

	Department of Human Services CHILDREN, ADULTS & FAMILIES	NUMBER: II-E.3 OAR: 413-210-0800 thru 0883
	RESOURCE MANAGEMENT INDEX II	SECTION: E. Licensing – Residential Care
	ISSUED BY: Office of Safety and Permanency for Children FINAL: 5-01-07	SUBSECTION:
SUBJECT: 3. Outdoor Youth Programs – OAR		

REFERENCES:

ORS 417.200 - 417.260
 ORS 418.205 to 418.325
 ORS 418.990 to 418.998
 Child Welfare Policy II-E.1, OAR: 413-210-0000 thru 0250

413-210-0800

Purpose and Applicability of Rules

- (1) **Value Statement.** The State of Oregon, through the statutorily required adoption of administrative rules for licensing outdoor youth programs, has determined that the services provided by these programs are an important and valuable resource option for children, youth and families and the continued provision of these services is in the State's interest.

Application of the rules is intended to recognize the treatment values of the Outdoor Youth wilderness experience and, to the extent that the required elements of safety and accountability are in place, to facilitate the provision of appropriate wilderness youth treatment programs in Oregon.

- (2) **Required Compliance.** Rules 413-210-0800 through 413-210-0883 set forth the Department of Human Services (DHS) requirements for licensing private child caring agencies providing outdoor youth programs, subject to Oregon laws governing private child caring agencies, ORS 418.205 to 418.325 and 418.990 to 418.998 and Oregon laws governing outdoor youth programs, ORS 418.205 to 418.246.
- (3) **Additional Required Compliance.** Private child caring agencies providing outdoor youth programs must also comply with OAR 413-210-000 through 0070, 413-210-00140, 413-210-0190- 0250 except that 413-210-0020(2)(c)(A)-(E) shall not apply.
- (4) **Severability.** If any court of law finds that any clause, phrase or provision of these rules is illegal or in conflict with any law, this finding shall not affect the validity of the remaining portion of these rules.

- (5) Acceptability. In some instances there are no common definitions as to degree of acceptability. For purposes of these rules, the determination of compliance or non compliance shall be made by DHS. DHS may at its discretion, but is not required to, consult with the Outdoor Youth Program Advisory Board regarding general issues of acceptability in outdoor youth programs.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0803

Definitions

- (1) "Child-caring Agency" (Agency) for the purpose of these rules means any private agency or private organization providing an outdoor youth program.
- (2) "Contraband" means items the possession of which is prohibited by the outdoor youth program such as weapons or drugs.
- (3) "Critical Incident" means an incident occurring in the outdoor youth program which endangers the safety of an individual or the group and requires response to protect the health and safety of youths and staff. Critical incidents include, but are not limited to, runaways, assaults, suicide attempts, use of physical restraint, any injury or illness requiring more than the use of routine first aid.
- (4) "Debrief" means to interview (as youth or staff member) usually upon return (as from an expedition) in order to obtain useful information.
- (5) "Executive Director" means the person designated by the private child-caring agency as the principal agent for the daily operation and maintenance of the outdoor youth program.
- (6) "Expired Medication" means any medication whose designated period of potency, as indicated on the label, has expired.
- (7) "Global Positioning System (GPS) Receiver" A receiver which receives signals from a network of 24 satellites known as the Global Positioning System, or GPS, which identifies the receiver's location: latitude, longitude and altitude to within a few hundred feet.
- (8) "Leave No Trace Principles" means wilderness and land use ethics which are designed to minimize the impact of visitors to back country areas. The principles include: Plan Ahead and Prepare, Travel and Camp on Durable Surfaces; Pack it in, Pack it Out; Properly Dispose What You Can't Pack Out; Leave What You Find; and Minimize Use and Impact of Fire.

- (9) "Mechanical Restraint" is any object or apparatus, device or contraption applied or affixed to the youth to limit movement, and includes, but is not limited to handcuffs, leg irons, soft restraints or Posey Straight Jacket.
- (10) "Near Miss" A close call. A potentially dangerous situation where safety was compromised but that did not result in injury. An unplanned and unforeseen event after which those involved express relief that the incident ended without harm.
- (11) "Outdoor Youth Program" means a program that provides, in an outdoor living setting, services to youth who are enrolled in the program because they have behavioral problems, mental health problems or problems with abuse of alcohol or drugs. "Outdoor youth program" does not include any program, facility or activity operated by a governmental entity, operated or affiliated with the Oregon Youth Conservation Corps, or licensed by the Department of Human Services as a child caring agency under other authority of the Department. It does not include outdoor activities for youth designed to be primarily recreational such as Boy Scouts, Girl Scouts, Campfire, church groups or other similar activities.
- (12) "Outdoor Youth Program Activity" means an outdoor activity, provided to youth for the purpose of behavior management or treatment, which requires specially trained staff or special safety precautions to reduce the possibility of an accident or injury. Outdoor youth activities include, but are not limited to: hiking, adventure challenge courses, climbing and rappelling, winter camping, soloing, expeditioning, orienteering, river and stream swimming and whitewater activities. In some instances there are no common definitions as to the identification of an outdoor youth activity. For purposes of these rules, the determination of the identification of an outdoor youth activity shall be made by DHS.
- (13) "Outdoor Youth Program Advisory Board" means the advisory board established pursuant to ORS 418.243 and 418.244 for the purpose of providing advice to DHS on licensing of outdoor youth programs.
- (14) "Over the Counter Medication" means any medication that does not require a written prescription for purchase or dispensing.
- (15) "Physical Assist" occurs when staff members physically aid, support or redirect youth who are not resisting. Physical assists include staff leading youth along the trail or moving youth to his or her campsite by gently pulling on a backpack strap, guiding him or her by the hand or elbow, or placing a hand on the youth's back. The youth may not want to be physically assisted but he or she does not offer resistance.
- (16) "Physical Restraint" means using a non violent physical intervention that restricts or controls a youth's movement, restricts the movement or normal function of a portion of the youth's body, or moves the youth against his or her will, as described in a DHS approved Non Violent Crisis Intervention training.

- (17) "Psychotropic Medication" is medication prescribed for the purpose of affecting or altering thought processes, mood or behavior, including, but not limited to antipsychotic, antidepressant and anxiolytic medication and behavior medications. The classification of a medication depends upon its stated, intended effect as prescribed and not the side effect when prescribed for another primary purpose.
- (18) "Service Plan" means an individualized plan of services to be provided to each youth based on his or her identified needs and designed to help him or her reach mutually agreed upon goals. The service plan shall address, at a minimum, the youth's physical and medical needs, behavior management issues, mental health treatment methods, education plans, and any other special needs.
- (19) "Sole Supervision" means being alone with a youth or being temporarily the only staff in charge of a youth or subgroup of youth.
- (20) "Time Out" means imposed separation of a youth from any group activity or contact as a means of behavior management.
- (21) "Unused Medication" means any medication which has not been used for sixty (60) days, or a medication held by the facility which has been prescribed for a resident who has been released from the facility.
- (22) "Wilderness First Responder" means a medical training course and certification for outdoor professionals.
- (23) "Youth" means a child aged ten (10) through seventeen (17) years of age who may be admitted to or is a participant in an outdoor youth program.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0806

License Required

- (1) License Required. Unless exempted by Oregon laws governing private child caring agencies, no person or organization shall operate an outdoor youth program in Oregon without a valid license issued by DHS in accordance with OAR 413-210-0800 through 0883.
- (2) Compliance Required. Any agency which provides the services of an outdoor youth program shall comply with these rules governing outdoor youth programs and OAR 413-210-0010 through 0070; 413-210-0140, 413-210-0190- 0250 except that 413-210-0020(2)(c)(A)-(E) shall not apply.

- (3) Inspection. The outdoor youth program shall provide to DHS representatives upon request access to all of the program's accounts and records.
- (4) Bond Required. Each outdoor youth program applying for licensure shall file with DHS a Fiduciary Bond in the amount of \$50,000 or 50 percent of the program's yearly budget, whichever amount is less. The Bond shall be issued by a surety or insurer that is licensed to do business in the State of Oregon. The Bond must be written and issued on the Surety Bond Form DHS CF1066, provided to the outdoor youth program by DHS. The required Bond shall be continuous until canceled and shall remain in full force at all times to comply with the section. Any claims or potential impairment to the Bond shall be reported to DHS within 30 days of the incident or occurrence involving the claim or potential impairment. In the event of impairment to the Bond, the outdoor youth program will be required to obtain additional bonding to satisfy the requirements of this section. The surety or insurer shall give DHS at least 30 days written notice before canceling or terminating its liability under the Bond. An action on the Bond may be brought by any person aggrieved by the misconduct of an outdoor youth program required to be licensed under ORS 418.205 to 418.310. As evidence of the Bond, the outdoor youth program shall keep a certified copy of the Bond on file with DHS at all times.
- (5) Insurance Required. The outdoor youth program shall secure, and keep in effect during the term of the license, Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverages that are satisfactory to the State of Oregon. This insurance shall include personal injury liability, completed operations and contractual liability coverage, and be written on an occurrence basis. Combined single limit per occurrence shall not be less than one million dollars (\$1,000,000). Each annual aggregate limit shall not be less than two million dollars (\$2,000,000). Coverage shall be primary and non-contributory with any other insurance and self-insurance. There shall be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from the outdoor youth program or its insurer(s) to the Department of Human Services. Any failure to comply with the reporting provisions of this clause shall constitute a material breach of licensure requirements and may be grounds for immediate termination of the license to operate the outdoor youth program. As evidence of the insurance coverages required by this section, the outdoor youth program shall furnish Certificate(s) of Insurance to DHS prior to the issuance of license to the outdoor youth program and at the time of all subsequent renewals. The Certificate(s) will specify all of the parties who are endorsed on the policy as Additional Insureds (or Loss Payees). The outdoor youth program shall pay for all deductibles, self-insured retention and/or self-insurance included hereunder.
- (6) Workers Compensation. The outdoor youth program shall comply with all provisions of ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. The outdoor youth program shall ensure that each of its subcontractors complies with these requirements.

- (7) **Financial Stability.** The outdoor youth program shall demonstrate sufficient financial stability and backing to ensure effective and responsible delivery of its services. Consideration of the program's financial stability will be based on its reports using generally accepted accounting practices. The reports should reflect a program with the capacity to meet current and future obligations; reasonably free from debt obligations; and free from onerous liens or bankruptcy proceedings.
- (8) Unless otherwise exempt, an outdoor youth program is subject to the requirements of the Interstate Compact for Placement of Children. The program shall have written policy and procedures regarding compliance with Compact as found in ORS 417.200 through 417.260.

Stat. Auth.: ORS 409.050, 418.005, 418.240

Stats. Implemented: ORS 409.010, 418.205 - 418.325, 418.990 - 418.998

413-210-0809

Administration

- (1) The outdoor youth program shall have and provide to DHS representatives upon request:
 - (a) Written policies and procedures for operation of the program
 - (b) A written program description which includes agency mission and goals, description of youth served, services provided, geographical area covered, and a clear delineation of fees.
 - (c) A written description of the management structure of the agency, to include an organizational chart and job descriptions which reflects the responsibilities of staff positions.
- (2) **Base of Operations.** An outdoor youth program providing outdoor youth program services in Oregon shall have a base of operation or field office in Oregon. Base of operation at a minimum shall have the following information immediately available upon the request of DHS:
 - (a) Current staff personnel files;
 - (b) Current list of the names of staff and youth in each field group;
 - (c) Master map of all activity areas used by the program in Oregon, copies of which shall be made available to DHS, the land managing agency and local law enforcement and emergency services upon request;

- (d) Copies of each group's expeditionary route with its schedule and itinerary, copies of which shall be made available to DHS, the land managing agency and local law enforcement and emergency services upon request;
 - (e) Current logs of communications with each field group away from the base of operations; and
 - (f) Emergency response plan that is reviewed annually.
- (3) Youth File Requirements. The base of operations shall have files on each youth in the program, which include:
- (a) Family and guardian identification, contact information and status of child custody;
 - (b) Emergency contact information for family and guardian(s) of youth which provides for contact with family or guardian at any time, twenty four (24) hours a day, seven (7) days a week;
 - (c) Demographics;
 - (d) Eligibility criteria, including the basis for admission of the youth into the program;
 - (e) Medical forms;
 - (f) Authorization for medical treatment; and
 - (g) Parental/guardian consent for outdoor youth program to treat the youth with the specific interventions used by the program.
- (4) Proof of Compliance. An outdoor youth program which operates in Oregon shall comply with the federal, state, local and land managing agency regulations in the operations area and shall maintain proof of compliance at the base of operations.
- (5) Multidisciplinary Team. An outdoor youth program shall have a multi-disciplinary team of staff or consultants who have knowledge of the physical and emotional demands of the program and be available to program youths and staff upon the recommendation of the field director or senior field staff. The multidisciplinary team shall also be available to outdoor youth program staff upon request for consultation regarding the appropriateness of admission of youth. At a minimum the team shall consist of:
- (a) A licensed health care professional (physician, doctor of osteopathy, nurse practitioner, or physician's assistant);

- (b) A treatment professional who is a licensed or certified psychologist, clinical social worker, marriage and family counselor, or professional counselor; and
- (c) If the program does not exclude clients with substance abuse problems, the multidisciplinary team shall include a professional who is a Certified Alcohol Drug Counselor or who has demonstrated equivalent experience and training in the field of alcohol and drug abuse counseling.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0812

Admissions

- (1) **Written Policy.** The outdoor youth program shall screen, assess and admit clients according to a written policy which lists specific inclusion and exclusion criteria defining the range of clients which the program serves.
- (2) **Affirmative Duty to Gather Sufficient Information.** The outdoor youth program has an affirmative duty to make reasonable efforts to gather sufficient information to determine the appropriateness of the youth for the program.
- (3) **Admissions Assessments.** The outdoor youth program shall perform an admission assessment on each youth.
 - (a) **Admissions Process.** An assigned staff member with documented experience in the area of admissions screening and assessment, who is familiar with the outdoor youth program, shall complete an individual admissions assessment for each youth prior to enrollment.
 - (b) **Admissions to be Based on Admissions Assessment.** The program shall base admission of each youth on the individual admissions assessment. The assessment shall be the basis for the youth's individual service plan. The assessment shall include the following components:
 - (A) Social history including home, community and environment;
 - (B) Health history, including current prescriptions and over the counter medication;
 - (C) Psychological history, including behavior problems, aggression, substance abuse, family dynamics, prior evaluations and any previous treatment;

- (D) For a youth with a history of mental health issues, a review by a mental health professional of any available psychological or psychiatric assessment of the youth; and
 - (E) For a youth with indications of substance abuse, the assessment shall include a determination by a professional in chemical dependency whether detoxification is indicated for the youth before the youth enters the field portion of the program.
- (c) Consultation and Additional Information. If after a review of the components required by the Admissions Assessment, there is any question as to the appropriateness of admission of a youth, the assigned staff member shall consult with the Multidisciplinary Team and document the decision. If the information available about the youth is inadequate for the determination of appropriateness for the program, the outdoor youth program shall require additional necessary information which may include evaluations by consulting professionals.
- (d) Evaluation of Appropriateness of Admission. Each admissions assessment shall include a summary evaluation of the appropriateness of the admission of the youth into the program.
- (e) Field Entry
- (A) The outdoor youth program shall conduct an interview and orientation with each youth before the youth leaves for the field portion of the program away from the main base of operations.
 - (B) The field director or senior field staff assigned to the youth's field experience shall conduct an interview with the youth prior to entrance into the field; and
 - (C) The medically trained field staff assigned to the youth's field experience shall conduct a review of the youth's health history and physical examination report.
- (4) Service Planning. Each youth shall be served according to an individual service plan, developed by the outdoor youth program staff and including, whenever possible, the program director, child-care workers, other involved professionals, and the youth and his/her family. The outdoor youth program has an affirmative responsibility to provide competent individualized service planning for each youth to include ongoing evaluation and change as needed. Service planning time lines shall be as follows:
- (a) Initial Service Plan. The outdoor youth program shall write the initial service plan based on the admission assessments and the youth's individual needs on

or before admission, and provide a copy to the senior field staff upon the youth's entry into the program.

- (b) **Updated Service Plan.** The outdoor youth program shall write an updated service plan based on field observations and additional information received, (e.g., family information, medical reports, youth disclosures) within fourteen (14) days of the date the youth enters the field.
 - (c) **Monthly Review.** The outdoor youth program shall review and update the service plan monthly, and document the review.
 - (d) **Discharge Summary.** The discharge summary shall include a written summary of the youth's participation and progress achieved, results of evaluations, conditions of the youth, interactions of youth and staff, briefings and debriefings, compliance with program policies and procedures and recommendations. The discharge summary shall be retained in the youth's file and a copy provided to the youth's family.
- (5) **Areas of Emphasis in the Service Plan and Planning Process.** It is the intent of DHS that the outdoor youth program make every reasonable effort to ensure participation by the youth's family in all aspects of the service and service planning process. To that end, the outdoor youth program staff shall:
- (a) Encourage parent participation in the intake process;
 - (b) Ensure participation in the intake process by those responsible for the environment in which the youth resides prior to placement with the outdoor youth program, if the youth's parent cannot participate in the intake process;
 - (c) Support the family and/or those responsible for the environment in which the youth lives during intervention activities, including alternate suggestions for any youth not accepted at intake;
 - (d) Consider the family's responsibility, needs, and values in the planning and service process;
 - (e) Provide an orientation procedure for the youth and his/her family;
 - (f) Ensure that information regarding significant events in the youth's family is passed on to appropriate staff members;
 - (g) Review service plans, activities and progress with the family monthly and
 - (h) Ensure that the educational needs of the child are an integral part of the service plan.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0815

Physical Examination And Evaluation

- (1) Prior to a youth engaging in strenuous physical activity, the outdoor youth program shall review and place in the file a physical examination report for the youth. The health history and physical examination shall be recorded on a form provided by the program, which clearly documents the type and extent of physical activity in which the youth will be engaged. The examination shall cover areas required by DHS and after the appropriate consents are obtained from the youth or youth's legal custodian, shall be completed by a licensed physician, physician's assistant or nurse practitioner, who signs the form.
 - (a) In addition to any other areas required by DHS, the examination shall include a physical assessment based on the climate and temperature the youth will be participating in given the participant's age, weight, and sex;
 - (b) For an outdoor youth program operated by a children's residential care facility, a health history and physical examination report for a youth who is coming directly from the residential care facility may be utilized if the physical examination is current and meets the criteria for the physical examination required by this rule;
 - (c) If a youth is currently taking or has been receiving prescribed medication within the past six (6) months, a specific notation must be made on the physical examination form, by the clearing medical professional, which must include clearance for participation in an outdoor, high impact environment and a description of any possible special needs due to use of the medication in the field environment; and
 - (d) If a youth is in a risk group for Sickle Cell Anemia or Thalassemia, written clearance must be noted on the physical examination form, stating that the youth may participate in activities, which may:
 - (A) Occur in altitudes over 5000 feet;
 - (B) Include strenuous exercise; and
 - (C) Expose youth to cold temperatures.
- (2) Health Information Availability. The health history and physical exam form and authorization to obtain medical care shall be copied and the original maintained at the

base of operations and the copy carried by field staff in a waterproof container when the youth is away from the base of operations.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0818 Age Grouping

- (1) Minimum Age. A program participant shall be at least ten (10) years of age.
- (2) Grouping. The program shall have policy and documentation regarding age grouping. The outdoor youth program shall place youth in groups only after taking into consideration these factors: the age, developmental level, physical maturity, social maturity, behavioral functioning, cognitive level, diagnosis (if any) and individual needs of each youth.
- (3) Placement of Youth Age 10 Years through 12 Years. The outdoor youth program shall place youth ten (10) years of age through twelve (12) years of age only in a program component designed for this age group unless the program has been granted an exception by DHS.
- (4) Placement with Adults. If the program serves adults age eighteen (18) years of age or older it shall place youth in the same group as adults only after taking special care to assess and minimize the risk to the youth.
- (5) Placement Decisions. The outdoor youth program shall make placements of youth in groups to maximize each youth's functioning and minimize the possibility of exploitation. In making the placement decision in (4) of this rule or in deciding to request an exception to place a youth age ten (10) years of age through twelve (12) years of age in an older group, an assigned staff member with documented experience placing youth in groups and who is familiar with the outdoor youth program shall:
 - (a) Base the placement on the factors listed in section (2) of this rule;
 - (b) Document the basis for the decision and the appropriateness of the placement in the youth's service plan;
 - (c) Review the therapeutic appropriateness of the decision subsequent to the placement and document whether the decision remains appropriate and make any changes indicated.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0821**Staff**

The outdoor youth program will have written policy regarding minimum staff requirements.

- (1) Verification. The outdoor youth program shall verify qualifications of staff through documentation of minimum requirements for work experience, education and classroom instruction. A program which provides outdoor youth programming as its primary function shall have the following staff:
 - (a) Be at least twenty-five (25) years of age;
 - (b) Have the following qualifications at time of hire:
 - (A) Five (5) years of paid full time experience in the social services or wilderness field with at least one (1) year in a paid administrative capacity; or
 - (B) A Bachelor's degree and four (4) years of paid full time experience in the social services or wilderness field with at least one (1) year in a paid administrative capacity; or
 - (C) A Master's degree and three (3) years of paid full time experience in the social services or wilderness field with at least one (1) year in a paid administrative capacity.
 - (c) Have knowledge and experience demonstrating competence in the performance or oversight of the following essential job functions: program planning and budgeting, fiscal management, supervision of staff, personnel management, employee performance assessment, data collection, reporting, program evaluation, quality assurance, and developing and maintaining community resources; and
 - (d) Demonstrate by his or her conduct the competencies required by this rule and compliance with the program policies and procedures implementing these rules; and
 - (e) Have completed the field training as required by these rules.
- (2) Executive Director. The executive director may also function as the field director if the executive director meets those qualifications. The executive director shall:
 - (a) Be at least twenty-five (25) years of age;
 - (b) Have the following qualifications at time of hire:
 - (A) Five (5) years of paid full time experience in the social services or wilderness field with at least one (1) year in a paid administrative capacity; or
 - (B) A Bachelor's degree and four (4) years of paid full time experience in the social services or wilderness field with at least one (1) year in a paid administrative capacity; or
 - (C) A Master's degree and three (3) years of paid full time experience in the social services or wilderness field with at least one (1) year in a paid administrative capacity.
 - (c) Have knowledge and experience demonstrating competence in the performance or oversight of the following essential job functions: program planning and budgeting, fiscal management, supervision of staff, personnel management, employee performance assessment, data collection, reporting, program evaluation, quality assurance, and developing and maintaining community resources; and
 - (d) Demonstrate by his or her conduct the competencies required by this rule and compliance with the program policies and procedures implementing these rules; and
 - (e) Have completed the field training as required by these rules.
- (3) Field Director. An outdoor youth program shall have a field director who is primarily responsible for the quality of the field activities, coordinates field operation, supervises direct care staff, and manages the field office. The field director shall:

- (a) Be at least twenty-five (25) years of age;
 - (b) Have a minimum of thirty (30) college level semester hours or forty-five (45) quarter hours in recreational therapy or in a related field or one year of outdoor youth program field experience;
 - (c) Demonstrate knowledge and understanding of applicable licensing rules;
 - (d) Have completed the field training as required by these rules;
 - (e) Hold a Wilderness First Responder (WFR) certificate or equivalent; and
 - (f) Have completed an approved course in non violence crisis intervention.
- (4) Senior Field Staff. An outdoor youth program shall have a senior field staff working directly with each group of program youths. Senior field staff shall:
- (a) Be at least twenty-one (21) years of age;
 - (b) Have an associate degree or high school diploma or equivalent with thirty (30) college level semester hours or forty-five (45) quarter hours of study or comparable experience and training in a field related to recreation and adventure activities;
 - (c) Have a minimum of forty (40) twenty-four (24) hour field days of program experience or equivalent experience in outdoor programs documented in the personnel file;
 - (d) Have completed the field training as required by these rules;
 - (e) Hold a Wilderness First Responder (WFR) certificate or equivalent; and
 - (f) Have completed an approved course in non violent crisis intervention.
- (5) Field Staff. Each field staff member shall:
- (a) Be at least twenty-one (21) years of age;
 - (b) Have a high school diploma, or its equivalent, or comparable experience directly relevant to assigned outdoor youth program responsibilities;
 - (c) Have completed the field training as required by these rules; and
 - (d) Be certified to provide cardiopulmonary resuscitation (CPR) and first aid.

- (6) Specific Activity Training. All staff of the outdoor youth program shall have documented training and experience in conducting any outdoor youth program activities (such as hiking, winter camping, soloing, expeditioning, etc.) he or she is assigned to conduct.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205-418.325 & ORS 418.990-418.998

413-210-0824

Staff Health Requirements For Outdoor Youth Programs

Staff Health Requirements: The outdoor youth program staff members having responsibility for youth shall be free of infectious diseases and shall be capable of all responsibilities reasonably associated with their employment.

- (1) Health History Questionnaire. As part of orientation, and annually thereafter, staff must complete a health history questionnaire similar to that completed by the youth entering the program. It shall include injuries or ailments that might affect the ability to function well in the field, or put other field staff or youth at risk of injury or infection.
- (2) Health History Questionnaire Content. The health history questionnaire shall include but not be limited to the following content areas:
- (a) Standard physical health questions, including history of infectious diseases;
 - (b) History of physical injuries; and
 - (c) History of drug or alcohol abuse/dependence that required residential or outpatient treatment, or that might currently interfere with employment responsibilities.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0827

Staffing Requirements

The program shall have policy and maintain documentation of program compliance on the following staff requirements:

- (1) Group Size. For a field group, the number of participants shall not exceed twelve (12) youth.
- (2) Staffing Ratio. Each group of two (2) or more youth shall be staffed as follows:

- (a) By at least two (2) staff members, one (1) of which shall be a senior field staff member;
 - (b) There shall be at least one (1) staff member to every three (3) youth;
 - (c) Where the gender of a group is mixed, there shall be at least one (1) female staff and one (1) male staff member; and
 - (d) There shall be a minimum of five (5) years difference in age between a direct care staff member and the youth for whom the staff member has sole supervision.
 - (e) Volunteers and interns shall not be included in the staff youth ratio unless they meet the qualifications required of staff.
- (3) Wilderness First Responder (WFR). At least one staff member per group shall have a current Wilderness First Responder (WFR) Certificate or equivalent.
- (4) Non Violent Crisis Intervention Training. At least one (1) staff per group will be trained in non violent crisis intervention.
- (5) Field Staff Training.
- (a) At no time shall there be more than one (1) staff member who has not completed all field training.
 - (b) Where there are four (4) or more youth, at least two (2) staff members shall have completed all field training.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-830 Staff Training

- (1) Written Policies, Procedures and Training Curriculum. The outdoor youth program shall have written policies, procedures, and training curriculum regarding minimum requirements for orientation, field training, and ongoing training.
- (2) Orientation. Each employee will complete orientation before having any contact with clients or prospective clients (youth or their parents). The orientation training shall include at a minimum:

- (a) Outdoor youth program mission and goals, including admissions criteria and services provided.
 - (b) Personnel structure of the outdoor youth program, to include an organizational chart and job descriptions which accurately reflect the responsibilities of staff positions involved in the care and management of youth and the management and supervision of field staff;
 - (c) Overview of the quality improvement program, including the critical incident program;
 - (d) Risk management procedures and safety precautions;
 - (e) Instruction in behavior management policies and procedures of the program;
 - (f) Review and discussion of all other policies relevant to field staff responsibilities, such as clothing, nutrition, vehicle use, communication methods, cooking and camping equipment and their use; and
 - (g) Emergency plan.
- (3) Field Training. Each field staff shall receive a minimum of seven (7) days of field training and shall be assessed by the field director or designee for the following minimum required field skills before assuming sole supervision of youth:
- (a) Water, food, and shelter procurement, preparation and conservation;
 - (b) "Leave No Trace Principles" for outdoor activities;
 - (c) Recognition and management of the presenting issues of the youth served, to include mental health and substance abuse issues;
 - (d) Instruction in safety procedures and safe equipment use of fuel, fire, and life protection;
 - (e) Sanitation procedures related to food, water, and waste;
 - (f) Special instruction to ensure proficiency in the specific activities for staff who conduct and staff who supervise outdoor youth program activities;
 - (g) Wilderness medicine, including health issues related to acclimation, exposure to the environment and environmental elements;
 - (h) First aid kit contents and use;

- (i) Basic navigation skills including understanding of contour maps, use of compass, and navigation using the positions of sun, moon and stars to determine direction;
 - (j) Local environmental precautions, including terrain, weather, insects, poisonous plants, wildlife, and proper response to adverse situations;
 - (k) Critical incident prevention, identification and response;
 - (i) Knowledge of and ability to implement the program's emergency plan;
 - (m) Report writing, including development and maintenance of logs, journals and incident reports;
 - (n) Other hard skills as required by the program.
- (4) Sole Supervision. No outdoor youth program staff member shall provide sole supervision of program youth prior to:
- (a) Successful completion of orientation and field training; and
 - (b) Documented assessment by a senior field staff member of:
 - (A) Effective understanding of the supervision structure of the outdoor youth program, who is responsible and to whom staff can refer questions or problems; and
 - (B) Understanding, knowledge and compliance with the outdoor youth program's behavior management policies.
- (5) Ongoing Training. Programs shall provide ongoing training for field staff to maintain and upgrade their skills.
- (6) Documentation of Training. The outdoor youth program shall document the training received by each staff member and volunteer in their personnel file. The documentation shall include for each training session; the name and qualifications of the person providing the training, date of training, training content and the number of hours of the training.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

FIELD OPERATIONS

413-210-0833

Field Activities

- (1) **Written Description.** There shall be a written description of field activities and schedule, including a detailed itinerary.
- (2) **Staff Briefing.** The Executive Director or Field Director or designee shall brief staff entering the field. The briefing at a minimum shall include:
 - (a) The planned route, terrain, time schedule, weather forecast and any potential hazards;
 - (b) Any procedures unique to that field experience; and
 - (c) Youth background and any potential problems.
- (3) **Itinerary.** Field staff shall carry map routes, anticipated schedules and times when a group is in the field.
- (4) **Supervision.** The Field Director or designee shall conduct and document supervisory evaluation of each youth and staff in a field group at least every seven (7) days, either in person or through DHS approved procedures. If the planned itinerary is longer in duration than three (3) weeks, the Field Director or designee must make on-site visits at minimum increments of three (3) weeks.
- (5) **Staff Debriefing.** The Field Director or designee shall debrief staff after they return from the field.
- (6) **Youth Debriefing.** The Field Director or designee shall debrief youth after returning from the field. The debriefing shall at a minimum:
 - (a) Include a written summary of the youth's participation and progress achieved;
 - (b) Be provided in written form to the youth's parents or guardian; and
 - (c) Parents or guardians and youth shall be given the opportunity and encouraged to submit a written evaluation of the outdoor youth experience, to be maintained by the program.
- (7) **Documentation.** The outdoor youth program shall document results of the evaluation of the conditions of the youth, interactions of youth and staff, briefings, debriefings, and compliance with program policies and procedures and include them in the youth's record and discharge summary.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

**413-210-0836
Communication**

- (1) Communication Support System. The outdoor youth program shall maintain a communication system that includes the use of Global Positioning System receivers, two (2) way radio communication and cell phone communication or follows the applicable land managing agency requirement and includes:
 - (a) Reliable communication between each group and the base of operations; and
 - (b) A back up plan for re-establishing communication to be implemented in the event regular communication fails.
- (2) Communication Requirements. The outdoor youth program shall have a reasonable communication plan which is sufficient to provide routine and emergency care and takes into consideration individual youth needs and terrain considerations.
 - (a) There shall be verbal communication between each field group and the base of operations on a regularly scheduled basis according to program procedures unless special documented arrangements have been made;
 - (b) In no case shall the absence of verbal communication between a field group and the base of operations exceed seventy-two (72) hours unless DHS has approved an exception for alternate program procedures for communication; and
 - (c) In no case shall a field group be more than two (2) hours away from the ability to make contact with emergency services.
- (3) Emergencies. The base of operations support personnel shall have immediate access to emergency telephone numbers, contact personnel and procedures for an emergency evacuation or field incident requiring emergency medical support.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

**413-210-0839
Medication Storage and Administration**

- (1) Policies and Procedures Required. An outdoor youth program shall have and follow policies and procedures on the storage and administration of prescription and non-prescription medication.

- (2) Medication Storage and Administration. The outdoor youth program shall store prescription and over-the-counter medication under lock and key safeguarded from youth. For medications taken in the field, medication shall be in the possession of a staff member.
- (3) Psychotropic Medication. The outdoor youth program shall not administer psychotropic medication:
 - (a) Unless a qualified medical professional determines that the medication is clinically indicated and it has been prescribed by a physician through a written order;
 - (b) For disciplinary purposes, for the convenience of staff, or as a substitute for appropriate treatment services.
- (4) Documentation. Prescription medication must be issued by a qualified medical professional's valid order that includes the dosage to be given. Senior field staff shall administer all medication. Administration of medication shall be documented and include:
 - (a) The youth's name;
 - (b) The name of the medication;
 - (c) The date and time;
 - (d) The amount of dosage given and whether the youth did not take the medication; and
 - (e) The person who administered or assisted in self-administration of the medication.
- (5) Medication Changes. The outdoor youth program shall not stop or change dosage or administration of prescribed medication nor discontinue any prescription without consulting with a qualified medical professional and documenting the consultation and the change.
- (6) Disposal Of Unused Medication. The outdoor youth program must return all unused and expired medication to the base of operations and dispose of it so it is not available to youth. A Field Director or Senior Field Staff shall witness the disposal of the unused medication.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0841**Work**

The outdoor youth program may give youth non-vocational work assignments as a constructive experience in compliance with child labor laws, which are age appropriate and within the youth's capabilities. The primary purpose of work shall not be to substitute for paid labor for the benefit of the outdoor youth program.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0843**Animals and Pets**

- (1) Animals and pets shall be free from disease and cared for in a safe and clean manner.
- (2) The outdoor youth program shall take reasonable measures to assure that youth are not exposed to danger from animals.
- (3) All domestic animals and pets shall be vaccinated against rabies. Documentation of the vaccination against rabies shall be available in the responsible employee's personnel file.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0846**Transporting Youth**

- (1) Vehicle. Transportation of youth in an outdoor youth program shall be in a vehicle that is:
 - (a) Properly registered;
 - (b) Covered by insurance for personal injury and liability;
 - (c) Driven by a person with a valid driver's license for the type of vehicle who complies with all applicable traffic laws while transporting youth;
 - (d) Maintained in a safe condition;
 - (e) Equipped with a red triangle reflector device for use in emergency;
 - (f) Equipped with a first aid kit; and

- (g) Equipped with a fire extinguisher that is properly secured and not readily available to youth.
- (2) Proper Seating Of Youth And Adults: Youth and adults shall ride in a vehicle manufactured seat, properly using the passenger restraint device in accordance with Oregon law when traveling on public roads. The outdoor youth program shall take all reasonable steps to assure the safety of youth and adults traveling in off road vehicles.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0849

Solo Experiences in Outdoor Youth Programs

If an outdoor youth program conducts individual or separate components for youth (solo experiences) as part of the therapeutic process, the program shall have and follow written policies and procedures. The policies and procedures at a minimum shall require:

- (1) Individual Solo Plan. Each youth participating in a solo experience shall have a plan which includes the goals, methods, techniques, time frames and takes into consideration the maturity, health and physical ability of the youth.
 - (a) Preparation. The youth shall be instructed on the solo experience and individual plan including expectations, restrictions, communication, environment, and emergency procedures;
 - (b) Back-up Plan. Each youth shall have and receive instruction on a back up plan in case the primary plan does not work; and
 - (c) Responsible Staff. A designated staff member shall be responsible for coordination and implementation of the plan.
- (2) Environmental Requirements. Staff shall be familiar with the site chosen to conduct solos and shall pre investigate the site to ensure the terrain is appropriate for the skill level of the youth and that hazardous conditions are considered. Staff shall make arrangements for medication, food, and water drops if needed.
- (3) Supervision. Plans for supervision shall be in place during the solo to include the assignment of a staff member responsible for the supervision of the solo participant, and procedures for placement, supervision, and observation of the participant. Supervision shall include communication systems, visual checks and regular checks of the youth's emotional and physical condition.

- (4) **Emergency Procedures.** In addition to the requirements of the Emergency Plan section of these rules, solo emergency plans shall include but are not limited to instructing the youth on the safety and emergency procedures, establishing a system for emergency communication, instruction of other youth on how to respond if the emergency notification system is put into use; and a check-in system should an emergency occur.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0852

Safety

The outdoor youth program will have written policies and procedures on the following:

- (1) **Equipment Safety Procedures.** Appropriate instruction and maintenance of equipment.
- (2) **Environmental Hazards.**
- (3) **Risk Management Procedures.**

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0855

Emergency Plan

- (1) **Written Emergency Plan Required.** An outdoor youth program shall have and follow a written emergency plan for disasters, medical emergencies, hostage situations, casualties and missing youth and other critical incidents identified by the program. The plan shall at a minimum include:
 - (a) Designation of authority and staff assignments;
 - (b) Plans for evacuation;
 - (c) That an implementation of emergency evacuation system is on standby;
 - (d) Transportation and relocation of program youth when necessary;
 - (e) Supervision of program youth after an evacuation or a relocation;
 - (f) Arrangements for medical care and notification of a program participant's physician and nearest relative or guardian; and

- (g) A procedure for a review of the emergency plan by the local law enforcement and emergency services agencies from the area in which the outdoor youth program is operating.
- (2) Emergency Instruction. The outdoor youth program shall instruct youth on what to do in case of emergency.
- (3) Emergency Plan Response Review. In the case of the activation of an emergency plan response, the outdoor youth program shall subsequently review the response in the context of the emergency plan to determine if changes need to be made to improve safety and efficiency. If local law enforcement and emergency services agencies have been involved in an emergency response on behalf of an outdoor youth program, the outdoor youth program shall invite them to participate in the review of the emergency plan response.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0858

Physical Activity Limits and Requirements

- (1) Physical Capability. Physical activity shall not exceed the physical capability of a youth. Field staff shall monitor the physical capability and condition of each youth to ensure that the activity does not exceed the youth's capability.
- (2) Environmental Conditions. Staff of the outdoor youth program shall consider environmental conditions including but not limited to temperature, humidity, precipitation, etc., when planning a program activity so as to minimize the risk of harm (heatstroke, frostbite, exposure, etc.) to participants.
- (3) Acclimation To Environment. Staff shall closely monitor youth for acclimation to the environment.
- (4) Log. There shall be a common daily log, which is signed and dated by the participating senior staff daily. The log shall:
 - (a) Contain information on health problems, accidents, injuries, illnesses, medications used, behavioral problems, and unusual occurrences; and
 - (b) Include notation of environmental factors such as weather, temperature, terrain, etc.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0860**Critical Incident Program**

- (1) **Quality Improvement Program.** The outdoor youth program shall have a written quality improvement program which identifies and defines critical incidents, includes a response to each type of critical incident and includes procedures for the review of critical incidents.
- (2) **Critical Incident Training.** The outdoor youth program shall train staff in critical incident prevention, identification and response.
- (3) **Documentation of Critical Incidents.** The outdoor youth program staff shall document each critical incident as follows:
 - (a) **Record.** Record each incident in the common daily log and complete an incident report immediately following the incident;
 - (b) **Categorize.** Categorize each incident as to type and seriousness; and
 - (c) **Staff Debriefing.** Record the results of staff debriefing of each critical incident.
 - (d) **Management Review.** Management will document review of each critical incident report within twenty-four (24) hours of receipt.
- (4) **Review of Critical Incidents.** The outdoor youth program shall have procedures for review of critical incidents which include management and board review of critical incidents and a process for deciding if revisions to program policy and procedures, operations or training are warranted for quality improvement.
- (5) **Documentation of Critical Incident Review.** The outdoor youth program shall document in writing the process and results of its review of critical incidents and resulting program quality improvements if any and shall provide this information to staff.
- (6) **Near Miss.** The outdoor youth program shall review any near miss and determine whether to respond to it as if it were a critical incident in accordance with this rule.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0862**Health Care**

- (1) The outdoor youth program shall ensure, through staff assignments, training and program providers, that injuries, illness or physical complaints by youth will be promptly and accurately assessed; and that appropriate care is provided.
- (2) Prompt First Aid Treatment. The outdoor youth program shall provide first aid treatment in as prompt a manner as the location and circumstances allow.
- (3) First Aid. There shall be a first aid kit with sufficient supplies available at all times. The first aid kit shall:
 - (a) Meet the standards of an appropriate national organization for the activity being conducted and the location and environment being used;
 - (b) Be reviewed with new staff for contents and use;
 - (c) Be reviewed at least annually with all staff for contents and use; and
 - (d) Be inventoried after each expedition and restocked as needed.
- (4) Field Treatment. The outdoor youth program shall immediately transport any youth with an illness or physical complaint needing care or treatment, beyond what can be provided in the field, to appropriate medical care.
- (5) Documentation. The outdoor youth program shall document complaints or reports by a youth of illness and injuries in a daily log along with any treatment provided.
- (6) Negative Consequences. The outdoor youth program shall impose no negative consequence on a youth for reporting an injury or illness or for requesting to see a health care professional.
- (7) Daily Physical Assessment. Field staff shall monitor and document youth's hydration, skin condition, extremities, and general physical condition on a daily basis.
- (8) Weekly Physical Assessment. A Wilderness First Responder (W.F.R.) or equivalent, an Emergency Medical Technician (E.M.T.), or qualified medical professional shall assess each youth's physical condition at least every seven (7) days. The assessment shall be documented and shall at a minimum include:
 - (a) Heart rate;
 - (b) Check of extremities;
 - (c) Condition of skin;
 - (d) Allergies if any;

- (e) General physical condition;
- (f) Any health issues specific to the individual youth; and
- (g) Provision of appropriate medical treatment if needed.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0864

Water Requirements

Written Policy

- (1) The outdoor youth program shall have and follow written policy and procedures on water requirements.
- (2) Water. Youth shall have access to potable water while engaged in hiking. Outdoor youth program staff shall ensure that youth drink a sufficient amount of water to provide adequate hydration. Staff shall encourage youth to consume at least three (3) quarts of potable water a day.
- (3) Water Caches. When water caches are used, field staff shall place each water cache and verify its location in advance of the group arrival.
- (4) Water From A Natural Source. Water from a natural source used for drinking or cooking shall be treated for sanitation to eliminate health hazards.
- (5) Electrolytes. Each group shall have a supply of electrolyte replacement, quantities to be determined by group size and environment conditions.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0866

Nutritional Requirements

Written Policy.

- (1) The outdoor youth program shall have and follow written policy and procedures on nutritional requirements.
- (2) Menu. There shall be a written menu approved by a qualified dietitian or nutritionist with knowledge of program activity levels, listing the food supplies for each group.

- (3) Calories. The outdoor youth program shall provide each youth a level of nutrition which will supply their individual caloric need; but no youth shall be offered less than three thousand (3,000) calories a day. When heat is not available for cooking the outdoor youth program shall provide sufficient food of sufficient caloric value which does not require cooking.
- (4) Hygiene Procedures. The program shall have reasonable hygiene procedures to prevent infection which are consistent with program risk of infection.
 - (a) Cleansing of hands shall occur after each latrine use.
 - (b) Means of cleansing the hands shall be available to youth prior to food preparation and prior to food consumption.
 - (c) Weekly opportunity for total body hygiene.
- (5) Fasting. There shall be no imposed fasting.
- (6) Monitoring. Field staff are responsible for maintaining the safety and well being of clients and shall monitor each youth's food intake to ensure that the youth has adequate nutrition.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0868

Participant Clothing, Equipment and Supplies

- (1) Participant Requirements. Each program participant shall have appropriate clothing and equipment and supplies for the types of activities and for the weather conditions likely to be encountered.
- (2) Clothing, Equipment And Supplies Requirements. Clothing, equipment and supplies shall include at a minimum:
 - (a) Sunscreen if appropriate for the environmental conditions generally expected for the area and season;
 - (b) Insect repellent if appropriate for the environmental conditions generally expected for the area and season;
 - (c) A commercial backpack or the materials to construct a safe backpack or bedroll;
 - (d) Personal hygiene items necessary for cleansing;

- (e) Appropriate feminine hygiene supplies;
 - (f) Wool blankets or an appropriate sleeping bag and a tarp or poncho for when the average nighttime temperature is expected to be forty (40) degrees Fahrenheit or higher;
 - (g) Shelter from precipitation, appropriate sleeping bag and ground pad when the average nighttime temperature is expected to be thirty-nine (39) degrees Fahrenheit or lower;
 - (h) Clothing appropriate for the temperature changes generally expected for the area; and
 - (i) Each youth shall be provided a clean change of clothing at least once a week or an opportunity to wash his or her clothing at least once a week.
- (3) Denial of Clothing, Equipment And Supplies. The outdoor youth program shall not remove, deny, or make unavailable for any reason the appropriate clothing or equipment and supplies.
- (4) Monitoring. Field staff are responsible for maintaining the safety and well being of youth and shall monitor each youth to make sure that clothing, equipment and supplies are maintained in a manner adequate to ensure the youth's safety.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0870 Potential Weapons

Written Policy

- (1) The outdoor youth program shall have and follow written policy and procedures on management of weapons and potential weapons.
- (2) Firearms Prohibited. Firearms shall not be allowed in outdoor youth programs.
- (3) Inventory Required. The outdoor youth program staff shall inventory knives, hatchets, other edged tools or any item which might pose a danger to self or others and complete a daily count of these items against the inventory.
- (4) Supervision Required. The outdoor youth program staff shall supervise participant possession and use of knives, hatchets, other edged tools or any item which might pose a danger to self or others.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0872

Behavior Management

- (1) Behavior Management. An outdoor youth program shall have and follow behavioral management policies including a description of the model, program, or techniques used (e.g. a level system or token economy), consistent with the program description required in these rules, a discipline policy, a non violent crisis intervention policy and a time out policy. Behavior management shall be based on an individual assessment of each youth's needs, stage of development and behavior. It shall be designed with the goal of teaching youth to manage their own behavior and be based on the concept and application of least restrictive effective treatment.
- (2) Documentation. The outdoor youth program shall document that the policy has been provided to a youth and is made available to parents, guardians, and referral sources.
- (3) Discipline Policy. The policy shall prohibit:
 - (a) Physical force, or physical restraint as discipline;
 - (b) Pain compliance;
 - (c) The placing of anything in or on a youth's mouth;
 - (d) Cruel or excessive physical exercise, prolonged positions, or work assignments that produce unreasonable discomfort;
 - (e) Verbal abuse, ridicule, humiliation, profanity and other forms of degradation directed at a youth or a youth's family;
 - (f) Locked confinement;
 - (g) Withholding of necessary food, water, clothing, shelter, bedding, rest, medical care, or toilet use;
 - (h) Denial of visits or communication with the youth's family except as specified in the program's design and planned activities, the youth's service plan or court order;
 - (i) If an outdoor youth program's policies allow for disciplining a youth or group of youth for actions of one (1) youth, the organization's policies and procedures for behavior management and/or discipline shall clearly prescribe the circumstances and safeguards under which disciplining the group is allowed;

- (j) Isolation as punishment, except as provided for in the Time Out section of this rule;
 - (k) Mechanical and chemical restraints; and
 - (l) Any other kind of harsh punishment.
- (4) If the youth refuses or is unable to hike a contingency plan shall be developed based on DHS approved policies and procedures. The contingency plan shall ensure that if the group is split, there is proper staff coverage for each group and communication between the groups is maintained.
- (5) Non Violent Crisis Intervention. The outdoor youth program shall have written policies and procedures governing the appropriate use of non violent crisis intervention strategies, which includes the use of de-escalation techniques, physical assists and physical restraints. The policy and procedures shall be in accordance with a non violent crisis intervention program approved for use by DHS, (CPI, PCS, OIS/PART) and shall comply with the following:
- (a) De-escalation Techniques. Crisis prevention and verbal and non-verbal de-escalation techniques are the preferred methods and shall be used first.
 - (b) Physical Assists. Appropriate use of physical assists occurs when staff members physically aid, support or redirect youth who are not physically resisting. Physical assists include staff leading youth along the trail or moving youth to his or her campsite by gently pulling on a backpack strap, guiding him or her by the hand or elbow, or placing a hand on the youth's back. If a youth resists reasonable staff direction, staff must assess whether the use of physical restraint is warranted based on the outdoor youth program's written non violent physical restraint policy. An intervention becomes a physical restraint when the youth resists, has "dug in his or her heels" and is propelled or held still against that resistance.
 - (c) Use of Physical Restraint. Physical restraint shall be used to safely control a youth until he or she can regain control of his or her own behavior only in the following circumstances:
 - (A) When a youth's behavior is out of control and could physically harm self or others, or to prevent the substantial destruction of property and the youth has failed to respond to de-escalation techniques and/or physical assists;
 - (B) When a youth's behavior such as a refusal to hike puts himself or others at substantial risk of harm and he/she must be forcibly moved.

- (d) **Physical Restraint Time Limit.** Physical restraint shall be used only until the youth has regained control and shall not exceed fifteen (15) consecutive minutes. If the youth remains a danger to self or others after fifteen (15) minutes, the record shall include written documentation of attempts made to release the youth from the restraint and the reasons that continuation of restraint is necessary;
 - (e) **Physical Restraint Training Requirements.** Physical restraint may be used only by employees documented to have been specifically trained in non violent crisis intervention techniques;
 - (f) **Limitations.** Program policies shall prohibit the application of a non violent physical restraint if a youth has a documented physical condition that would contraindicate its use, unless a qualified medical professional has previously and specifically authorized its use in writing. Documentation shall be maintained in the youth's record;
 - (g) **Physical Restraint Documentation.** Program policies shall require documentation of the behavior which required the physical restraint, the specific attempts to de-escalate the situation before using physical restraint, the length of time the physical restraint was applied which shall include documentation of the time started and completed, and the debriefing completed with the staff and youth involved in the physical restraint; and
 - (h) **Review.** Program policies shall require that whenever a physical restraint has been used on a youth more than two (2) times in one (1) week, there is a review by the executive director or his designee, to determine the suitability of the youth remaining in the program, whether modification to the youth's plan are warranted, or whether staff need additional training in alternative therapeutic behavior management techniques. The outdoor youth program shall take appropriate action as a result of the review.
- (6) **Time Out**
- (a) **Use.** The outdoor youth program shall use time out only when a youth's behavior is disruptive to the youth's ability to learn, to participate appropriately, or to function appropriately with other youth or the activity.
 - (b) **Observation.** The outdoor youth program shall designate a staff member to be responsible for visually observing the youth at random intervals at least every fifteen (15) minutes.
 - (c) **Documentation.** If the duration of the time out exceeds one (1) hour, or there is visual separation of the youth, the outdoor youth program must write an incident report in sufficient detail to provide a clear understanding of the incident or

behavior which resulted in the youth being placed in time out, and staff's attempts to help the youth avoid time out.

- (d) Re-Introduction To The Group. The outdoor youth program must re-introduce a youth to the group in a sensitive and non-punitive manner as soon as control is regained.
- (e) Review. If there are more than ten (10) one (1) hour time outs for a youth in a twenty-four (24) hour period or the separation lasts for twenty-four (24) hours, the executive director or designee shall conduct a review, to determine the suitability of the youth remaining in the program, whether modifications to the youth's plan are warranted, and whether staff need additional training in alternative therapeutic behavior management techniques. The outdoor youth program shall take appropriate action as a result of the review.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0880

Contraband

- (1) Written Policy. An outdoor youth program shall have and follow written policy and procedures on contraband.
- (2) Confiscation. Staff shall confiscate contraband found in the possession of youth or staff and, if stored, secure it in a location inaccessible to youth.
- (3) Disposal. It shall be the responsibility of the outdoor youth program to store or dispose of all contraband not confiscated by law enforcement, in accordance with the contraband policy.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998

413-210-0883

Searches

- (1) Written Policy. If an outdoor youth program conducts searches of youth, staff or visitors, it shall have and follow written policies and procedures. The program shall obtain the appropriate consents for searches.
- (2) Searches. The outdoor youth program shall complete searches in the least intrusive manner possible for the type of search being conducted. The policies and procedures at a minimum shall require:

- (a) Pat Down Searches. The outdoor youth program shall conduct pat down searches of youth only when the outdoor youth program judges that it is necessary to discourage the introduction of contraband, or to promote the safety of staff and other youth. The outdoor youth program shall conduct pat down searches as follows:
- (A) By staff trained in proper search techniques;
 - (B) By a staff member of the same sex as the youth being searched, and shall be in the presence of another staff member;
 - (C) The youth shall be told he or she is about to be searched;
 - (D) The youth should remove all outer clothing (gloves, coat, hat and shoes) and empty all pockets;
 - (E) The staff member shall then pat the clothing of the youth using only enough contact to conduct an appropriate search;
 - (F) If the staff detects anything unusual the youth shall be asked to identify the item and appropriate steps should be taken to remove the item for inspection;
 - (G) If the youth refuses to comply, the executive director or designee will be notified immediately and be responsible to resolve the matter; and
 - (H) All searches shall be documented in writing.
- (b) Initial Intake Inspection. The outdoor youth program may require a complete change of clothing as part of the intake process in order to confiscate any contraband. This may include a brief visual search of each resident and a search of each resident's personal belongings. The outdoor youth program shall conduct such intake inspections individually and in the most respectful manner possible, using same sex staff.
- (c) Strip Searches. The outdoor youth program shall not perform strip searches.
- (d) Body Cavity Searches. The outdoor youth program shall not perform body cavity searches.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.205 - ORS 418.325 & ORS 418.990 - ORS 418.998