



NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 416

OREGON YOUTH AUTHORITY

FILED: 09/08/2026 9:44 AM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: These rules establish standards for the Oregon Youth Authority (OYA) to make financial grants.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/30/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT:

Winifred Skinner

971-304-4793

winifred.skinner@oya.oregon.gov

530 Center Street NE; Ste. 500

Salem, OR 97301

Filed By:

Winifred Skinner

Rules Coordinator

NEED FOR THE RULE(S):

These rules establish standards for the Oregon Youth Authority (OYA) to make financial grants. The financial grants will be awarded as necessary to meet the treatment and care needs of youth in custody.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

OYA recognizes that youth data shows youth of color are disproportionately represented in the juvenile justice system. OYA does not anticipate that these rules will have a negative effect on racial equity in Oregon as youth in OYA custody will benefit from services received through grant recipients.

FISCAL AND ECONOMIC IMPACT:

There may be a cost of administrative burden for applicants who don't already have systems or processes in place to apply for grants.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

Oregon Youth Authority (OYA), OYA foster care providers, and OYA service providers may be affected by the rules. There is no fiscal impact to OYA.

Approximately 10 small businesses (residential and youth service providers) may be subject to the rules should they choose to apply for an OYA grant. There may be a cost of administrative burden for applicants who don't already have systems or processes in place to apply for grants.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Residential and youth service providers were represented in the Rule Advisory Committee.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

416-080-0005, 416-080-0010, 416-080-0015, 416-080-0020, 416-080-0025

ADOPT: 416-080-0005

RULE SUMMARY: These rules establish standards for the Oregon Youth Authority (OYA) to make financial Grants. The financial Grants will be awarded as necessary to meet the treatment and care needs of Youth in Custody as described in these rules.

CHANGES TO RULE:

416-080-0005

Purpose

These rules establish standards for the Oregon Youth Authority (OYA) to make financial Grants. The financial Grants will be awarded as necessary to meet the treatment and care needs of Youth in Custody as described in these rules.

Statutory/Other Authority: ORS 420A.025

Statutes/Other Implemented: 420A.010

ADOPT: 416-080-0010

RULE SUMMARY: Definitions are added to the rule division for clarity.

CHANGES TO RULE:

416-080-0010

Definitions

(1) Culturally-responsive Program: A program that embraces the customary beliefs, social norms and traits of a race, ethnic group, or social group. ¶

(2) Grant: A contract under which OYA provides funding to a recipient for the purpose of supporting or stimulating a program or activity of the recipient, and in which no substantial involvement by OYA is anticipated in the program or activity, other than involvement associated with monitoring compliance with the Grant conditions. ¶

(3) Project: The activities or tasks to be undertaken by a Grant recipient as detailed in the Grant. ¶

(4) Trauma-informed Program: A program that adheres to a trauma-informed approach which means an approach that recognizes and responds to the impact of traumatic stress on Youth in Custody and any other significant persons involved with Youth in Custody. ¶

(5) Youth in Custody: Either a person in the legal and physical custody of OYA in a youth correction facility or placed in the community under supervision or a person in the legal custody of the Department of Corrections and the physical custody of OYA in a youth correction facility.

Statutory/Other Authority: ORS 420A.025

Statutes/Other Implemented: ORS 420A.010

ADOPT: 416-080-0015

RULE SUMMARY: The rule limits the scope of the financial grants as described.

CHANGES TO RULE:

416-080-0015

Scope and Limit of Financial Grants

Entities or persons that provide or seek to provide treatment and care to Youth in Custody may apply for Grants from OYA. Grant funds may be used only for the following purposes:¶

(1) Start-up costs to include furniture, personal care items, appliances and other similar costs that OYA determines are reasonable and necessary to provide treatment and care needs for Youth in Custody;¶

(2) Program or service expansion costs to include increasing storage or sleeping areas, facility enhancements, and other similar actions to provide a new or expanded service delivery program for Youth in Custody;¶

(3) Culturally-responsive or Trauma-informed Programs for Youth in Custody; or¶

(4) Emergency health and safety needs to include responding to infectious disease outbreaks, environmental remediation, crisis repairs, and other similar needs of Youth in Custody.

Statutory/Other Authority: ORS 420A.025

Statutes/Other Implemented: ORS 420A.010

RULE SUMMARY: Described is how grantees will apply for grants and how OYA will review applications.

CHANGES TO RULE:

416-080-0020

Grantee Application, Requirements, and Review

(1) Except as provided in OAR 416-080-0025, when OYA has financial Grant funding available, OYA will issue a request for Grant proposal ("RFGP"). The RFGP will set out the process for applicants to submit an application for a Grant award and the process OYA will use to evaluate applications and make award decisions.

(2) In order to receive a Grant, an applicant must timely submit an application that:

(a) Is in the form required by OYA;

(b) Contains or is accompanied by such information and documentation as OYA may require;

(c) Contains an estimate of all Project costs including materials, labor, contingency budget, and direct costs and expenses;

(d) Contains a Project timeline;

(e) Contains reasonable bids and includes a timeline for obtaining all necessary approvals and permits for the proposed Project; and

(f) Satisfies any additional requirements OYA may impose in the RFGP.

(3) OYA will not review applications that do not contain all the required elements.

(4) Satisfaction of the above requirements in section (2) of this rule does not guarantee that an applicant will receive a Grant award.

(5) Timely submitted and complete applications will be evaluated by a Grant review committee consisting of OYA employees appointed by the OYA director.

(6) The committee will evaluate applications using an award rubric that results in a numeric rating for each the following categories and any additional categories set out in the RFGP:

(a) The extent to which the proposed Project will meet identified treatment and care needs of Youth in Custody;

(b) Whether the proposed Project is likely to achieve its desired outcomes;

(c) Whether the applicant's program aligns with OYA's mission; and

(d) The extent to which the applicant has a recent prior positive contracting relationship with OYA, which includes proper use of state funds, timely performance, professionalism, and positive outcomes for Youth in Custody.

(7) Applications that are selected for an award must receive a notice of intent to award, and unsuccessful applicants must receive a letter of explanation from OYA.

(8) As applicable, the notice of intent to award must contain an offer of an amount for a Grant. OYA may make an offer that is less than what was requested by the applicant.

(9) In order to receive a direct Grant award, the Grant recipient must enter into a written Grant agreement with OYA. The written Grant agreement may set out financial reporting requirements and other conditions of the direct Grant award.

Statutory/Other Authority: ORS 420A.025

Statutes/Other Implemented: ORS 420A.010

ADOPT: 416-080-0025

RULE SUMMARY: Allows the OYA director, or their designee, to waive the non-statutory requirements of this Division of Administrative Rules and make direct grant awards under limited circumstances.

CHANGES TO RULE:

416-080-0025

Waivers of Grant Application Requirements

The OYA director, or their designee, may waive the non-statutory requirements of this Division of Administrative Rules and make direct Grant awards if they make the following findings in writing:[¶]

(1) The Grant recipient is either professionally qualified or will contract with professionally qualified contractors to perform the proposed Grant activities;[¶]

(2) There is a substantial need for the treatment and care of Youth in Custody such that following the procedures this Division of Administrative rules will lead to harm or negative outcomes for the Youth in Custody; and[¶]

(3) The waiver will not result in a duplication of benefits.

Statutory/Other Authority: ORS 420A.025

Statutes/Other Implemented: ORS 420A.010