with a small flashlight attached to a key chain. The other teenager required stitches. He pressed charges against Travis. Travis already had previous referrals to the juvenile court for criminal mischief and fighting.

Because Travis was 16 years old at the time of the crime, he was charged with Assault II, a Measure 11 offense. He was tried and convicted in criminal court.

Travis's sentence: 5 years, 10 months behind bars. No chance of probation. No chance of early release.

YOUTH DOING TIME



In case you think only murderers spend long periods of time in custody, consider this other true story:

15 year-old "Andrew" and his 16 year-old friend, "Mike", were riding a Tri-Met bus. They spotted another teenager on the bus wearing a great-looking leather jacket. Andrew and Mike decided they wanted it.

When the youth got off the bus, Andrew and Mike followed him. After the bus drove away, Andrew and Mike stopped him. Andrew told him he had a knife, and demanded the jacket. The youth said he did not want trouble, and he gave Andrew and Mike the jacket. Andrew and Mike ran off with it.

Andrew and Mike were arrested 3 days later. Mike was heard on a Robbery III charge in juvenile court. He was committed to the OYA for 1 year and placed in the MaClaren Youth Correctional Facility.

Because Andrew was the person who said he had a knife, he was charged by the prosecutor with Robbery II, a Measure 11 crime. Andrew was tried and found guilty in adult criminal court.

Andrew's sentence: 5 years and 10 months behind bars. No probation. No early release. No parole.

Being convicted of a Measure 11 crime requires a mandatory minimum sentence. That means:

- ◆ No probation
- ◆ No early release for good behavior
- ◆ No parole