



OREGON YOUTH AUTHORITY

Policy Statement

Part III – Youth Services (Community)



Subject:

Recreational Activities in Substitute Care Placements

Section – Policy Number:

A: General Administration – 3.1

Supersedes:

**III-A.3.1 (05/12)
III-A-3.1 (07/11)
III-E-2.1 (11/04)**

Effective Date:

05/29/2019

Date of Last Revision:

07/06/2023

Related Standards and References:

- [OAR Chapter 416](#), Division 500 (Recreational Activities for Offenders in Substitute Care Placements)
- [OYA policy](#): I-A-8.0 (Exercise and Delegation of Legal Custodian and Guardianship Authority)
- [OYA form](#): YA 3080 (Recreational Activity Risk Assessment) YA 3081 (Consent for OYA Youth to Participate in Recreational Activity)

Related Procedures:

- None

Policy Owner:

Community Services Assistant
Director

Approved:



 Joseph O'Leary, Director

I. PURPOSE:

This policy provides standards for OYA Community Services staff when reviewing youth recreational activities in the community.

II. POLICY DEFINITIONS:

Recreation: Any play or leisure activity in which youth participate, either structured or unstructured. Recreation activities are intended to refresh, offer sport or pastime. Recreation is all those things that a person or group chooses to do in order to make leisure time more interesting, more enjoyable, and more personally satisfying.

Substitute care placements: Any of the out-of-home care and treatment programs authorized by OYA to serve youth in OYA custody, including contracted residential treatment programs and certified foster homes. Substitute care placements exclude OYA's close-custody facilities.

Substitute care providers: Persons authorized by OYA through contract or other written agreement to provide supervision and care for youth on parole or probation status in the community. Such persons include, but are not limited to, contracted residential providers and certified foster parents (including respite providers).

III. POLICY:

OYA recognizes recreational activities provide youth positive reinforcement and healthy prosocial alternatives to boredom and illegal behavior.

Recreation develops concepts of cooperation, sportsmanship, and community connection. Purposeful youth recreational activities can develop positive physical, cognitive, social, and emotional skills.

Added
7/6/23

OYA has identified diversity, equity and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, it plays a critical role in addressing the historical and systemic inequities it perpetuates. OYA expects its substitute care providers to seek and engage in recreational activities that support a youth's cultural identity.

IV. GENERAL STANDARDS:

A. Activity Approval Process

1. The approval process outlined below is required only for those youth recreational activities that:
 - a) Require a moderate to high level of technical expertise to perform safely;
 - b) Present environmental hazards; or
 - c) Require or recommend special certification or training (e.g., whitewater rafting, rock climbing, Ropes courses, recreating on or in any body of water where a certified lifeguard is not present and on duty, backpacking, mountain climbing).
2. Foster Home Placements
 - a) The foster parents, foster care certifier, and youth must review and sign a completed OYA Recreational Activity Risk Assessment (YA 3080) form.
 - b) OYA staff must notify the foster care certifier of any concerns with the activity.
 - c) The original signed YA 3080 must be retained in the master foster home file.

The foster care certifier must send a copy of the signed YA 3080 to the youth's juvenile parole/probation officer (JPPO).

- d) The youth's JPPO, and parent/guardian (if available), must review and sign a completed Consent for OYA Youth to Participate in Recreational Activity (YA 3081) form.
- e) The JPPO must retain the original YA 3081 in the youth's file.

Copies must be sent to the foster parents and foster care certifier.

3. Substitute Care Program Placements

- a) Program staff and Community Resources Unit staff must sign a completed YA 3080.
- b) OYA staff must notify the Community Resources Unit liaison of any concerns with the activity.
- c) Community Resources Unit staff must send a copy of the signed YA 3080 to the residential treatment program for individual youth signature and distribution to the JPPO(s).

The original YA 3080 signed by Community Resources Unit staff (without individual youth signatures) will be retained by the Community Resources Unit.

- d) The youth's JPPO, and parent/guardian (if available), must sign a completed YA 3081.
- e) The JPPO must retain the original YA 3081 in the youth's file.

Copies must be sent to the substitute care program.

- 4. The JPPO may determine whether subsequent approval via a YA 3081 is necessary for an identical recreational activity for the same youth when the youth does not present any higher level of risk, and is living in the same substitute care placement.
- 5. Community Resources Unit staff may determine whether subsequent approval via YA 3080 is necessary for a substitute care program planning an identical recreational activity when the youth do not present any higher level of risk.
- 6. The foster care certifier may determine whether subsequent approval via a YA 3080 is necessary for a foster home planning an identical recreational activity for the same youth or for youth who do not present a higher level of risk.

B. Restrictions

1. Youth travel outside of Oregon for recreational purposes must be reviewed on a case-by-case basis.
 - a) The Community Services assistant director must review every request for youth travel to another state for recreational purposes and approve or deny the request.
 - b) Staff will ensure interstate compact agreements are followed when necessary.
 2. Youth in a substitute care placement may not participate in hunting activities. No exceptions may be made to this standard.
- C. Release of liability form signatures
1. Youth age 18 or older may sign release of liability forms for their participation in recreational activities.
 2. Youth under age 18 require their parent/legal guardian's signature.
 3. The Community Services assistant director or designee may only sign release of liability forms for youth participation in recreational activities if all the following conditions are met:
 - a) Parent or legal guardian approval has been attempted and they are not responsive, or uninvolved in the youth's placement and treatment;
 - b) The activity supports the youth's case plan or treatment goals;
 - c) The OYA Recreational Risk Activity (YA 3080) has been approved by the Community Resources program analyst or Foster Care certifier;
 - d) The Consent for OYA Youth to Participate in Recreational Activity (YA 3081) has been completed and signed; and
 - e) The JPPO has documented in JJIS notes all information on items (a) through (d) listed above.
 4. When the Community Services assistant director or designee signs a release of liability form, a copy of the signed form must be retained in the youth's case file.
 5. The Community Services assistant director or designee may not sign release of liability forms if the youth's parent or legal guardian has communicated they do not approve of the youth's participation and have declined to sign the release of liability form.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO