



OREGON YOUTH AUTHORITY

Policy Statement

Part 0 – Mission, Values, Principles



Subject:

Professional Standards

Section – Policy Number:

0-2.1

Supersedes:

0-2.1 (12/08)

0-2.1 (12/06)

I-D-2.0 (05/00)

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09/30/2016


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Review:

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Related Standards and References:

- [ORS Chapter 244](#) (Government Ethics)
- [OAR Chapter 416](#), Division 800 (Criminal Records Checks)
- Oregon Government Ethics Commission: [A Guide for Public Officials](#)
- Department of Administrative Services; Chief Human Resources Office (DAS-CHRO) statewide policies:
 - 50-010-01 ([Discrimination and Harassment-Free Workplace](#))
 - 50-010-03 ([Maintaining a Professional Workplace](#))
- American Probation and Parole Association (APPA) Code of Ethics
- [OYA policies](#): 0-2.0 (Principles of Conduct)
 - 0-2.2 (Relationships with Youth and Their Families)
 - 0-2.3 (Mandatory Reporting of Abuse)
 - 0-2.4 (Conflict of Interest)
 - 0-3.0 (Harassment-free Workplace)
 - 0-3.1 (Equal Employment Opportunity and Affirmative Action)
 - 0-4.0 (Drug-free Workplace; Alcohol and Marijuana Restrictions)
 - 0-5.0 (Violence-free Workplace)
 - 0-6.0 (Weapons in the Workplace)
 - 0-7.0 (Use of Electronic Information Assets and Systems)
 - I-A-1.0 (Lobbying)
 - I-A-10.0 (Preventing, Detecting, and Responding to Youth Sexual Abuse and Sexual Harassment)
 - I-C-1.0 (Property Control Systems)
 - I-C-2.0 (Use of State-owned Vehicles)
 - I-C-8.0 (Smoke-free and Tobacco-free Agency)
 - I-C-9.0 (Mobile Communication Devices (Cell Phones) and Other Mobile Data Storage Devices)
 - I-D-2.1 (Use of Language Services)
 - I-D-3.11 (Political Activity)
 - I-D-3.13 (Staff Dress Standards)
 - I-E-2.1 (Public Records Requests for Agency Records)
 - I-E-2.2 (Youth Facility Case File and Medical File Protection and Transfer)
 - I-E-2.3 (Requests for Youth Information and Records)
 - I-E-3.0 (OYA Media Relations)
 - II-B-1.1 (Use of Physical Intervention in Facilities)
 - II-E-2.4 (English Plus - Facility)
 - II-F-1.0 (Youth Rights – Facility)
 - III-A-2.2 (English Plus – Community)
 - III-B-4.0 (Youth Rights and Grievances in the Community)

Related Procedures:	None
Policy Owner: Deputy Director	Approved:  Fariborz Pakseresht, Director

I. PURPOSE:

This policy establishes professional standards for OYA staff. As Oregon public officials, OYA staff must adhere to ethics and boundaries described in Oregon laws and by the agency.

II. POLICY DEFINITIONS:

Business: Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

Gifts: Something of value given to a public official, a relative of a public official, or a member of the household, and the recipient either makes no payment or makes payment at a discounted price. The opportunity for the gift is one that is not available to members of the general public, who are not public officials, under the same terms and conditions as those that apply to the gift offered to the public official, the relative, or a member of the household.

Legislative or administrative interest: An economic interest, distinct from that of the general public, in one or more bills, resolutions, regulations, proposals or other matters subject to the action or vote of a person acting in the capacity of a public official.

Member of the household: Any person who resides with the public official.

Public official: Any person who serves the State of Oregon or any of its political subdivisions or any other public body of the state as an officer, employee, agent or otherwise, irrespective of whether the person is compensated for such services; including both permanent and temporary employees.

Records and information: Any writing, including handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof, and all papers, maps, files, facsimiles, electronic recordings containing any information relating to the conduct of OYA's duties as a public agency (e.g., JJIS notes, e-mails, handwritten notes, videotapes, compact disks, DVDs), and interstate compact records held by OYA.

Relative: Includes (from [ORS chapter 244](#)):

- (a) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official;
- (b) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official;
- (c) Any individual for whom the public official has a legal support obligation; or
- (d) Any individual for whom the public official provides benefits arising from the public official's public employment or from whom the public official receives benefits arising from that individual's employment.

III. POLICY:

As part of Oregon's juvenile justice continuum, OYA strives to ensure communities are safe, youth are held accountable to their victims and communities, and that youth develop into responsible, connected members of their communities.

OYA is a state agency. State agency employees (OYA staff) are "public officials," according to Oregon laws. Public officials serve the public and are expected to use laws and professional standards (not personal gain) to guide their decision making and behavior. These laws and standards include:

- Following the state code of ethics (ORS chapter 244);
- Meeting and helping to advance OYA's mission, vision, and core values; and
- Adhering to the professional standards that govern the scope of services provided by OYA.

In order to achieve its mission, OYA employs, trains, supports, and empowers a competent, professional, and diverse workforce. Developing an effective workforce to achieve these goals in a manner that merits public confidence and respect requires all staff to appreciate the relationship between their actions, both on the job and in their personal lives, and public opinion.

IV. GENERAL STANDARDS:

A. State employees code of ethics

1. Staff, as public officials, must not -
 - a) Solicit or accept from any person, business, or organization any gift if it may be reasonably inferred that it is given for the purpose of influencing official actions or affecting, or substantially affecting, directly or indirectly, the performance or non-performance of an official duty. Additional guidelines on gifts are described in this policy;
 - b) Use or attempt to use their positions to gain a financial benefit (other than their compensation plans), avoid a financial cost, or obtain a privilege for themselves, a relative, a member of their household, or their businesses if the

opportunity is available only because of the position held by the staff;

Examples include receiving discounts on non-official business travel arrangements, or using travel awards obtained while conducting state business for personal travel.

- c) Avoid consequences of illegal acts;
 - d) Solicit or receive a promise of future employment in return for the public official's influence; or
 - e) Use confidential information obtained in the course of official duties for personal gain.
2. OYA staff, as public officials, and their relatives or members of household may accept the following types of gifts (see OYA policy 0-2.2 Relationships with Youth and Their Families regarding giving or receiving gifts from youth, former youth, or youth families):
- a) Gifts from a source that does not have a legislative or administrative interest in the staff member as a public official;
 - b) Gifts from their own relatives or members of household (regardless of the relative's or member of household's administrative or legislative interest); or
 - c) Gifts totaling less than \$50 in value during a calendar year from one source (person or organization) if the source could have a legislative or administrative interest in the staff member as a public official. This includes food and beverages consumed in the presence of the giver.
3. The following are not considered "gifts" by government ethics law and may be accepted by OYA staff:
- a) Unsolicited tokens or awards of appreciation **if** the re-sale value is less than \$25;
 - b) Informational material, publications or subscriptions related to the recipient's performance of official duties;
 - c) Admission to a scheduled program, or the cost of food or beverage consumed by staff, their relative or member of the household, **if** staff are speaking or answering questions as part of the scheduled program (e.g., reception, meal, or meeting);
 - d) Waiver or discounted fees for continuing education **if** it involves continuing education required to satisfy a professional licensing requirement; or

- e) Travel expenses paid by another public official **if** the event relates to the official capacity of the staff.

See related policies:

- 0-2.0 (Principles of Conduct)
- 0-2.2 (Relationships with Youth and Their Families)
- 0-2.4 (Conflict of Interest)
- I-A-1.0 (Lobbying)
- I-D-3.11 (Political Activity)

B. Agency standards

Staff are expected to apply the agency's mission, core values, and principles of conduct as a framework for decision-making and personal behavior in the daily conduct of business.

Staff must refer to OYA policy 0-2.0 (Principles of Conduct) for specific guidance regarding the agency's mission, core values, culture, and principles of conduct.

1. Within the framework of its agency mission, core values, culture, principles of conduct, and policies, OYA supports the development of a culturally-competent work environment that -
 - a) Educates its staff and stakeholders to understand the importance and expectation to be culturally competent and culturally responsive;
 - b) Reflects the diversity of OYA's staff and youth populations; and
 - c) Provides a workplace that is welcoming, comfortable, free of discrimination, and safe for all people.

See related policies:

- 0-2.0 (Principles of Conduct)
- I-D-2.1 (Language Services)
- II-E-2.4 (English Plus [Facility])
- III-A-2.2 (English Plus [Field])
- II-F-1.0 (Youth Rights [Facility])
- III-B-4.0 (Youth Rights and Grievances in the Community)

2. Staff must report for duty at the time and place required by assignment or directive.
 - a) When reporting for duty, staff must be capable of performing all of the essential functions required of their work assignments.
 - b) Staff must be fully alert and attentive while on duty.

3. Failure to comply with any provision of OYA rules, policies, or procedures may result in disciplinary action, up to and including dismissal from state service.

In addition, staff must follow all federal, state, and local laws while performing their work activities and duties.

See related policy: 0-2.0 Principles of Conduct

4. As public officials, criminal acts by staff have a debilitating impact on the agency and its ability to accomplish its mission. Certain actions that demonstrate jeopardy to the safety of children, youth, vulnerable people, or demonstrate lack of moral fitness, are fundamentally inconsistent with being an OYA staff member.
 - a) A staff member who is charged with, arrested for, or convicted of a law violation because of on-duty or off-duty actions must inform his/her supervisor of such in writing by the next working day.
 - b) Should a staff member be charged with, arrested for, or convicted of a law violation during work hours, the staff member must immediately inform his/her supervisor of such in writing.

See related policies:

0-2.0 (Principles of Conduct)

I-A-10.0 (Prevention, Detection, and Response to Youth Sexual Abuse and Sexual Harassment)

I-C-2.0 (Use of State-Owned Vehicles)

I-E-1.0 (Director's Incident Notification and Report)

5. Staff must be truthful in rendering any report, in giving testimony, or in giving any official statement about any action taken relating to the staff's employment, responsibilities, position, or duties.

See related policy: 0-2.0 (Principles of Conduct)

6. Within the scope of employment, each staff member is obligated to promptly report to the proper authority -
 - a) Any unlawful acts;
 - b) Acts that pose an immediate threat to the safety, security and welfare of staff, youth or the public; and
 - c) Violations of rules, regulations, policies, and procedures involving the agency.
7. As public officials, staff must release or disclose agency records and information as required by law and according to OYA policy.

Staff must maintain the integrity of agency information by releasing records and information only to those granted access.

- a) Records and information must remain intact, and staff may only remove, destroy, or make copies of records in accordance with established policies, procedures, or upon proper authorization.
- b) Staff may only access or share OYA records and information when it is required for work assignments.
- c) Staff must protect and handle OYA information according to its level of sensitivity as described in OYA policy I-E-3.2 Information Asset Classification and Protection.

See related policies:

I-E-1.2 (Response to Subpoenas)

I-E-1.4 (Public Record Management)

I-E-2.0 (Records Retention, Destruction and Archiving)

I-E-2.1 (Public Records Requests for Agency Records)

I-E-2.3 (Requests for Youth Records, Reports, and Other Materials)

I-E-2.2 (Youth Facility Case File and Medical File Transfer)

I-E-3.0 (OYA Media Relations)

8. OYA maintains a tobacco-, drug-, and alcohol-free workplace. Staff must not use these substances within OYA facilities, in state buildings, on state property, or where such use has been designated as prohibited.

See related policies:

0-4.0 (Drug-free Workplace; Alcohol and Marijuana Restriction)

I-C-8.0 (Smoke-free and Tobacco-free Agency)

9. Staff must, in the performance of their duties, be respectful, courteous, and considerate toward others.
 - a) Staff must maintain an environment that is free from discrimination, harassment, threats, and intimidation toward others in the workplace.

See related policies:

0-2.0 (Principles of Conduct)

0-3.0 (Harassment-free Workplace)

0-3.1 (Equal Employment Opportunity and Affirmative Action)

0-5.0 (Violence-free Workplace)

I-A-10.0 (Preventing, Detecting, and Responding to Youth Sexual Abuse and Sexual Harassment)

- b) Staff may not use terminology that disrespects the dignity or violates the human rights of others.

See related policies:
0-2.0 (Principles of Conduct)
I-D-2.1 (Use of Language Services)

10. Staff must recognize the role they play within a treatment environment serving youth, and develop and conform to professional standards during interactions with all agency stakeholders - including youth, youth families, and members of the community.

See related policies:
0-2.0 (Principles of Conduct)
0-2.2 (Relationships with Youth and Their Families)
0-2.4 (Conflict of Interest)
I-A-10.0 (Prevention, Detection, and Response to Youth Sexual Abuse and Sexual Harassment)
I-D-3.13 (Dress Standards [Staff])

11. Staff political activity during working hours must be restricted to comply with state and agency rules and policy.

See related policy: I-D-3.11 (Political Activity)

12. Staff may not engage in any activities or personal business that would cause them to neglect their duties or cause a conflict of interest on the job.

See related policies:
0-2.4 (Conflict of Interest)
I-C-3.2 (Sales and Solicitations)
0-4.0 (Drug-free Workplace; Alcohol and Marijuana Restriction)

13. Staff may not use, remove, borrow, lend, or give away OYA property for other than official business, unless authorized by the director or designee. Such property includes state-issued clothing, identification cards, office supplies, equipment, vehicles, and food.

See related policies:
0-7.0 (Use of Electronic Information Assets and Systems)
I-C-1.0 (Property Control Systems)
I-C-2.0 (Use of State-owned Vehicles)
I-C-9.0 (Use of Mobile Communication Devices (Cell Phones) and Other Mobile Data Storage Devices)

14. All newly-hired staff are informed of this policy during New Employee Orientation.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO