

Telecommunications Policy Committee
Minutes
June 11, 2007

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a special follow-up telephonic meeting on June 11, 2007 at the Oregon Public Safety Academy in Salem, Oregon. Chair Eric Swanson called the meeting to order at 10:07a.m.

Attendees

Committee Members:

Eric Swanson, Public Safety Telecommunicators, Chair (teleconference)
Corey Henderson, Public Safety Telecommunicators (teleconference)
Randy Jackson, Oregon Fire Medical Administrators' Association (teleconference)
Bob Cozzie, Clackamas County Communications (teleconference)
Elizabeth Morgan, Emergency Medical Services and Trauma Systems (teleconference)
LeAnne Senger, Public Safety Telecommunicators (teleconference)

Committee Members Absent:

Ted Kunze, Oregon Fire Chief's Association
James Rentz, Oregon State Police
Scott Russell, Oregon Association Chiefs of Police
Tamara Atkinson, Associated Public Safety Communications Officers
Mark Metcalf, Oregon State Sheriff's Association

DPSST Staff:

Eriks Gabliks, Deputy Director
Pam Collett, Telecommunications Program Coordinator (teleconference)
Marilyn Lorange, Standards & Certification Supervisor
Carolyn Kendrick, Administrative Support



1. Discuss Current Certification Chart

Marilyn Lorange reviewed the issue before the committee.

Background: In 1983, the Board on Police Standards and Training adopted rules creating Intermediate and Advanced levels of certification. At the time, the Board's jurisdiction was over police, corrections, and parole and probation officers. The Basic Police Course was 280 hours; the Basic Corrections and Basic Parole and Probation courses were both 160 hours. At that time, the "Certification Chart" identifying the required combination of training, education, and experience for upper levels of certification was adopted. It has remained unchanged for 24 years.

In the intervening years, the length of the Basic Police Course has increased to 640 hours; Basic Corrections is 200 hours; Basic Parole and Probation remains at 160 hours, with an optional 40 hours for Firearms; and the Basic Telecommunications Course has been added at 80 hours. And additional 50 hours credit is given for successful completion of the Field Training Manual.

Other rules provide that college credit may be applied either towards the college credit requirement, or towards training hour requirements, whichever is to the advantage of the applicant for an upper level of certification.

In 1999, the curricula for the Basic Police and Basic Corrections courses were reviewed, and both were determined to be eligible for college credit. Through a grant with Clatsop Community College, up to 21 transfer credits are offered for successfully completing the Basic Police Course and up to 12 transfer credits are offered for the Basic Corrections Course.

This means that Basic Police and Corrections students now receive both Training and Education credit towards upper levels of certification for having completed the Basic course requirements.

The following chart demonstrates the impact of Basic training on eligibility for Intermediate Certification with four years of employment:

Discipline	% of Training Requirement Met by Basic Course	% of Education Requirement Met by Basic Course
Corrections	28%	27%
Parole & Probation with Firearms	22% 28%	-0-
Police	77%	47%
Telecommunications	14%	-0-

The disparity in Basic Course duration means that some disciplines are at a significant disadvantage in their ability to obtain upper levels of certification following completion of Basic training and the award of Basic certification in that discipline. For example, a Basic Telecommunicator would have to complete 770 hours of training and obtain 45 college credits before being eligible for Intermediate Telecommunications Certification, while a Basic Police Officer would be eligible for Intermediate Police Certification with 210 additional hours of training and 24 college credits.

Additionally, the College Credit partnership through Clatsop Community College has legitimized the practice of applying training as both Training and Education when applying for upper levels of certification.

Recommendations:

1. DPSST staff developed a draft proposal that would:
 - a. Discontinue the historic practice of applying training hours earned from the Basic Course towards upper levels of certification. This would:
 - Provide a consistent set of requirements beyond Basic for public safety professionals in all disciplines.

- Eliminate the built-in problem of giving duplicate credit for the same training, while still allowing college credit for the Basic Police and Corrections courses to apply towards upper levels of certification.
 - Return to the intention of the Intermediate and Advanced Certification requirements when they were initially implemented in 1983, to encourage professionalism in public safety.
 - Reduce the current training hour requirements by 100 hours.
2. When this proposal was discussed at the May 2007 Police and Corrections Policy Committee meetings, Committee members recommended that a multi-discipline workgroup be assembled to undertake a broad review of advanced and upper levels of certification, rather than a simple update of the current chart. Three individuals from each committee have volunteered to participate.
 3. The question of whether leadership certifications should be maintained when an individual no longer serves in a position eligible for such certification was discussed at previous Police and Telecommunications Policy meetings. When discussed at the May 15, 2007 Corrections Policy Committee meeting, members recommended that this matter be addressed as part of the larger discussion.
 4. Those committees also directed DPSST staff to develop interim proposals, including Rule language if necessary, to ensure that the current “double-dipping” practice be discontinued as soon as possible.

Requested Action:

- 1) Staff requests that Telecommunications Policy Committee members select workgroup participants if you concur with the recommendations of the Police and Corrections Policy Committees to undertake a broad review of advanced and upper levels of certification.
- 2) Staff requests that members discuss the issue of duplicate credit being given in the Training and Education categories and determine whether you concur with the direction to staff to develop interim proposals to end this practice while broader discussions are underway.

Eriks Gabliks reminded the Committee that this topic had come up previously during strategic planning for Telecom. He suggested that some people from this committee may want to participate in the multi-discipline workgroup to redefine the current certification chart. Upon discussing the Intermediate and Advanced Certifications, Chair Eric Swanson asked for volunteers to be part of the multi-discipline workgroup. Marilyn Lorange specified that staff would do all the preliminary research of any efforts underway in other jurisdictions. Staff will do its best to minimize tasks/demands (i.e. minutes, meeting coordination, etc.) to ease the time commitment for workgroup volunteers. It will be approximately one month before information is assembled for the workgroup. Bob Cozzie volunteered to be part of said workgroup. Chair Eric Swanson said he would speak with Tamara Atkinson regarding her participation in the workgroup and will get back to staff with her answer.

Randy Jackson moved for staff to develop interim proposals to end the practice of double credit while broader discussions are underway. Corey Henderson seconded the motion. The motion was carried in a unanimous vote.

2. ***Color Vision Field Testing**

Marilyn Lorange reviewed the issue before the committee.

Issue: The Board previously approved medical standards for Telecommunicators and Emergency Medical Dispatch (EMD) personnel with an effective implementation date of July 1, 2007. However, the rules relating to the minimum standards for employment relating to color vision did not include a provision for a field test for applicants who may not be able to satisfactorily meet the color vision standard.

Staff has prepared an affidavit (attached) for each employing agency to complete when a field test is utilized and has further clarified the reporting process and responsibility for employing agencies in administrative rule.

The following revised language contains recommended additions (**bold and underlined text**):

259-008-0011

* * *

(6) Physical Examination. All Telecommunicators and Emergency Medical Dispatcher applicants must be examined by a licensed physician.

(a) The medical examination must be completed not more than 180 days prior to initial offer of employment, nor more than 90 days after initial offer of employment, and must conform to applicable standards of the Americans with Disabilities Act (ADA). Title 42 USC 12101.

(b) Individuals who have had a successfully completed physical examination (while at the same employer) and are selected for a certifiable position in a discipline in which the individual is not yet certified must complete and pass a new physical examination.

(c) The Department will not require a new physical examination when a Telecommunicator or Emergency Medical Dispatcher obtains employment, or re-employment, in the same discipline if the Telecommunicator or Emergency Medical Dispatcher:

(A) Has had a successfully completed a physical examination, and

(B) Is currently certified; or

(C) Is currently employed full-time in another jurisdiction and has successfully completed a comparable physical examination in that jurisdiction.

(d) Notwithstanding subsection (c), a medical examination may be required by a hiring agency at its discretion.

(e) Telecommunicator and Emergency Medical Dispatcher applicants must meet the following criteria:

(A) Visual Acuity. Corrected vision must be at least 20/30 (Snellen) when tested using both eyes together.

(B) Color Vision. Red or green deficiencies may be acceptable, providing the applicant can read at least nine (9) of the first thirteen (13) plates of the Ishihara Test (24 Plate Edition). Applicants who fail the Ishihara test can meet the color vision standard by demonstrating that they can correctly discriminate colors via a field test conducted by the employer and approved by DPSST. **The results of the field test and the methods for testing must be maintained by the employing agency.**

(i) Any employing agency that conducts a field test to meet the color vision standard must also complete a Department approved affidavit attesting that the applicant can either correctly discriminate colors or is able to successfully perform the required tasks of a Telecommunicator or Emergency Medical Dispatcher, notwithstanding the applicant's inability to correctly discriminate colors.

(ii) Any affidavit required by (i), that the Department receives and accepts, is non-transferable to any subsequent employer and may not be used by any other entity for certification purposes.

(iii) Notwithstanding subsection (c) of this rule, each employer must complete an agency-specific field test and a Department approved affidavit as described in subsection (i) of this section for any Telecommunicator or Emergency Medical Dispatcher who previously met the color vision standard by completing a field test.

(C) Peripheral Vision. Visual Field Performance must be 120 degrees in the horizontal meridian combined.

(f) Applicants for the position of Telecommunicator or Emergency Medical Dispatcher must have sufficient hearing in both ears to perform essential tasks without posing a direct threat to themselves or others. The applicant must meet National Emergency Number Association (NENA) hearing standard 54-002 (June 10, 2006).

(g) Applicants for the position of Telecommunicator or Emergency Medical Dispatcher must be able to use vocal cords and have significant speaking ability to perform speaking-related essential tasks.

(7) If further medical examination is required, it will be at the expense of the applicant or the hiring authority.

Chair Eric Swanson asked if the affidavit process was less involved than trying to get a waiver. Marilyn Lorange confirmed the affidavit process as less involved than the waiver process. She clarified that the affidavit is not a waiver; it is the employer assuming the responsibility that their employee can meet the requirements of the job, so there is no waiver required. There is a color vision field test in place for police and corrections. It is the employers' discretion as to what the field test contains. If the employee doesn't pass the color test but can still decipher information and perform

duties, the employer may then sign an affidavit stating as such. Each affidavit is agency specific and not transferable to any other agency or discipline.

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

ACTION ITEM 2: Determine whether to recommend filing the proposed language for OAR 259-008-0011 with the Secretary of State as a permanent rule if no hearing is held.

Elizabeth Morgan moved to recommend filing the proposed language for OAR 259-008-0011 with the Secretary of State as a proposed rule and also to recommend filing the proposed language for OAR 259-008-0011 with the Secretary of State as a permanent rule if no hearing is held. LeAnne Senger seconded the motion. The motion carried in a unanimous vote.

ACTION ITEM 3: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses. (See attached form.)

It is the consensus of the committee that there is no fiscal impact on small business.

**Before the Board on Public Safety Standards and Training
of the State of Oregon**

In the matter of the Minimum standards)
for employment relating to color vision) AFFIDAVIT
for Telecommunicator / Emergency Medical Dispatcher)
_____))
(Employee name)

STATE OF OREGON)
) ss.
County of _____)
(County Name)

I, _____, being first duly sworn on oath,
(Name of Department Head)
hereby depose and say that I am the _____ of the
(Chief/Sheriff/Authorized Representative)
_____; that on the ____ day of
(Name of Agency/Department)
_____, _____, the above-referenced employee,
(Month) (Year)
_____, DPSST # _____, became employed
(Employee Name)
by this department in the capacity of _____.
(Position Title)

I further depose and say that either:

(a) Said employee has satisfactorily met the color vision standard in OAR 259-008-0011 and can correctly discriminate colors via a field test conducted by the employer; OR

(b) Said employee has demonstrated via a field test that regardless of his/her inability to discriminate colors, he/she is fully able to successfully perform the required tasks of a telecommunicator / emergency medical dispatcher for which color vision would otherwise be required, utilizing all equipment and tools required at this agency.

The results of the field test and the method for testing will be maintained by the employing agency. The applicant understands this endorsement is agency specific and non-transferable toward any future employer, and that a new field test will be required upon any change of employment.

(List comments here)

Pursuant to OAR 259-008-0011 (6) (B), I hereby approve and accept the color vision field test for said employee.

Department Head/Authorized Signature

SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____,
_____, by _____.

Notary Public for Oregon

12/4/07

There being no further information to come before the Committee, Chair Eric Swanson adjourned the meeting at 10:23am.