

**Telecommunications Policy Committee**  
**Minutes**  
**February 7, 2008**

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on February 7, 2008 at the Oregon Public Safety Academy in Salem, Oregon. Chair Eric Swanson called the meeting to order at 10:03 a.m.

**Attendees**

Committee Members:

Eric Swanson, Public Safety Telecommunicators, Chair  
Chris Benson, Oregon Fire Medical Administrators' Association  
Jennifer Brinlee, Public Safety Telecommunicators  
Brian Casey, Oregon Association Chiefs of Police  
Bob Cozzie, Association of Public Safety Communications Officers  
Elizabeth Morgan, Emergency Medical Services and Trauma Systems  
James Rentz, Oregon State Police - teleconference  
LeAnne Senger, Public Safety Telecommunicators

Committee Members Absent:

Tamara Atkinson, Association of Public Safety Communications Officers  
Tom Clemo, Oregon Fire Chiefs Association  
Jack Jones, Oregon State Sheriffs' Association

Guests:

Rob Porrier, CCN Santiam Canyon Communications  
Janis Cameron, Yamhill Communications

DPSST Staff:

Eriks Gabliks, Deputy Director  
Marilyn Lorance, Standards and Certification Supervisor  
Pamela Collette, Telecommunications Training Coordinator  
Carolyn Kendrick, Administrative Assistant



1. **Minutes of November 8, 2007**

Approve Minutes of November 8, 2007 Meeting

*Bob Cozzie moved to approve the minutes of the November 8, 2007 meeting. James Rentz seconded the motion. The motion carried unanimously by all present.*

2. **OAR 259-008-0011 Proposed Administrative Rule**

Medical Waivers / Contested Case Process  
Presented by Marilyn Lorance

*See Appendix A for details.*

**ACTION ITEM 1:** Determine whether to approve filing the proposed language for OAR 259-008-0011 with the Secretary of State as a proposed rule.

**ACTION ITEM 2:** Determine whether to approve filing the proposed language for OAR 259-008-0011 with the Secretary of State as a permanent rule if no comments are received.

*Brian Casey moved to approve filing the proposed language for OAR 259-008-0011 with the Secretary of State as a proposed rule and as a permanent rule if no comments are received. Elizabeth Morgan seconded the motion. The motion carried unanimously by all present.*

**ACTION ITEM 3:** Determine whether there is a significant fiscal impact on small businesses.

*It is the consensus of the Committee that there is no significant fiscal impact on small businesses.*

3. **OAR 259-008-0045(5) Proposed Administrative Rule**

Official College Transcripts  
Presented by Marilyn Lorance

*See Appendix B for details.*

**ACTION ITEM 1:** Determine whether to approve filing the proposed language for OAR 259-008-0045(5) with the Secretary of State as a proposed rule.

**ACTION ITEM 2:** Determine whether to approve filing the proposed language for OAR 259-008-0045(5) with the Secretary of State as a permanent rule if no comments are received.

*Elizabeth Morgan moved to approve filing the proposed language for OAR 259-008-0045(5) with the Secretary of State as a proposed rule and as a permanent rule if no comments are received. James Rentz seconded the motion. The motion carried unanimously by all present.*

**ACTION ITEM 3:** Determine whether there is a significant fiscal impact on small businesses.

*It is the consensus of the Committee that there is no significant fiscal impact on small businesses.*

4. **OAR 259-008-0060(9)(d) Proposed Administrative Rule Change**

Instructional Credits  
Presented by Marilyn Lorance

*See Appendix C for details.*

*The Committee inquired whether instructors who created one-time classes would receive passed credit for that particular class. Staff clarified that any trainer who instructs a class would not receive credit, credit would only be issued if they actually signed up as a participant of said class. Staff explained the problem with the duplicate entry process and*

*the database. The Committee agreed on the necessity of this rule change to eliminate duplicate training entry, however the rule change needs to be reworked. Staff agreed to revise this rule change request and bring it back to the Committee at the next regularly scheduled meeting in May 2008.*

5. **Curriculum Update**

Presented by Bob Cozzie

*The curriculum workgroup met on December 12, 2007 and discussed reviewing the student resource manual and dealing with the performance objectives in the classroom. The goal is to give students a better perspective of the objectives as opposed to teaching them exactly what is going to be on the test. In line with the student resource manual, Doug Burch is working on a prototype that we haven't seen yet, but includes making all of the student materials handed out in class into a text book format; making use of pictures, graphs, etc. so there is a more professional appearance rather than PowerPoint presentations that are just printed out and handed to the students.*

*Another item the curriculum workgroup is exploring is the possibility of online training possibly via the web, offering some classes through DPSST, or CD's that are distributed to agencies. This would enable agencies to have opportunities for ongoing training and to help those agencies who are unable to develop in-house training. We are just at the discussion phase thus far.*

*Also discussed was the use of technology at the academy and if there is a need for extending the Basic Telecommunications class at the academy. If so, what classes would be pertinent to add to the course schedule.*

*The next Curriculum Workgroup meeting is February 29<sup>th</sup> right after the Basic Telecommunications Class #63 graduation at DPSST.*

*In regards to extending the Basic Telecommunications class at the academy, Eriks Gabliks stated DPSST is unable to achieve this during the 2009-11 budget. The next time DPSST would be able to make this request would be during the following budget biennium.*

6. **Other Items Discussed**

*Eriks Gabliks introduced Brian Casey, Chief of Newberg Police Department representing the Oregon Association of Chiefs of Police. He is replacing Scott Russell from Woodburn.*

*Also introduced was Chris Benson representing the Oregon Fire Medical Administrators Association. He is replacing Randy Jackson.*

*The next regularly scheduled Telecommunications Policy Committee meeting is May 1, 2008.*

*With no further business before the Committee, the meeting adjourned at 10:44 a.m.*

## Appendix A

**Date:** January 15, 2008  
**To:** Telecommunications Policy Committee  
**From:** Bonnie Sallé  
**Subject:** Oregon Administrative Rule – Proposed Rule  
259-008-0011 - Medical Waivers / Contested Case Process

**Issue 1:** The Portland Police Bureau requested a contested case hearing after the Board denied its request for a physical waiver of the medical requirements for Police Officers Hebert, Stanton and Kuemper. The Board has the authority to grant or deny a medical waiver. However, the Department does not currently have a process outlined in rule to initiate a contested case hearing notice and process without Board approval.

On October 25, 2007, the Board approved staff's proposal to file a temporary rule to authorize the Department to conduct the contested hearing processes after the Board denied a waiver of the physical requirements for Police Officers Hebert, Stanton and Kuemper.

A temporary rule is in effect for a period of six (6) months from the date of filing. Approval to file a temporary rule allows the respective Policy Committees time to present a proposed permanent rule to the Board. If the Board approves the proposed permanent rule, the proposed rule will be filed with the Secretary of State and open for comment. If no comments are received the Department will file the rule as permanent.

The current temporary rule expires April 18, 2008. .

The following revised language contains recommended deletions (~~striketrough text~~) and additions (**bold and underlined text**). For ease of reading, only the relevant proposed text is provided.

259-008-0010(8)

\* \* \*

(n) The Board may waive any physical requirement where, in its judgment, the waiver would not be detrimental to the performance of an officer's duties, including the protection of the public and the safety of co-workers. The applicant may be required to demonstrate the ability to perform the essential functions of the job.

(o) A person or department head requesting a waiver of any physical requirement set forth in section (8) of this rule shall submit the request to the Department in writing, accompanied by supporting documents or pertinent testimony which would justify the action requested. The supporting documents must include information pertinent to the waiver request. The Board or Department may require additional documentation or testimony by the person or department head requesting the waiver if clarification is needed. Any expense associated with providing documentation or testimony will be borne by the person requesting the waiver or the requesting agency. If the person requesting the waiver does not obtain employment within one (1) year from the date a waiver is granted, the waiver will be considered void.

(A) If the Board grants a waiver, it will be recorded on the certification and any subsequent certification unless removed by the Board upon proof that the condition prompting the waiver no longer exists.

(B) If the Board denies a request for a waiver of any physical requirement set forth in section (8) of this rule, the Department will issue Notice and proceed as provided in section (9) of this rule.

(9) Contested Case Hearing Process for denial of waiver.

(a) Initiation of Proceedings: Upon determination that the reason for denial of a waiver is supported by factual data meeting the statutory and administrative rule requirements, a contested case notice will be prepared.

(b) Contested Case Notice: The "Contested Case Notice" will be prepared in accordance with the Attorney General's Model Rules of Procedure adopted under OAR 259-005-0015. The Department will have a copy of the notice served on the public safety professional or individual.

(c) Response Time: A party who has been served with a "Contested Case Notice" has 60 days from the date of mailing or personal service of the notice in which to file with the Department a written request for a hearing.

(d) Default Order: If a timely request for a hearing is not received, the Contested Case Notice will become a final order denying the requested waiver.

(e) Hearing Request: When a request for a hearing is received in a timely manner, the Department will refer the matter to the Office of Administrative Hearings.

(f) Proposed Order: The assigned Administrative Law Judge will prepare Findings of Fact, Conclusions of Law and Proposed Final Order and serve a copy on the Department and on each party.

(g) Exceptions and Arguments: A party must file specific written exceptions and arguments with the Department no later than 14 days from date of service of the Findings of Fact, Conclusions of Law, and Proposed Final Order.

(A) The Department may extend the time within which the exceptions and arguments must be filed upon a showing of good cause.

(B) When the exceptions and arguments are filed, the party making the exceptions and arguments must serve a copy on all parties of record in the case and provide the Department with proof of service. A failure to serve copies and provide proof of service will invalidate the filing of exceptions and arguments as being untimely, and the Department may disregard the filing in making a final determination of the case.

(h) Final Order: The Department will issue a final order if a public safety professional or individual fails to file exceptions and arguments in a timely manner.

## **Appendix B**

**Date:** January 10, 2008  
**To:** Telecommunications Policy Committee  
**From:** Bonnie Sallé  
Rules Coordinator  
**Subject:** OAR 259-008-0045(5) – Proposed Rule  
Official College transcripts

### **Issue:**

The Department has historically accepted certified true copies of college transcripts. However, it is often extremely difficult to decipher copies of transcripts that are faxed or mailed to the Department, due to the type of paper utilized for copies and the copy mediums (*see attached samples*). Staff is recommending a change to the current rule to require individuals requesting college credit for upper levels of certification to submit official transcripts directly to the Department.

The following revised language for OAR 259-008-0045(5) contains recommended deletions (~~strikethrough text~~). For ease of review, only the recommended new language has been included.

### **259-008-0045**

#### **College Education Credits**

(5) Certification Credit. The Department must receive sealed official transcripts from a college or a certified true copy of official transcripts prior to entering college credit on an applicant's official record. Evaluation of these credits is subject to the conditions prescribed in sections (3) and (4) of this rule and OAR 259-008-0060.

## **Appendix C**

**DATE:** January 15, 2008

**TO:** Telecommunications Policy Committee

**FROM:** Marilyn Lorance  
Standards & Certification Program Supervisor

**SUBJECT:** Proposed Changes to OAR 259-008-0060(9)(d)

### **Background:**

Since approximately 2004, DPSST has been adding “Instructed” hours to officer training records when instructors are identified on F-6 Attendance Rosters. In addition, current DPSST rules provide for instructors to receive “passed” credit once each year for each course that they instruct. This provision has been included in the agency’s administrative rules since at least 1984, and has remained unchanged since that time.

### **Issue:**

DPSST has identified two concerns with continuing this traditional practice.

1. As we worked with constituents to develop the current standardized course list, and to walk through the first maintenance training period for police officers, a number of constituents expressed concern with giving “passed” credit to instructors for instructional hours. It is quite possible for some training officers to meet all maintenance training requirements simply by instructing sufficient hours, without ever participating in training themselves. Many constituents have stated that training attended and training instructed should not be considered interchangeable. Some noted that it is critical for public safety trainers/instructors to attend sufficient training to ensure that the knowledge and skills they pass on are at the level they should be.
2. We were able to implement the provisions of the current rule with our current database system using a “band-aid” approach that required significant “work-around” processes. These processes are not fool-proof; in fact, problems related to these “work-arounds” contributed to the delays in sending out the initial and final 2006 police maintenance deficiency reports to agencies.

We are currently preparing to migrate all officer records to the same Internet-based program we acquired to manage venue scheduling and training at the Academy. We can continue to track “instructed” as well as “passed” hours in our new system, as we do in our current system. However, vendors and staff are both concerned about transferring technology problems and “work-arounds,” associated with granting both “instructed” and “passed” credit for the same classes, into the new system, unless there is a substantive business need to do so.

### **Request:**

DPSST staff requests discussion and recommendation by Committee members regarding whether individuals should continue to receive “passed” credit for courses that they instruct. The change proposed in the attached rule language would remove this option from our administrative rules.

