



Oregon Volunteers (OV) Oregon Commission for Voluntary Action and Service

Voting Members

Derenda Schubert, PhD, Co-Chair,
Executive Director, Bridge Meadows

Josh Todd, Co-Chair, Executive
Director, Campus Compact of Oregon

Pablo Brito, Volunteer & Outreach
Specialist, Friends of Trees

Mila Buckland, Curriculum & Training
Manager, Campus Compact of Oregon

Cord Bueker, Workforce Policy Analyst,
Department of Education

Ross Cornelius, Client Services
Manager, Walsh Construction

Jorge Cruz, Program Director,
Metropolitan Family Service

Bill Deiz, Services Expert

Heidi Edwards, Executive VP, PCC
Federation of Faculty and Academic
Professionals

Michael Fieldman, Executive Director,
UCAN

Adele McAfee, Secretary, Executive
Assistant, City of Bend

Jayesh Palshikar, Member-At-Large,
Volunteer, Scouts BSA

Elias Villegas, Dean, Chemeketa
Community College

Kelly Wessels, Chief Operating Officer,
UCAN

Non-Voting Members

Geoffrey Hickox, Ex-Officio, State
Director, CNCS

Technical Advisors

Eddie Aguero, AmeriCorps Program
Specialist/Consultant, California
Volunteers

Commission Staff

Carie Bauer, Director, Oregon
Volunteers

November 16th, 2018

10:30am – 2:30pm

HECC PSB H301

255 Capitol Street NE, Third Floor

Salem, OR 97310

To listen, call: 712-770-4624, Access Code: 704154

AGENDA

10:30	1.0	Call to Order	D. Schubert
	1.1	Guest: Ben Cannon, HECC Executive Director	
11:30	2.0	Commission Business	J. Todd
	2.1	Public Comment	
	2.1	Agenda Review	
	2.2	Consent Item: Approve September Minutes	
	2.3	Commissioner Announcements	
	2.4	Consent Item: Accept Director Reports	
		<i>(working lunch)</i>	
12:30	3.0	Draft Report Reviews	C. Bauer
	3.1	55+ Supplemental Plan Draft	
	3.2	State of Service Draft	
1:00	4.0	Ethics Training	J. Todd
	4.1	Ethics Commission Presentation	
2:15	5.0	Grantmaking Updates	C. Bauer
2:25	6.0	Next Dates of Importance	D. Schubert
2:30	7.0	Adjourn	D. Schubert



Director's Report
November 2018

The following is a general summary of news and activity:

Fiscal Transition/Grantmaking:

Awaiting final amounts of grant balances from DAS in order for HECC to submit grant transfer paperwork. Coordinating multi-agency meeting to determine timing of submission, discuss grant / contracting statuses and management, and continuing roles and responsibilities. Timing may cause complications with upcoming grantmaking cycle. Plan B (offline applications) in effect. RFA and grant agreements at DOJ – awaiting approval for immediate release and execution. Inquiring if can release 'pending' RFA in order to ensure adequate timeframe for grantees. Staff review team received grant process and review training and will receive follow-up training week of 11/19.

CNCS just announced that both the 2019 CSG and the 2019 CIF applications would be due to CNCS by November 21st. While still being in transition, OV is at a disadvantage to meet this short deadline and in addition to the 10-day legislative notice rule that we may need to follow. I've requested and received an extension to December 5th, with understanding award date may be delayed past January 1, in which match will not be counted. Possible strategy: Meet CSG deadline, if possible; use deadline extension for CIF grant (no match, funding is for a later period).

AmeriCorps KickOff: KickOff held at PSU on Oct. 8th. Approximate 210 attendees. Event included regional breakouts, keynote and topical breakouts. Subsequent feedback requires larger conversation.

Many thanks to Commission members Pablo Brito, Heidi Edwards, Jayesh Palshikar and Derenda Schubert for representing the Commission at the event, and speaking / volunteering. Much gratitude also to CNCS State Office staff, Geoff Hickox, OWI Office Staff Karen Humelbaugh, Linda Sozzi, Mike McCoy; Bridge Meadows staff Sierra Barnes, Alicia Boggio-Hair, Lindsay Magnuson, Katherine Vardanega and the AmeriCorps program directors who participated in planning and facilitation.

Staffing: Two new OWI employees' time being redirected to assist OV. Stephanie Solomon will provide board support while Barbara Zeal will assist with portfolio management. Eddie Aguero's contract concludes November 30th. Eddie has been assisting OV since October 2017 and has been an immense help, to whom we are extremely appreciative and grateful. Eddie will be at OV 11/19-11/20 to provide RFA TTA support to programs, and connect with Barbara.

Volunteering in America 2018 Report: CNCS released the 2018 report. Oregon ranks #3 in volunteering while Portland ranked #5 in cities. The full report is available at:
<https://www.nationalservice.gov/serve/via>.

Mail Chimp: OV will transition to Mail Chimp for distribution of a newsletter, curated event notices, AmeriCorps program announcements and public meeting notices. All Commission members have been automatically subscribed to periodic newsletter. To sign up for more info or broader HECC topics, visit link: <http://eepurl.com/dmW7WT>.

Commission Chair Training:

From Chester Spellman, Director of AmeriCorps: “Dear Commission Colleagues,

In recognition and support of the important role that commission board chairs play at state service commissions, it is with great pleasure and excitement that Barbara Stewart, CEO of CNCS, and I formally extend an invitation to your commission’s board chair to attend our State Service Commission Board Chair Leadership Development Training. The event will be held at CNCS headquarters in Washington, DC on Wednesday, February 13th, 2019.

This one-day, highly-interactive training, will help attendees become exceptional board leaders who are better prepared to lead the board and help their commission achieve its mission. We will focus on preparing attendees to take on the roles and responsibilities of the board chair with special attention given to the application of strong leadership and sound governance practices related to board processes and activities. Attendees will also be able to network with national peers, and share best practices and success stories.

Commission representation is strongly encouraged and grant funds in your approved CSG and/or CIF budget may be used for board chair attendance at this event. If your commission’s board chair is unable to attend, we encourage you to send an alternate representative from your commission, likely a board chair-elect or a commissioner in position to become the board chair.”

Mandatory Board Training:

All board members must complete before December 31st:

DAS – CHRO – Preventing Sexual Harassment:

<https://ilearn.oregon.gov/dl.aspx?id=FC303BA6BC29479DB7BACCEDB97EA343>

DAS – CHRO – Maintaining a Harassment Free and Professional Workplace:

<https://ilearn.oregon.gov/dl.aspx?id=627068EB56EA4C92BCC6BA4EE9477A9C>

Must complete annually:

DAS - CHRO - Overview of Boards, Commissions, & Small Entities

Upcoming Meetings/Dates of Note/Holidays:

n/a

(Common) Key:

CNCS: Corporation for National and Community Service

ASC: America’s Service Commissions

NCCC: National Civilian Community Corps

VISTA: Volunteers in Service to America

HECC: Higher Education Coordinating Commission

OWI: Office of Workforce Investments

FPO: Fiscal Program Officer

PO: Program Officer

CSG: Commission Support Grant

CIF: Commission Investment Fund

VIA: Volunteering in America (report)

VOLUNTEERING IN AMERICA

This week, CNCS released the 2017 Volunteering in America report. This report is the most comprehensive look at Volunteering in America. Data includes volunteer rates, rankings, trends, and demographics represented nationally, by state, and in major metropolitan areas.

Nationally:

- Since the previous report, the overall volunteer rate increased by more than 6%; nearly 77.4 million Americans volunteered 6.9 billion hours last year- that is 30.3% of adults. Based on the Independent Sector's estimate of the average value of a volunteer hour (\$24.14 in 2017), the estimated value of this volunteer service is nearly \$167 billion.
- Volunteers donated to charity at twice the rate of non-volunteers.

Oregon:

- **1,448,752 volunteers** contributed **177.7 million hours** of service
- **43.2%** of residents volunteer, ranking Oregon **3rd** among all states
- Volunteer service worth an estimated **\$4.2 billion**
- Portland ranks **#5** among cities nationally for volunteering

NATIONAL SERVICE CRIMINAL HISTORY CHECKS- NEW APPROVED VENDOR AND EXEMPTION PERIOD

Thursday, Nov. 15, CNCS launched the recently approved National Service Criminal History Check (NSCHC) vendor, Truescreen. As of Nov. 15, 2018, this vendor is available to provide State and National Sex Offender Public Website (NSOPW) checks to CNCS grantees. Truescreen's sister company, Fieldprint, will continue to provide CNCS grantees with FBI checks.

This launch is a direct response to grantee feedback on the difficulty and burden associated with NSCHC compliance. After a year of vendor research, thorough internal testing, and a successful grantee soft launch, we're confident in the level of service and opportunity for improved compliance that this new vendor will provide. Today's launch is a significant advancement in our commitment to beneficiary safety and grantee compliance.

Moving forward, CNCS has authorized a number of directives to support grantee use of Truescreen and Fieldprint, namely:

1. Additional funding for AmeriCorps State and National and Senior Corps grantees to use Truescreen and/or Fieldprint to obtain compliant checks on individuals serving or working in covered positions.
2. An exemption period during which CNCS will not take administrative enforcement action for noncompliance for grantees that conduct rechecks of covered positions, using Truescreen and/or Fieldprint.

Additionally, to emphasize our priority to utilize CNCS-approved vendors and desire for a more streamlined NSCHC process, CNCS will implement the following changes over the coming months:

1. Phase out most of the currently approved Alternative Search Procedures (ASPs) at the end of calendar year 2019.
2. Implement a process where a manual hold may be placed on grant funds for grantees who are found to be noncompliant with the NSCHC requirement until grantees are able to obtain compliance using the agency's approved vendors.
3. Implement a new cost-based disallowance policy to replace the current NSCHC Disallowance Matrix.



SUPPLEMENTAL STATE SERVICE PLAN FOR ADULTS AGE 55 OR OLDER

Opening Summary Statement:

The benefits of giving back, whether through service or volunteering, are well documented. It has a positive impact on not only those that give their time and efforts, but also the individuals and communities they serve. The act of giving back by community members enriches lives and provides the ability for nonprofits and other organizations to meet the unique needs of their communities.

State of Volunteerism and National Service:

According to the most recent reports (Volunteering in America 2018), over 77.4 million people of all ages, backgrounds and ethnicities, volunteer annually. ¹

Nationally, the numbers show:²

In 2017, one in three adults (30.3%) volunteered through an organization, demonstrating that volunteering remains an important activity for millions of Americans.

- Since the previous report, the overall volunteer rate increased by more than 6%; nearly 77.4 million Americans volunteered 6.9 billion hours last year. Based on the Independent Sector's estimate of the average value of a volunteer hour (\$24.14 in 2017), the estimated value of this volunteer service is nearly \$167 billion.
- Volunteers donated to charity at twice the rate of non-volunteers.
- Volunteers invested in community-building; they did something good for the neighborhood at three times the rate of non-volunteers, and did favors for neighbors at nearly twice the rate of non-volunteers.
- Volunteers belonged to a group, organization, or association at five times the rate of non-volunteers.
- Generation X had the highest volunteer rate among age groups at 36.4%, and Baby Boomers had the highest number of hours at more than 2.2 billion. Millennial volunteering increased more than 6% since the last report, now at 28.2%.
- Over the past 15 years, Americans volunteered 120 billion hours, estimated to be worth \$2.8 trillion

In the 2018 Volunteering in America report, Oregon ranked #3 in states for volunteerism. Portland, OR ranked #5 in volunteering among cities.

¹ <https://www.nationalservice.gov/serve/via>

² <https://www.nationalservice.gov/serve/via/research>



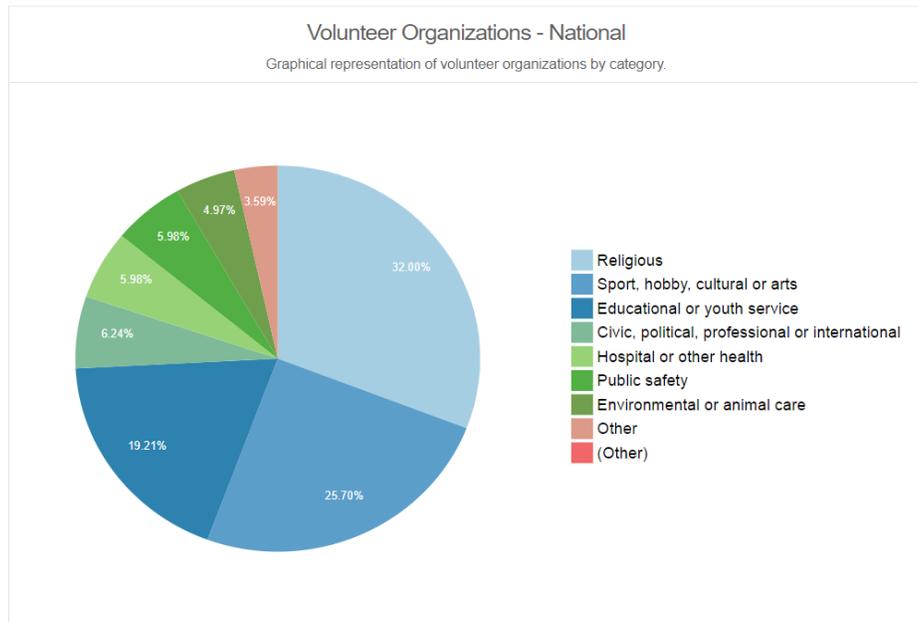


- **1,448,752 volunteers** contributed **177.7 million hours** of service
- **43.2%** of Oregonians volunteer, which is almost 44% higher than the national average- ranking Oregon **3rd** among states for volunteering
- That volunteer service is worth an estimated **\$4.2 billion**
- **98.9%** of residents regularly talk or spend time with friends and family

- **61.9%** of residents do favors for neighbors
- **32.7%** of residents do something positive for the neighborhood
- **43.1%** of residents participate in local groups or organizations
- **62.2%** of residents donate \$25 or more to charity

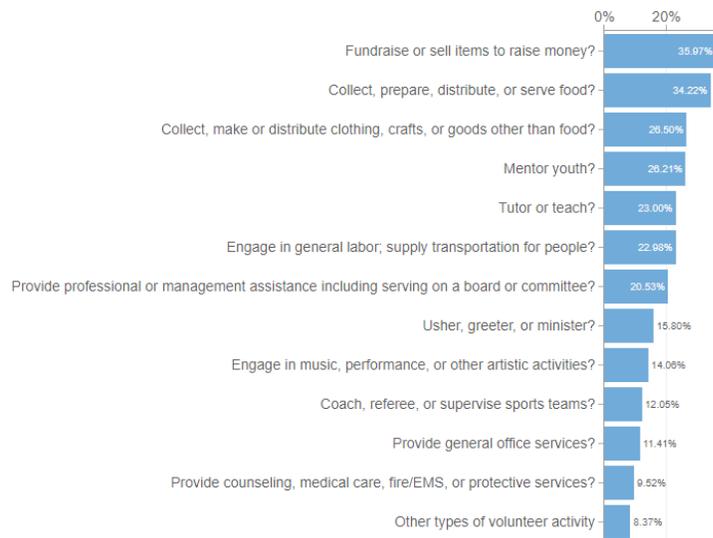
Types of Service and Volunteerism:

More than 972 AmeriCorps members and 3,309 Senior Corps volunteers are meeting local needs, strengthening communities, and increasing civic engagement through national service in Oregon. Participants in these programs address community needs in disaster services, economic opportunity, education, the environment, health, and veterans and military families.³



³ <https://www.nationalservice.gov/impact-our-nation/state-profiles/or>





Volunteerism Trends (55+)

Baby Boomers (born 1946-1964) are often the primary focus of older adult volunteerism, however the first wave of Gen X group (born 1965-1979) is approaching 55 and organizations should be cognizant of not only providing an attractive volunteer environment for Boomers, but prepare for a new generation of retired volunteers who have unique interests, skills and motivations.

Gen X leads volunteering among generations, followed by Baby Boomers. Boomers are more likely to volunteer mainly for religious organizations⁴ and are the most generous of all generations⁵, but Gen X leads volunteering among all generations.

Generation X Volunteerism Trends: ⁶

- 21,720,574 Generation X volunteers contribute roughly 1.8 billion hours of service
- 36.4% of Generation X Americans volunteer
- Volunteer service worth an estimated \$45.2 billion
- 97.9% of residents regularly talk or spend time with friends and family
- 57.2% of residents do favors for neighbors
- 24.6% of residents do something positive for the neighborhood
- 28.0% of residents participate in local groups or organizations
- 58.0% of residents donate \$25 or more to charity

Also consider, from a Pew Research Center study on smartphone ownership, 80% of adults between the ages 30-49 own a smartphone — the second largest generational group to do so ⁷ while nearly a quarter of 40+ Internet users are willing to participate in virtual volunteering. ⁸ These factors should be noted when organizations consider how best to utilize volunteers and how best to respond to their interests and means of communicating.

⁴ <https://www.bls.gov/news.release/volun.nr0.htm>

⁵ <https://blogs.volunteermatch.org/engagingvolunteers/2016/06/02/knowning-generational-differences-can-help-engage-your-volunteers/>

⁶ <https://www.nationalservice.gov/serve/via/demographics>

⁷ <http://www.pewinternet.org/2015/04/01/chapter-one-a-portrait-of-smartphone-ownership/>

⁸ https://www.huffingtonpost.com/nancy-leamond/5-key-lessons-for-engaging-gen-x-and-boomer-volunteers-online_b_5360252.html



Baby Boomers Volunteerism Trends:

- 22,631,756 Baby Boomer volunteers contribute roughly 2.2 billion hours of service
- 30.7% of Baby Boomers volunteer
- Volunteer service worth an estimated \$54.3 billion
- 97.7% of residents regularly talk or spend time with friends and family
- 58.8% of residents do favors for neighbors
- 23.7% of residents do something positive for the neighborhood
- 31.9% of residents participate in local groups or organizations
- 62.5% of residents donate \$25 or more to charity
- Overall, each generation has its own unique considerations and qualifications.

Overall, each generation has its own unique interests and motivations communities and agencies should consider in engaging their volunteer services.

Aging Population: Wellbeing, Economic Impact and Challenges

“The current growth of the population ages 65 and older is one of the most significant demographic trends in the history of the United States. Baby boomers—those born between 1946 and 1964—have brought both challenges and opportunities to the economy, infrastructure, and institutions as they have passed through each major stage of life”, states the Population Reference Bureau.

The Population Reference Bureau asserts, “...As older Americans live longer, there is growing interest in exploring the connections between health and happiness in order to improve the overall quality of life in later years. This line of research, known as subjective well-being, goes beyond traditional measures of physical and cognitive health to understand the emotional dimension of older adults’ lives, examining whether people perceive their day-to-day existence as positive and rewarding or negative and distressing. In the United States and many other higher-income countries, life satisfaction follows a U-shaped pattern. Happiness falls to its lowest levels among those ages 45 to 54 before increasing among those in older age groups. Adults ages 50 and older report the highest levels of subjective well-being and are happiest while socializing, working or volunteering, and exercising. Among older married adults, those with disabilities report lower levels of life satisfaction compared with those without disabilities, partly because disabilities limit physical and social activity. Disability can also put significant physical and emotional stress on spouses and others who provide informal care”.⁹

Benefits of Volunteering and Service for Older Adults: CNCS Key Findings

In 2015, CNCS began two longitudinal studies to review the impact of service and volunteerism for older adults.

Interim findings from these studies show positive effects on health and well-being in Senior Corps volunteers, as well as for caregivers of Senior Companion clients. The volunteers reported improvements in health, physical capacity, anxiety and depression, loneliness and social isolation, and life satisfaction. The Senior Corps volunteer study showed that just after one year of service:

- Nearly half of Senior Corps volunteers (46%) reported improved health and well-being.
- More than one-third who initially reported they were in good health, reported improved health at the end of the one-year period.
- Almost two-thirds of Senior Corps volunteers (63%) reported a decrease in feelings of isolation.

⁹ <https://www.prb.org/unitedstates-population-bulletin/>



- 67% of those who first reported they “often” lack companionship, reported improved social connections.
- 70% of Senior Corps volunteers who initially reported five or more symptoms of depression, report fewer symptoms at the end of the first year of service
- 63% of volunteers who initially reported three or four symptoms of depression also report fewer symptoms.¹⁰

Additional Research Findings

“Previous research has shown that volunteers live longer. This was observed in volunteers age 70 and older (Luoh and Herzog, 2002; Harris and Thoresen, 2005) and, in an additional study, among volunteers who were 50 and older (Lee et al 2010). A study of Americans over age 60 found that those who volunteer reported lower disability and higher levels of well-being relative to non-volunteers. The effects of volunteering were found to be greater than other factors including income, education level, or marriage (Morrow-Howell et al., 2003).”¹¹

“Volunteering can be part of a healthy lifestyle. There is increasing research that volunteering can support an active lifestyle. (Fried et al) There is strong evidence that physical activity remains important to health outcomes through the oldest ages (Healthy Futures 2010). A recent study found that over a 20 year period, environmental volunteering during midlife was significantly associated with greater physical activity (Pillemer et al., 2010).”¹²

CNCS Recommendations to increase service and volunteerism amongst older adults 55+:

*Implications for policymakers, government agencies, health officials, and nonprofit and community organizations to support and increase older adults participation in service and volunteerism activities.*¹³

- Given the positive health benefits associated with volunteering, efforts should be made to engage populations that could benefit the most from volunteering or are underrepresented among current volunteers, including low-income individuals and people with disabilities. Programs such as Senior Corps that offer small stipends or reimbursements for transportation or other costs associated with volunteering make it possible for large numbers of older volunteers to serve their community.
- Volunteering can provide a sense of purpose and future outreach should include older adults undergoing transitions such as unemployment, retirement, or the loss of a spouse.
- For those living in rural areas, volunteering can provide an important way to stay connected and active. Programs for older Americans should include volunteer opportunities in rural areas and consider ways to lower the barriers to volunteering, such as stipends that can reimburse the cost of transportation.
- Nonprofits and community organizations need to be ready to recruit and retain boomer volunteers. Adoption of key practices, such as matching volunteers with appropriate and challenging assignments, providing professional development opportunities for volunteers, and treating volunteers as valued partners, can help build organizational capacity to recruit and retain boomer volunteers.
- While marketing and recruitment efforts directed to older volunteers should reference the potential health benefits of volunteering, researchers should consider designing health interventions based on volunteering.

¹⁰ <https://www.nationalservice.gov/sites/default/files/documents/SCLongStudy.pdf>

¹¹ https://www.nationalservice.gov/pdf/healthbenefits_factsheet.pdf

¹² https://www.nationalservice.gov/pdf/healthbenefits_factsheet.pdf

¹³ https://www.nationalservice.gov/pdf/healthbenefits_factsheet.pdf



- National days of service, including the Martin Luther King, Jr. Day of Service and the September 11th National Day of Service and Remembrance, can be an effective way to introduce new volunteers to service activities that can turn into a long-term commitment.

Oregon Volunteers Goals:

- Promote resources, research and best practices that highlight the benefits of volunteering, particularly for those 55+
- Encourage funded AmeriCorps*State programs to engage community volunteers 55+ in Days of Service activities
- Partner with organizations currently serving the 55+ population to encourage volunteerism and increase awareness of service opportunities
- Connect with local volunteer associations and centers to gain awareness of ways in which the Commission can support their mobilization efforts for community members 55+

In addition to the CNCS recommendations stated above, Oregon Volunteers recommends policymakers, government agencies, health officials, and nonprofit and community organizations make steps to achieve the following to support and increase older adults participation in service and volunteer activities:

- Ensure that 55+ Oregonians and their champions are proportionately represented on decision-making bodies at local, regional, and state levels and have opportunities to engage cross-generationally on those bodies.
- Develop volunteerism and service opportunities that capitalize on the education / expertise of the retirement population.
- Adapt and prepare for the retirement of Gen X mission and project-driven volunteer opportunities that recognize the skills and interests of the Gen X population.
- Increase outreach to communities of color and Tribal leadership, and underrepresented populations, including rural and low-income communities.
- Increase access to adaptive resources for persons with disabilities and physical limitations.
- Promote the services of and outreach to agencies and organizations serving the aging population, e.g., Experience Corps, Senior Corps, Encore Fellows.
- For aging services providers, provide tools to local partners that can be used to strengthen communication with other state agencies that oversee development of and support for housing, transportation and other public systems used by older Oregonians.
- Conduct multi-generational training as part of overall diversity training.
- Allow flex-time for employees to be able to engage in community projects prior to their retirement.
- Assign management of unpaid staff to professional volunteer managers with attention to job and project descriptions, orientation, training, supervision and evaluation.
- Recognize organizations that engage older adults with compensatory prizes.
- Provide funding for nonprofits that demonstrate successful models of engaging older adults.





255 Capitol Street NE, Third Floor
Salem, OR 97310
www.oregon.gov/HigherEd

OREGON VOLUNTEERS
Commission for Voluntary Action & Service
****DRAFT****
STATE OF SERVICE REPORT
2017-18



oregonvolunteers!

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DRAFT

ABOUT OREGON VOLUNTEERS

Oregon Volunteers, also known as the Commission for Voluntary Action & Service, was created in 1994 to provide Oregonians with a statewide entity to focus service and volunteer efforts, to enhance the ethic of service and voluntarism in the state and provide funds for state-based AmeriCorps programs. As a state commission, Oregon Volunteers' role is to promote and elevate service, volunteerism and civic engagement in Oregon Communities.

Through House Bill 5201 and House Bill 4163, effective July 1, 2018, Oregon Volunteers moved operations to the Higher Education Coordinating Commission (HECC). Oregon Volunteers is housed in the HECC Office of Workforce Investments.

MISSION:

Strengthening our communities by inspiring Oregonians to actively engage, volunteer, and serve.

VISION:

For Oregon Volunteers:

- Oregon Volunteers is the trusted resource on volunteerism and civic engagement.
- Oregon Volunteers is integral and vital to Oregon's addressing of our state's greatest needs.
- Oregon Volunteers is sustainable with resources and stability to meet its mission.

For Oregon:

- Volunteering is an integral, prominent, and essential part of everyday life.
- Oregon's 36 counties have strong, healthy communities built and sustained through service.
- Public engagement drives government.

VALUES:

- **Community:** Strengthening Oregon through service and volunteerism is the heart of everything we do.
- **Diversity:** Commission programs, members and staff strive to reflect the full diversity of all Oregonians. We are especially attentive to issues of diversity including: race, gender, political affiliation, class, education, geography, interests, disability, sexual orientation, age, culture.
- **Effectiveness:** The results of an efficient, effective, strategic use of resources will further the Commission's mission. We will make decisions in line with short and long term priorities.
- **Mutual Benefit:** We take intentional action to create a triple win (win 3) – a win for the commission, for our partners, and for Oregon communities.
- **Integrity:** We do what we say we will do and only what we are able to do.
- **Partnership:** We invest time in building relationships, honoring diverse perspectives, and creating win3 solutions.
- **Innovation and Creativity:** We encourage new ideas and find solutions to better serve Oregon communities.

ROLE OF OREGON VOLUNTEERS

Oregon Volunteers, through federal funding provided by the Corporation for National and Community Service (CNCS), administers funding to local AmeriCorps programs, called AmeriCorps*State programs. CNCS funds programs and projects that focus on Disaster Services, Economic Opportunity, Environmental Stewardship, Education, Healthy Futures, and Veterans and Military Families.



*AmeriCorps*State programs* provide an opportunity for people to serve at locations across Oregon through nonprofits, schools, public agencies, tribes, and community and faith-based groups. People serving in AmeriCorps*State programs are called AmeriCorps members. Members serve for a year at their location, earning a living stipend and, at the end of their service year, a Segal AmeriCorps Education award.

Since 1994, more than 19,000 Oregon residents have served approximately 25 million hours through AmeriCorps, earning Segal AmeriCorps Education Awards totaling more than \$61.1 million. The award can be used in any state to pay for college, graduate school, vocation training, or to pay back student loans.

Oregon Volunteers operates in this role as the state Commission in Oregon. Per the National and Community Service Act of 1990, state commissions must exist in order for a state to apply and accept national service grants through CNCS.

A State Service Commission is a bipartisan or nonpartisan state entity that is responsible for developing a comprehensive national service plan and administering national and community service programs in the state. (Code of Federal Regulations §2550.2 (l)) The Oregon Volunteer and Community Service Act, passed in 2007, also solidified Oregon Volunteers' role to promote the development of better communities by using citizen participation and volunteerism to foster greater civic responsibility.

Oregon Volunteers' primary Commission-related duties include:

- Preparation of a national service plan for the state (*page 10*)
- Development of an application for national service members for the state
- Provide recommendations on priorities for national service programs
- Make technical assistance available to program applicants and grantees
- Assist in the provision of health care and child care benefits to participants in national service programs
- Development and promotion of a state system for the recruitment and placement of participants in programs
- Administration of the state-wide grant program to include selection, oversight, and evaluation of grant recipients
- Development of projects, training methods, curriculum materials, and other materials and activities related to national service programs

2018 OREGON VOLUNTEERS COMMISSION ROSTER

The Commission's work is supported and advised by a maximum-25 member board of Governor-appointed commissioners, whose role is to fulfill the statutory responsibilities for state service commissions as authorized by 42 U.S.C. § 12638 and outlined in 45 CFR 2550.50 National and Community Service Trust Act of 1990 as amended by the Serve America Act.

Volunteer Sector Representative

Pablo Brito
Volunteer & Outreach Specialist
Friends of Trees
Portland, Oregon

Participant or Supervisor of a National Service Program, between the ages of 16-25

Mila Buckland
Curriculum & Training Manager
Campus Compact of Oregon
Portland, Oregon

Oregon Department of Education Representative Designee

Cord Buker
Workforce Policy Analyst
Oregon Youth Development Council
Salem, Oregon

Educational, Training & Development Needs of Youth/Disadvantaged Youth Expert and National Service Representative

Jorge Cruz
Program Director
Metropolitan Family Service
Portland, Oregon

Business Sector Representative

Ross Cornelius
Client Services Manager
Walsh Construction
Portland, Oregon

Services Expert

Bill Deiz
Retired
Portland, Oregon

Local Labor Representative

Heidi Edwards
Executive Vice President, Executive Council,
PCCFFAP
PCC Federation of Faculty & Academic Professionals
Portland Community College
Portland, Oregon

Community-based Agency Representative

Mike Fieldman
Executive Director
United Communities Action Network
Roseburg, Oregon

Local Government Representative

Adele McAfee
Secretary, Executive Committee
Executive Assistant
City of Bend
Bend, Oregon

Volunteer Sector Representative

Jayesh Palshikar
Member-at-Large, Executive Committee
Volunteer Scout Leader
Scouts BSA
Oregon City, Oregon

Volunteerism & Service for Older Adults (55+) Representative

Derenda Schubert, PhD
Co-Chair, Executive Committee
Executive Director
Bridge Meadows
Gresham, Oregon

National Service Representative

Joshua Todd
Co-Chair, Executive Committee
Executive Director
Campus Compact of Oregon
Portland, Oregon

Higher Education Representative

Elias Villegas-Plascencia
Dean, Woodburn Center
Chemeketa Community College
Woodburn, Oregon

DVSA Program Representative

Kelly Wessels
Chief Operating Officer
United Community Action Network
Grants Pass, Oregon

Ex-Officio Commissioner

Geoffrey Hickox
State Director, Oregon State Office
Corporation for National & Community Service
Portland, Oregon

AMERICORPS*STATE GRANTEEES OF OREGON VOLUNTEERS



Campus Compact of Oregon

Connect2Complete

The Connect2Complete AmeriCorps program seeks to help participating campuses tackle chronic absenteeism and deepen student engagement for continued success. C2C members develop, implement, and expand K12 academic programs that increase attendance and student engagement through mentorship, family engagement, and service learning. The program focuses on low-income students, students of color, and first generation students.



College Possible Portland

College Possible AmeriCorps

College Possible Portland is a nonprofit organization working to close the degree divide for low-income students in Oregon. Programming connects these talented students with dedicated AmeriCorps members using proven campus-based and tech-connected coaching beginning their junior year of high school and continuing through college graduation.



Confluence Environmental Center

Confluence Environmental Center AmeriCorps

Confluence AmeriCorps Members address critical environmental needs related to energy and resource conservation, healthy watersheds, and environmental education, including garden-based education. Confluence Members primarily serve low-income communities and communities of color, as these populations are most affected by social and environmental inequities.



Ethos Music Center

Rural Outreach AmeriCorps

This full-time AmeriCorps program provides youth in rural underserved communities with opportunities to access music education, programming and to stimulate ongoing support for music education offerings. Members serve in small rural communities in central and eastern Oregon.



Forest Grove School District

Partnerships for Student Achievement

AmeriCorps members serve in Washington & Yamhill County elementary, middle and high schools. Member activities include tutoring, mentoring, volunteer management, among others. This is one of the only AmeriCorps programs in the country that provides tutoring services at the high school level.



Heart of Oregon Corps

Heart of Oregon AmeriCorps

Heart of Oregon Corps is a youth training and employment program that provides an avenue to reduce poverty, stimulate economic growth and maintain the natural environment. Its AmeriCorps program supports disconnected young adults ages 17-27 by providing service opportunities for members while they work towards their GED or diploma, prepare for college and gain work experience.



Metropolitan Family Service

Metropolitan Family Service AmeriCorps

MFS AmeriCorps members support the agency's three critical initiatives: strengthening early childhood development and building youth success; developing and promoting effective approaches to community-based health and wellness throughout the lifespan; and advancing individual and family economic well-being. Members develop and teach life skills and leadership, support early childhood/parent-child interaction groups, coordinate health and wellness focused family events and workshops, recruit and coordinate family and community volunteers, and teach financial literacy workshops for families.



Northwest Youth Corps

Community Stewardship Corps

AmeriCorps programs at NYC engage youth and young adults in environmental stewardship projects designed to increase access to open spaces and outdoor recreational opportunities, add economic value, and promote healthy lifestyles among AmeriCorps members and the communities they serve. The Community Stewardship Corps focuses on providing employment skills in the environmental field to opportunity youth throughout the State.



Open School

Post-Secondary Success Program

The mission of Open School is to develop connection, capability, and confidence in disconnected youth through relationship-based, quality learning experiences that result in their academic, personal, and community success. Open School recognizes there is an historic and persistent achievement gap between white students and students of color. Post-Secondary Success AmeriCorps members serve closely with staff and students at Open School North, Trillium Charter School and Open School East to create learning environments where underserved students can define and own their success.



United Community Action Network (UCAN)

United Communities AmeriCorps (UCA)

UCA members work with nonprofits, government agencies, schools, and faith-based organizations to meet critical needs throughout five SW Oregon counties. By engaging clients at each service site to address unique individual needs, UCA members help bridge barriers to educational opportunity, mentoring, job skills development, employment resources, healthy living. Members' projects promote equity, justice, and inclusion for the region's most vulnerable by improving access to social services.



University of Oregon

Resource Assistance for Rural Environments (RARE)

The mission of Resource Assistance for Rural Environments - RARE AmeriCorps - is to increase the capacity of rural communities to improve their economic, social, and environmental conditions through the assistance of trained graduate-level participants. RARE participants live in and assist communities in the development and implementation of projects for achieving a sustainable natural resource base and improving rural economic conditions.

SERVICE IN ACTION



Northwest Youth Corps

The Salem Northwest Service Corps Oregon Volunteer Crew worked with the McKenzie River Trust on one of their acquired properties the Coyote Spencer Wetlands. The project's goal was to restore the oak woodland habitat by releasing the larger legacy Oak tree canopy from the smaller encroaching vegetation. The crew completed over 30 acres of oak habitat, identified the tree species to cut and created slash piles of sawed material to be burned at a later date.

Heart of Oregon

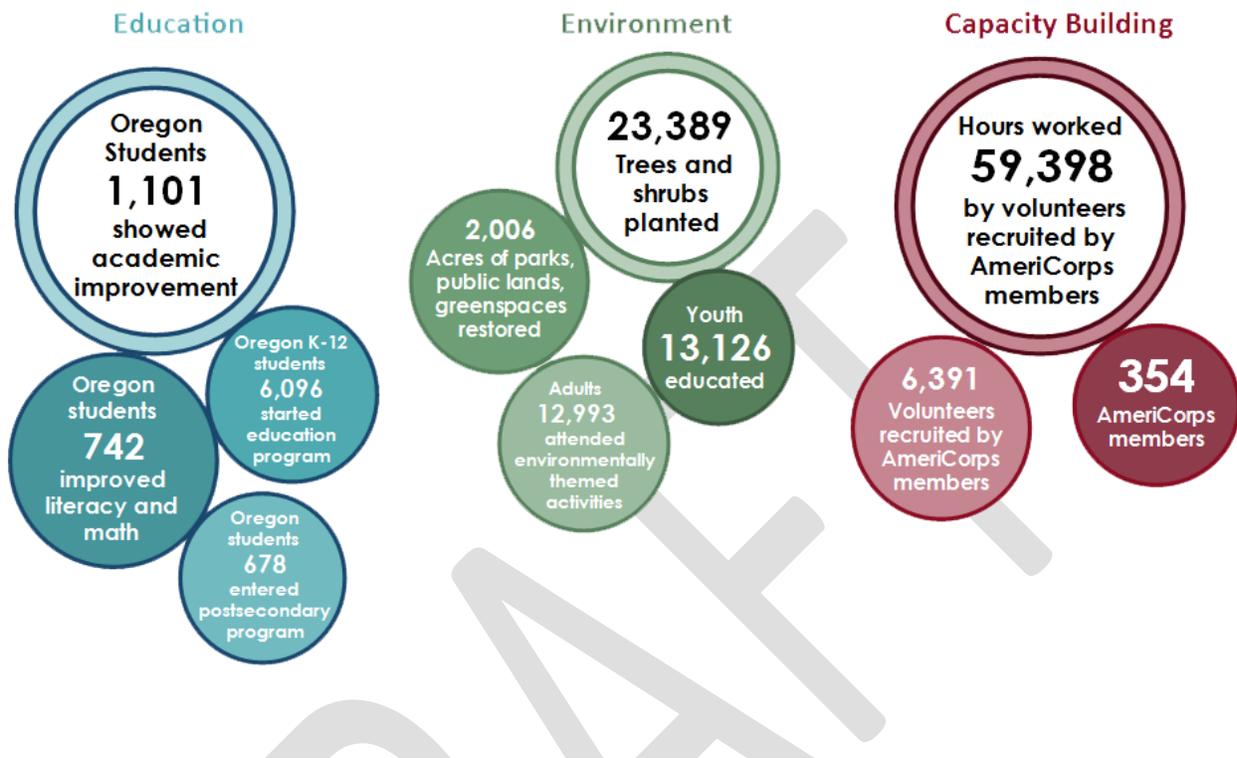
Heart of Oregon Corps has a long history partnering with Deschutes County to serve the community, dating back to the programs founding in 2000. Our AmeriCorps program started off as a pilot program in conjuncture with the Deschutes Co. Juvenile Community Justice to give young adults in the system an opportunity to give back to their community.

For this project, we cleared over 2 acres of land in front of the Deschutes County District Office. Our crews ran multiple chainsaws in order to cut down the dense amount of Junipers in the area. All the material removed will keep neighborhoods in the area safe in the event of an accidental fire starting.

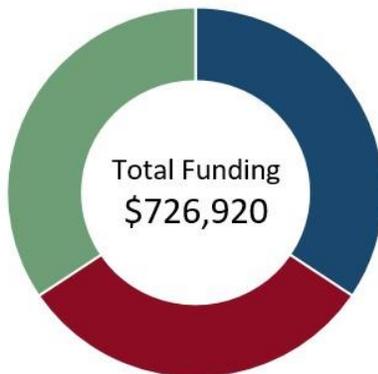


2017-18 PROGRAM YEAR STATS

AmeriCorps*State programs placed over 350 members in service sites across the state in the 2017-2018 program year. Those members provided services in their community such as tutoring, environmental education, college readiness, restoration of green spaces, career preparation and volunteer management.



COMMISSION FUNDING

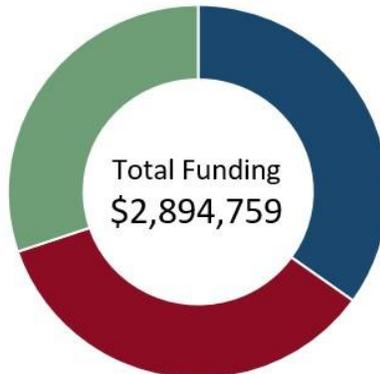


Commission Investment Fund
\$226,920

Commission Support Grant
\$250,000

State General Fund/CSG Match
\$250,000

SUB-GRANTED FUNDING BY FOCUS AREA

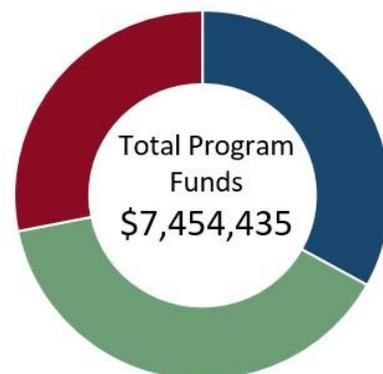


Education
\$1,011,321

Capacity Building
\$1,009,823

Environment
\$873,615

AMERICORPS PROGRAM FUNDING



Education Awards
\$2,095,680

AmeriCorps Grant Match
\$2,465,096

AmeriCorps Grant Funding
\$2,894,759

Note: Education Awards amounts are potential amounts earned by members in the 2017-2018 program year.

MORE BENEFITS OF NATIONAL SERVICE TO OREGON

Since 1994, more than 19,000 Oregon residents have served approximately 25 million hours through AmeriCorps, earning Segal AmeriCorps Education Awards totaling more than \$61.1 million.

A 2013 study conducted by the Columbia University's Center for Benefit-Cost studies in Education titled The Economic Value of National Service estimated that the social and fiscal benefits of national service for youth and seniors far outweigh the social and fiscal costs associated with it. According to this national study, the aggregate Return on Investment (ROI) findings reflect positive and significant returns over and above costs for youth as well as seniors.

According to this research study, across the 125,750 full-time equivalent national service members annually, the total social cost is \$2.0 billion and the total social benefit is \$7.9 billion. The benefit-cost ratio is 3.9: **for every dollar invested in the network of national service programs currently operating, there is a social return of almost four dollars.**

The returns to the taxpayers are also substantial. In the aggregate, total taxpayer spending on national service is, nationally, around \$1.36 billion annually; the total benefits from this investment for taxpayers are \$2.94 billion. The fiscal benefit-cost ratio is 2.2. **For every dollar invested in national service by the taxpayers, over two dollars is returned in taxpayer savings.**

The Commission Support Grant, the primary operating grant for state Commissions, provided by CNCS, requires a dollar-for-dollar match. The General Fund match ensures the Commission's ability to administer AmeriCorps programs and provide funding to AmeriCorps programs. These programs bring in federal dollars, match dollars and potential for Education Awards to be invested back into Oregon education entities.

MEMBERS MAKING AN IMPACT

Ethos, Inc.

“One of my seventh grade students was quite “festive” (loud and disruptive). I quickly realized that almost everything this student would hear from a teacher would be disciplinary or dismissive in nature (“stop, quit it”). Those phrases don’t generally modify a student’s behavior. But music class provides an opportunity for students to have a creative outlet that they don’t have in any other class. I would engage this student in conversation in various topics (sports, music), leading to a healthy relationship being formed. This student now comes to every after- school music class and is one of my smartest music students.” – An AmeriCorps member in Spray, OR describing how music can access students who might not otherwise feel successful.

Campus Compact of Oregon



An AmeriCorps member is serving at Buckman Elementary with the SUN school through Impact NW. This member is helping run several attendance initiatives including unicorn attendance academy (where students w/ attendance under 90% earn points each week for being at school and opportunities for small prizes), reading groups for students with identified needs, “We are Neighbors Camp” which brings students aged 5-11, families, and community partners together for various activities and service projects, cranium clubs for students to work on homework, STEAM education nights, and serving with a parent equity team.

When reflecting on her service: “A 4th grader I work with told me that his half hour with me each Friday is his favorite time of the week. We talk and play and sometimes read together, and he's been becoming steadily more conscious of respect, healthy boundaries, self-regulation, healthy expression, and considerate of others needs/wishes. It's just the beginning, but I've seen some positive changes in these areas. I also see how I am valuable to the Spanish-speaking community at Buckman. There are four mothers I speak with in Spanish when they come in. One in particular has told me that she appreciates me a lot because otherwise she's kept mostly to herself.



Photo taken from PSA Facebook page

NATIONAL SERVICE IN OREGON: SERVICE PARTNERS

Oregon has a rich history of fostering volunteering and service opportunities and Oregon Volunteers is not alone in promoting service. Although Oregon Volunteers is the state Commission charged with administering AmeriCorps*State programs, other partners in service administer CNCS-funded programs in Oregon.

Altogether, National Service in Oregon is fostered through multiple partnering agencies and offices, ensuring that Oregon communities have access to multiple avenues of capacity building and service delivery.

AmeriCorps National Direct programs are similar to AmeriCorps*State programs. However, their programs are multi-state and their funding is received directly from the Corporation for National and Community Service (CNCS).

- From 2017-2018, AmeriCorps*National Directs placed over **500** participants at 124 service sites in Oregon Communities to provide services in focus areas such as: environmental education, housing, nutrition, education, youth services and healthy communities.

AmeriCorps VISTA (Volunteers in Service to America) AmeriCorps VISTA members serve full-time for a year at nonprofit organizations or local government agencies to build the capacity of these organizations to carry out programs that fight poverty. AmeriCorps VISTA members recruit and manage community volunteers, raise funds, and help manage projects. AmeriCorps VISTA members support programs that improve academic performance, expand job opportunities, develop financial assets, reduce homelessness, and improve health services. They also support programs that increase housing opportunities, increase economic opportunities for low-income veterans and military families, and expand access to technology for those living in rural and urban areas of poverty across America. VISTA programs are administered by a State CNCS Office.

In 2017-2018, AmeriCorps VISTA members in Oregon:

- Recruited **5,350** volunteers to support nonprofit organizations in the fight against poverty.
- Raised **\$1,645,212** in cash resources and generated **\$187,273** worth of in-kind resources to support Oregon communities.

Senior Corps and AmeriCorps VISTA

# of Oregon students who improved academic performance in literacy and math	503
# of Oregon students in mentoring/tutoring programs that demonstrated improvement	792
# of economically disadvantaged individuals received financial literacy services	7,805
# of active duty military who received assistance	400

The State CNCS Office also administers **Senior Corps** programs in Oregon. Senior Corps is open to persons aged 55 and over. Senior Corps participants are volunteers that meet a wide range of local community challenges through programs such as Foster Grandparents, Senior Companions and RSVP (*Retired Senior Volunteer Program*).

Last year, more than **3,400** Oregon seniors met critical community needs while contributing to them living longer, healthier lives through one of three Senior Corps programs. Through Senior Corps, **3,779** Oregon seniors and individuals with disabilities received independent living services. Senior Corps volunteers also returned **\$3,104,007** in tax refunds to low income individuals and families through tax preparation.

NATIONAL SERVICE IN OREGON: SERVICE PARTNERS (CONT...)

AmeriCorps NCCC (National Civilian Community Corps) is a full-time, team-based residential program for 18-24 year-olds. NCCC Members develop leadership skills by serving in public safety, environment, and disaster projects. FEMA Corps, a unit of NCCC, focuses solely on disaster preparedness, response, and recovery. NCCC in Oregon is administered regionally by the AmeriCorps NCCC Pacific Region office in Sacramento, CA.

# of acres of land burned to prevent fires	4,620
# of people educated on sustainability/energy conservation	699
# of homes outfitted with energy efficient modifications	354
# of acres of land cleared of unwanted brush/vegetation	6,110
# of trees or shrubs tended or cared for	1,248
# of acres of wildlife habitats restored or protected	85
# of people taught in environmental ed classes/workshops	135

Infrastructure

NCCC

# of public buildings/facilities in which handicap access improved	248
# of feet of irrigation systems constructed, repaired, or restored	590
# of hours members spent planting/tending/fertilizing plants	544

Urban Development

NCCC

# of homes painted or renovated	101
# of meals served	2,338
# of pounds of food received, inventoried, or distributed	9,450
# of pounds of food harvested	4,128
# of gardens started or tended	112
# of hours spent weeding community gardens	340

DAYS OF SERVICE IN OREGON

National events and Days of Service are an important element of serving in CNCS programs. Members develop service projects and recruit community members to volunteer during nationally recognized Days of Service such as MLK Day of Service, September 11th National Day of Service and Remembrance, and Cesar Chavez Day. Most AmeriCorps programs incorporate community giving and volunteerism events throughout the service year as well. Volunteering helps members become more acquainted with their community and its needs.

2018 National Service Recognition Day

In Oregon, 74 local elected officials joined voices with over 5,200 officials from across the nation in support of the 2018 National Service Recognition Day to honor AmeriCorps members and Senior Corps volunteers serving in their local communities.



Guests at a National Service Recognition Day event that was held at Meals on Wheels People in Portland, OR on April 3rd, 2018. The event featured remarks from AmeriCorps and Senior Corps members as well as staff from U.S. Senator Wyden's office and Multnomah County Commissioner Loretta Smith's office.



Metropolitan Family Service (MFS)

As part of their orientation, AmeriCorps members volunteer their time at Oregon Food Bank to give back to their community and learn more about the importance of food security. MFS provides food pantry services to multiple communities.

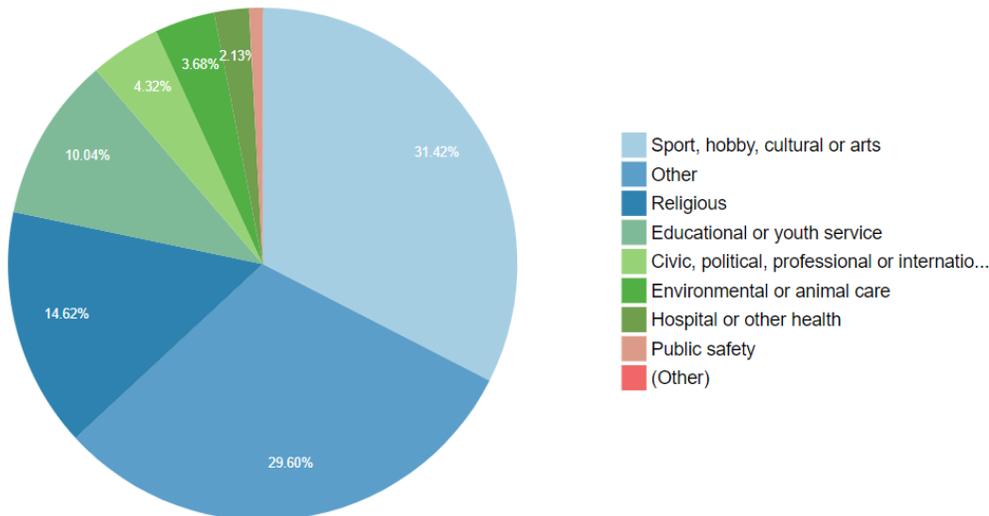


VOLUNTEERISM IN OREGON

In the **2018 Volunteering in America** report, Oregon ranked **THIRD** among states while Portland ranked **FIFTH** among cities. Volunteerism continues to remain an important value of Oregonians.



- 1,448,752 volunteers contribute 177.7 million hours of service
- 43.2% of residents volunteer, ranking them 3rd among states
- Volunteer service worth an estimated \$4.2 billion
- 98.9% of residents regularly talk or spend time with friends and family
- 61.9% of residents do favors for neighbors
- 32.7% of residents do something positive for the neighborhood
- 43.1% of residents participate in local groups or organizations
- 62.2% of residents donate \$25 or more to charity



2018-2020 STATE SERVICE PLAN

In July 2018, the Oregon Volunteers Commission moved to a new home within state government. The Commission transitioned to the Office of Workforce Investments within the Higher Education Coordinating Commission (HECC). Aligning with this transition and fresh start under a new state partnership, the Commission decided to strategically focus its efforts in the short term to plan for long-term growth and success.

Oregon Volunteers' primary goals of fostering volunteerism, civic engagement and AmeriCorps service in Oregon remain unchanged. In implementing this State Service Plan, Oregon Volunteers will phase its strategies, focusing first on strengthening the foundation of AmeriCorps programming, one of Oregon's greatest assets promoting service and civic engagement. These efforts will foster a stable environment for continued growth of the organization's capacity, and implementation of the volunteerism and civic engagement strategies described herein.

This plan serves two key roles for the Oregon Volunteers Commission. First, as a three-year State Service Plan, it showcases our priorities, goals, and desired outcomes. Second, as an organizational strategic plan, it provides a roadmap for OV staff, Commissioners, and stakeholders. The goals and strategies of this plan were determined collectively by the Director, OV staff, and Commission members, utilizing input from AmeriCorps program staff, state and federal government partners, and community member participants from a recent statewide community engagement process that took place in 17 communities across all regions of Oregon.

Goals and Strategies

GOAL 1: Strengthen Oregon's AmeriCorps programs

Outcome: High quality AmeriCorps programs address local needs identified by communities, leveraging additional resources in terms of funding and people-power, which in turn increases both volunteerism and civic engagement in Oregon.

Strategies:

- 1.1 Provide targeted training and technical assistance to AmeriCorps staff based upon annual needs assessments and emerging community priorities.
- 1.2 Implement data quality review standards and framework that increase ability of Oregon's AmeriCorps programs to track and submit quality data, providing the Commission and the network with data tools necessary for identifying community needs.
- 1.3 Support programs to meet or exceed their programmatic performance measures.
- 1.4 Provide training and technical assistance and other identified supports to AmeriCorps programs on topics of recruitment, retention, marketing and branding.

GOAL 2: Strengthen Oregon Volunteers: Commission for Voluntary Action and Service

Outcome: The Commission has ample support, staff resources and funding to promote AmeriCorps, volunteerism and civic engagement to strengthen Oregon communities.

Strategies:

- 2.1 Increase diversity of Commission membership through more racial, ethnic, youth and regional representation.
- 2.2 Increase staffing to ensure successful achievement of OV goals, including increased Volunteerism and Civic Engagement-focused activities.
- 2.3 Strengthen local, statewide, and national partnerships.
- 2.4 Develop communication and outreach plan to amplify Oregon Volunteers' voice and reach.

GOAL 3: Increase National Service Focus on Statewide Education Outcomes

Outcome: Within Oregon’s AmeriCorps portfolio, programs providing educational services that align with statewide educational directives are highlighted, promoted and connected.

Strategies:

- 3.1 Raise awareness of state educational priority focus areas, and available resources and funding opportunities, to Oregon AmeriCorps programs.
- 3.2 Identify partnerships and resources available to assist Oregon Volunteers and AmeriCorps programs in providing programming that support Governor Directives for improving educational services, including measures that strengthen community supports for Early Learning transition of students from pre-kindergarten through 3rd grade.
- 3.3 Through funding opportunities, support Oregon AmeriCorps programs aiming to provide high school dropout prevention efforts to increase Oregon’s four-year cohort graduation rates.

GOAL 4: Align Oregon project funding opportunities with state and federal partners’ priority focus areas

Outcome: Oregon’s AmeriCorps programs respond to community issues that are having an impact in communities both locally and nationwide.

Strategies:

- 4.1 Raise awareness of state partner and/or CNCS priority focus areas to Oregon AmeriCorps programs. These include the focus areas of education, environmental stewardship, disaster services, healthy futures, veteran services and safer communities and special initiatives.ⁱ
- 4.2 Identify partnerships and resources available to assist Oregon Volunteers and AmeriCorps programs in providing programming that addresses the priority focus areas of state and/or national partners.
- 4.3 Through funding opportunities, support Oregon AmeriCorps programs providing programming that addresses the areas of: education, environmental stewardship, disaster services, healthy futures, veteran services or safer communities and special initiatives.

GOAL 5: Support Disaster Preparedness efforts in Oregon

Outcome: The Commission is engaged in statewide disaster preparedness efforts with local and statewide partners.

Strategies:

- 5.1 Establish role for OV within the statewide agency framework by coordinating through the Oregon Office of Emergency Management and other affiliated partners.
- 5.2 Develop plan for unaffiliated volunteers, AmeriCorps, and CNCS programs to align with statewide response, including all responding state agencies and nonprofits.

Supplemental Plan for Volunteers Age 55 and Older

Goals:

- Promote resources, research and best practices that highlight the benefits of volunteering, particularly for those 55+
- Encourage funded AmeriCorps*State programs to engage community volunteers 55+ in Days of Service activities
- Partner with organizations currently serving the 55+ population to encourage volunteerism and increase awareness of service opportunities
- Connect with local volunteer associations and centers to gain awareness of ways in which the Commission can support their mobilization efforts for community members 55+

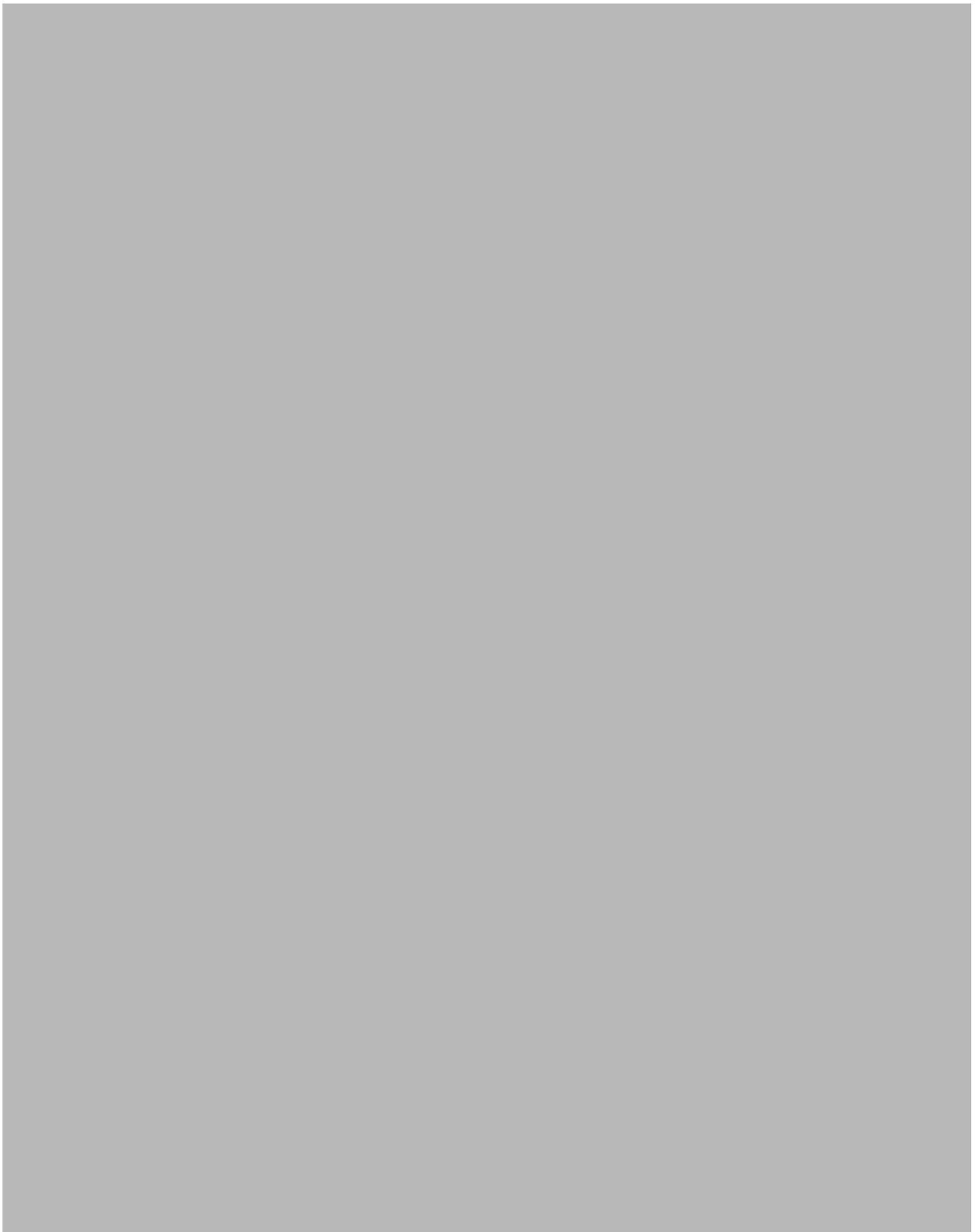
STATE SERVICE PLAN ACCOMPLISHMENTS:

Year 1

- Secured \$250,000 state funding for 1-1 \$ match required for the Commission Support Grant (CSG), Oregon Volunteer's primary operating grant.
- Secured \$250,000 in federal Commission funding for the 2018 program year, through the 2018 Commission Support Grant (CSG).
- Secured \$161,537 in training and technical assistance funds (Commission Investment Fund) to provide training and technical assistance to AmeriCorps*State grantees, members and partner agency members. These funds will be used to provide support in areas including, but not limited to: program development and expansion, marketing and promotion, community engagement, and data quality collection and review infrastructure.
- Secured \$19,800 in supplemental CIF funding for disaster response program development and activities.
- Increased Commission membership and representation.
- Transitioned to the Higher Education Coordinating Commission (HECC), ensuring continued impact of AmeriCorps presence and service in Oregon communities.

Looking Ahead: Upcoming Projects Snapshot

- The Commission is partnered with CNCS State Office and CNCS Senior Corps Office to bring a National Service disaster response training to Oregon (March 2019). In addition to this collaborative training, the Commission and partners will convene follow-up cohort meetings of programs interested in developing disaster response activities.
- Rollout of National Service in Oregon Mapping Project, a project aimed to identify areas of greatest needs in Oregon and underserved communities in order to target AmeriCorps*State, Senior Corps, VISTA and NCCC expansion. This collaboration will introduce communities to the opportunities of these programs, including technical assistance for starting a program through planning, pilot projects, funding opportunities and more.
- Enhanced grant application processes that amplify AmeriCorps and service partners participation in meeting state and national performance measures.



DRAFT

Do's and Don'ts of Oregon Government Ethics law



Tammy Hedrick
Oregon Government Ethics Commission

Introduction

Oregon Government Ethics Commission

- Enacted by voters in 1974
- 9 Members + Staff
- Agency Jurisdiction:
 - Oregon Government Ethics law - ORS Chapter 244
 - Lobby Regulation law - ORS Chapter 171
 - Executive Session provisions of Public Meetings law - ORS Chapter 192

Objectives

Understand how the Oregon Government Ethics laws apply:

- ✓ Limits on financial benefits
- ✓ Limits on private and subsequent employment
- ✓ How to handle conflicts of interest
- ✓ Gifts
- ✓ Nepotism

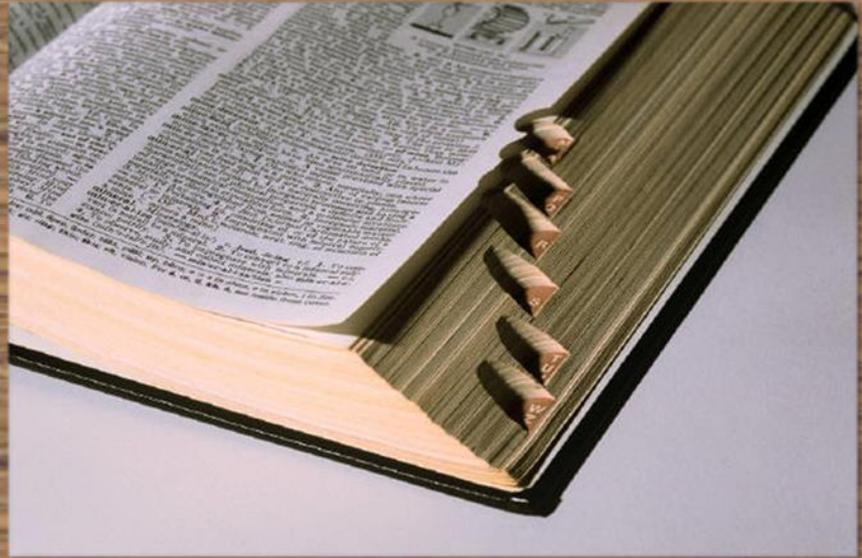
Awareness of where to find resources or direct assistance for Government Ethics issues

SAFEGUARD OF THE PUBLIC TRUST

“The Legislative Assembly declares that service as a public official is a public trust, and that as one safeguard for that trust, the people require all public officials to comply with the applicable provisions of this chapter.” [ORS 244.010 (1)]



Definitions



- Who is a **“Public Official”**?
- Who is a **“Relative”** of a public official?
- Who is a **“Member of the Household”** of a public official?
- What is a **“Business’ with which the person is Associated”**?

Who is a “**Public Official**”?

ORS 244.020(15)

Any person who is **serving the State of Oregon** or any of its political subdivisions or any other public body, **as an elected official, appointed official, employee, agent or otherwise, irrespective of whether the person is compensated** for the service.



Who is a “Relative”? ORS 244.020(16)

- A public official's
 - *Spouse*
 - *Child, son or daughter-in-law*
 - *Parent, including stepparent*
 - *Sibling, including stepsibling*

-Same members of the public official's spouse's family
- Anyone for whom the public official has a *legal support obligation*
- Anyone receiving *benefits* of the public official's public employment
- Anyone from whom the *public official* receives a *benefit* of employment



Who is a **“Member of the Household”**?

ORS 244.020(11)

Any person who resides with the public official.



What is a “**Business**”? ORS 244.020(2)

- **Any** corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other **legal entity operated for economic gain.**
- **NOT:**
 - **Public Body.**
 - Tax-exempt 501(c)(3) **non-profit** (*if* the public official or relative is associated only as a ***member, board director, or other unpaid position***).

A **Business Association?**

ORS 244.020(3)

“Associated with” a ***private business*** or ***closely held corporation*** if, a person or the person’s relative:

- Is a **director, officer, owner, employee, or agent**; *OR*
- Owned **\$1000+** in stock, equity interest, stock options, or debt interest during the **preceding calendar year**.

“Associated with” a ***publicly held corporation*** if, a person or the person’s relative:

- Is an **officer or director**; *OR*
- Owned **\$100,000+** in stock, equity interest, stock options, or debt interest during the **preceding calendar year**.



Financial Benefits

Prohibited Use Of Office

ORS 244.040(1)

Public official may not use or attempt use position or office to obtain financial gain or avoid a financial detriment for:

- the public official, a relative or household member, or any business with which any are associated, IF:
- the financial gain or avoidance of detriment would not be available **but for** the public official's holding the position or office.

* *Notwithstanding proper disclosure of conflicts of interest
(ORS 244.040(7))*

PROHIBITED USE OF OFFICE

Exceptions

1. Accepting any part of the public official's **official compensation package** (*OAR 199-005-0035(3)*)
2. Receipt of **honoraria** or other items under ORS 244.042 (*limit \$50 max*)
3. **Reimbursements** (*OAR 199-005-0035(4)*)
4. **Unsolicited awards** for professional achievement
5. **Gifts** not violating Oregon Government Ethics law
6. **Legal expense trust fund** contributions (*governed by ORS 244.205 – 221*)



Private Employment

Use of Office (ORS 244.040) *continued...*

In general, public officials may obtain employment with a private employer or engage in private income-producing activity of their own. However, they:

- Must **not** use the position held as a public official to **create the opportunity** for additional personal income.
- Must **ensure a clear distinction** between use of personal resources and time for personal income-producing activity, and use of the public body's time and resources.

Guidelines To Private Employment

- Use no governmental body time
- Use no governmental body resources
- Take no official action that could financially impact your private enterprise
- Use no confidential information obtained through your position as a public official (ORS 244.040(4)&(5))
- Disclose all conflicts of interest
- No representing a client for a fee before your own governing body (ORS 244.040(6))



CONFIDENTIAL

Employment & Public Contracts

ORS 244.047

A person who ceases to hold a position as a public official **may not have a direct beneficial financial interest** in a public contract, for **two years** after authorization, **if** the contract was **authorized by**:

- The public official, in their capacity as a public official, OR
- The public body (board, committee, or council) that the public official was a member of when the contract was authorized.
 - ***UNLESS*** the person did not participate in the authorization of the contract.

* **Authorize** = performing a “significant role” in selecting a contractor or executing the contract; recommending approval; signing the contract.

(OAR 199-005-0035(6))



Conflicts of Interest

“Actual” Conflict of Interest

ORS 244.020(1)

- Any action, decision or recommendation,
- By a person acting in a capacity as a public official,
- That would result in a private financial benefit or detriment to the public official, the public official’s relative or any business with which the public official or relative is associated.

Meaning that the financial effect of the action would occur with certainty.



“Potential” Conflict of Interest ORS 244.020(13)

- An
- By
- The
- de
- or
- as

 **BANK OF ABUNDANCE**

DATE TO CASH MONEY _____

PAY AN UNKNOWN AMOUNT \$????????

TO THE ORDER OF A PUBLIC OFFICIAL, RELATIVE, OR BUSINESS THEREOF CURRENCY  Security Features Details on back.

DATE SIGNED _____

⑆ 000000345 ⑆ 00300020085⑆ 11000⑆ WWW.FBIMPACT.COM

Benefit or relative relative is

Meaning that the financial effect of the action is **not certain.**

What Do I
Do When
Met With
A Conflict
Of
Interest?



Officials on Boards or Commissions & Elected Officials

Must publicly announce the nature of the conflict of interest on each occasion the conflict arises.

- Must publicly announce **potential** conflicts of interest, on each occasion **before taking action**.
- Must publicly announce **actual** conflicts of interest, on each occasion, and **refrain** from participating in **discussion, debate, or voting** on the issue out of which the actual conflict arises.



Employees & Other Appointed Officials

ORS 244.120(1)(c)

Must provide **written notice**:

- To the person who appointed or employed you
- Describing the nature of the conflict
- Requesting that the appointing authority or employer dispose of the matter
- On each occasion the conflict of interest is met.



Recommendation: Maintain a copy of the notice in your own records.

The Public Body's Response To Notices Of Conflict

For **ALL public officials** providing notice of conflict:

- The notice must be recorded in the official records of the public body. [ORS 244.130]



For those who provide **written notice**:

- **Supervisor or appointing authority** must respond to:
 - Assign someone else to the task, **OR**
 - Instruct the employee on how to proceed with the matter. [ORS 244.120(1)(c)]





Gifts

What is a “gift”? ORS 244.020(7)



- Something of economic value
- Given to a public official, or public official’s relative or household member
- Without payment or other consideration
- That is **not offered to others** who are not public officials, their relatives or household members, **on the same terms and conditions.**

Gift Limit ORS 244.025

During a calendar year, a public official or a relative or member of the household of the public official may **NOT**:

- Solicit or Receive
- Directly or Indirectly

Calendar 2016

Bank holidays 2016 (UK)

1st January	28th March	Easter Monday	30th May	Spring Bank Holiday	26th December	Christmas Day
29th March	Good Friday	Early May Bank Holiday	29th August	August Bank Holiday	27th December	Boxing Day

Any gift(s) with an aggregate value exceeding **\$50** from any single source reasonably known to have a legislative or administrative interest.

What is **NOT** a “gift”?



*Items Expressly
Excluded From
The Definition Of
“Gift” In ORS
244.020(7)(b)
May Be Accepted
Without Limit.*



Relatives

ORS 244.020(16)

Household members

ORS 244.020(11)

Nepotism

Employing a Relative/Household Member ORS 244.177

A public official may not directly:

- Appoint
- Employ
- Promote
- Discharge
- Fire
- Demote

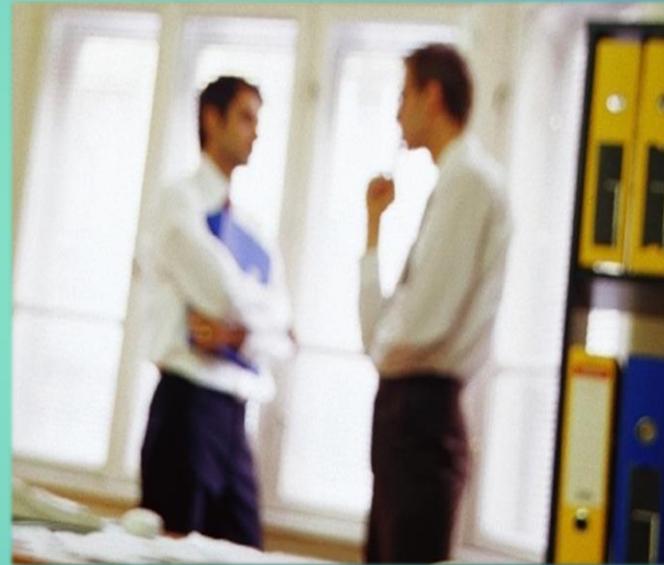


Without first complying with the Conflict of Interest requirements (...which usually requires refraining).

Nepotism cont'd...

A public official may not participate *in any interview, discussion or debate* to:

- Appoint
- Employ
- Promote
- Discharge
- Fire
- Demote



“Participate” IS NOT providing a reference, recommendation, or ministerial acts that are part of your regular job function

Exception For Unpaid Volunteers

If the relative or household member is an unpaid volunteer, nepotism rules do not apply.

The **public official may supervise and participate in any personnel action involving the person.**

- * **Unless** it's an unpaid position as a member of a governing body (i.e., board, commission, or council member)



(ORS 244.177(3) & 244.179(3))



Agency Resources

- ***Requests for guidance***
 - ***Written (Staff Advice, Staff Op., Advisory Op.)***
 - ***Telephone***
 - ***In-person***
- ***Review previously issued guidance***
- ***Trainings (in-person, webinars, iLinc)***
- ***Public records***
- ***Electronic forms***

THANK YOU!

OREGON GOVERNMENT ETHICS COMMISSION

3218 Pringle Rd. SE Suite 220

Salem, OR 97302-1544

Email: ogec.mail@Oregon.gov

Phone: (503) 378 – 5105

Fax: (503) 373 – 1456

Web: <http://www.oregon.gov/OGEC/>

Trainer: Tammy Hedrick

Email: tammy.r.hedrick@oregon.gov

Phone: 503-378-6802

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GOVERNMENT ETHICS LAWS OVERVIEW

<p>Prohibited Use of Position or Office (ORS 244.040)</p>	<p>Public officials are prohibited from using or attempting to use their public positions to obtain financial benefits for themselves, relatives, household members, or businesses with which any is associated, if the benefit would not be available but for the public official holding the position.</p>
<p>Financial Interest in Public Contract (ORS 244.047)</p>	<p>A person who ceases to be a public official may not have a direct beneficial financial interest in a public contract (defined at ORS 279A.010) for two years after the date of its authorization, if the person played a significant role in authorizing (<i>i.e.</i>, selecting, executing, recommending, or approving) that public contract as a public official.</p>
<p>Limits to Accepting Gifts (ORS 244.025; see ORS 244.020(10))</p>	<p>Public officials and their relatives are limited to accepting gifts (defined at ORS 244.020(7)) worth no more than an aggregate of \$50 in a given calendar year from any individual source reasonably known to have an economic interest in the public official’s decision-making.</p>
<p>Conflicts of Interest (ORS 244.020(1); ORS 244.020(13); ORS 244.120)</p>	<p>When a public official, in an official capacity, is faced with making a decision, recommendation, or other action that “<i>would</i>” or “<i>could</i>” financially affect the official, a relative, or business with which either is associated, the public official is faced with an “<i>actual</i>” or “<i>potential</i>” conflict. A conflicted <i>member of a governing body</i> must provide notice of the conflict by making a public announcement, and if the conflict is “<i>actual</i>” (<i>i.e.</i>, “<i>would</i>” financially affect...) must refrain from participation in the matter. <i>Most other public officials</i> must provide written notice to a supervisor/employer. Either type of notice must state the nature of the conflict. A written notice must additionally request that the supervisor/employer dispose of the matter.</p>
<p>Nepotism Prohibitions (ORS 244.177 – 179)</p>	<p>Public officials may not directly – or participate in any interview, discussion, or debate to – appoint, employ, promote, discharge, fire, or demote a relative or household member of the public official. Public officials are also prohibited from supervising relatives and household members.</p>

* *NOTE: The terms “business”, “business with which the person is associated”, “member of the household”, “public official”, and “relative” are defined at ORS 244.020(2), (3), (11), (15), and (16), respectively.*

DISCLAIMER: This document presents a brief overview of the most generally applicable Oregon Government Ethics duties and may not account for all relevant laws, exceptions or circumstances. It is ***intended for use as a training tool only and should not substitute for review of ORS Chapter 244 or consultation with an attorney or the Oregon Government Ethics Commission regarding application of the law in a specific situation.***

Oregon Government Ethics Law



Oregon Government Ethics Commission
3218 Pringle Rd. SE, Suite 220
Salem, OR 97302-1544
Telephone: 503-378-5105
Fax: 503-373-1456
Web address: www.oregon.gov/ogec

About the Commission

The Oregon Government Ethics Commission (OGEC), established by vote of the people in 1974, is a nine-member citizen commission charged with enforcing government ethics laws.

Oregon government ethics laws prohibit public officials from using their office or position for personal financial gain, and require public disclosure of economic conflict of interest. The OGEC also enforces state laws that require lobbyists and the entities they represent to register and quarterly report their expenditures. The third area of OGEC jurisdiction is the executive session provisions of public meetings law.

Am I a “public official”?

The answer is yes if you are serving the State of Oregon or any of its political subdivisions or any other public body, as an elected official, appointed official, employee, agent or otherwise, irrespective of whether you are compensated for services [ORS 244.020(15)].

What you need to know if you are a public official:

The provisions in Oregon Government Ethics law restrict some choices, decisions or actions a public official may make. The restrictions placed on public officials are different than those placed on private citizens because service as a public office is a public trust and provisions in ORS Chapter 244 were enacted to provide one safeguard for that trust. [ORS 244.010(1)]

- Public officials are prohibited from using or attempting to use their positions to gain a financial benefit or to avoid a financial cost for themselves, a relative, or their businesses if the opportunity is available only because of the position held by the public official [ORS 244.040(1)].
- There are conditions that must be met before a public official may accept a gift and in some cases, there are limits on the value of gifts that can be accepted. Certain public officials are required to file reports that disclose some of the gifts accepted and the specific economic interests.
- When met with a conflict of interest, a public official must follow specific procedures to disclose the nature of the conflict. There are also restrictions on certain types of employment subsequent to public employment and on nepotism.

This handout will discuss how the provisions in ORS Chapter 244 apply to public officials and will summarize Commission procedures. It should be used in conjunction with applicable statutes and rules. This guide should not be used as a substitute for a review of the specific statutes and rules.

You will find links to ORS Chapter 244, and relevant Oregon Administrative Rules (OAR), and other publications referenced in this guide on the Commission’s website at www.oregon.gov/ogec. Questions or comments may be submitted to the Commission by email at ogec.mail@state.or.us, by Fax to 503-373-1456 or by telephone to 503-378-5105.

Are you a public official?

“Public official” is defined in ORS 244.020(15) as any person who, when an alleged violation of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee or agent, irrespective of whether the person is compensated for the services.

There are approximately 200,000 public officials in Oregon. You are a public official if you are:

- Elected or appointed to an office or position with a state, county or city government.
- Elected or appointed to an office or position with a special district.
- An employee of a state, county or city agency or special district.
- An unpaid volunteer for a state, county or city agency or special district.
- Anyone serving the State of Oregon or any of its political subdivisions, such as the State Accident Insurance Fund or the Oregon Health Sciences University.

“As defined in ORS 244.020(15), a public official includes anyone serving the State of Oregon or any of its political subdivisions or any other public body in any of the listed capacities, including as an “agent.” An “agent” means any individual performing governmental functions. Governmental functions are services provided on behalf of the government as distinguished from services provided to the government. This may include private contractors and volunteers, depending on the circumstances. This term shall be interpreted to be consistent with Attorney General Opinion No. 8214 (1990).” The Commission has adopted, by rule, additional language used to clarify the use of “agent” in the definition of “public official” in the following OAR 199-005-0035(7).

My position as a _____ defines me as a public official.



What does a public official need to know about relatives?

Public officials need to know how Oregon Government Ethics law defines who is a “relative”. While a public official should exercise sound judgment when participating in actions that could result in personal financial benefits, a public official should also exercise sound judgment when participating in actions could result in financial benefits for a relative.

There are provisions in ORS Chapter 244 that restrict or prohibit a public official from using actions of the position held to benefit a relative; or may limit the value of financial benefits accepted by a relative of the public official or may require the public official to disclose the nature of a conflict of interest when a relative may receive a financial benefit.

In everyday conversation the use of “relative” is applied to a broader spectrum of individuals with “family ties” than those defined as relatives in ORS 244.020(16). In general, when a provision in ORS Chapter 244 refers to “relative” it means one of the following:

- The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate
- The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official or candidate
- Person for whom the public official or candidate have a legal support obligation
- Person benefiting from a public official when benefits are from the public official's public employment
- Person who benefits a public official or candidate when benefits are from the person's employment

I have approximately _____ relatives as defined by statute.



ORS Chapter 244 does address the issue of nepotism. Nepotism, as used in ORS Chapter 244, is based on the relative relationship, as well as other members of the public official's household. Changes to Oregon Government Ethics law passed by the 2013 Legislative Assembly mean that the definitions for “relative” in ORS 244.020(16), and “member of household” in ORS 244.020(11), now apply to these nepotism regulations as well.

If I am a volunteer, does that make me a public official?

If the position for which you have volunteered serves the State of Oregon or any of its political subdivisions or any other public body, “irrespective of whether” you are “compensated” you are a public official.

Volunteers may be elected, appointed or selected by the government agency or public body to hold a position or office or to provide services.

Among the public officials who volunteer are elected or appointed members of governing bodies of state boards or commissions, city councils, planning commissions, fire districts, school districts and many others. There are also many who apply and are selected to perform duties for a government agency, board or commission without compensation, such as fire fighters, reserve law enforcement officers and parks or recreation staff members.

The Commission recognizes that there are many who volunteer to work without compensation for many state and local government agencies, boards, commissions and special districts.

I am a _____ volunteer.



Financial Gain

What are the provisions in the law that prohibits a public official from using the position or office held for financial gain?

Public officials become public officials through employment, appointment, election or volunteering. ORS 244.040(1) prohibits every public official from using or attempting to use the position held as a public official to obtain a financial benefit, if the opportunity for the financial benefit would not otherwise be available **but for** the position held by the public official. The financial benefit prohibited can be either an opportunity for gain or to avoid an expense.

Not only is a public official prohibited from using the position as a public official to receive certain financial benefits, but the public official is prohibited from using or attempting to use the position as a public official to obtain financial benefits for a relative or a member of the public official's household. Also prohibited is the use or attempted use of the public official position to obtain financial benefits for a business with which either the public official, a relative or a member of the public official's household are associated.

Public officials often have access to or manage information that is confidential and not available to members of the general public. ORS 244.040(4) specifically prohibits public officials from attempting to use confidential information gained because of the position held or by carrying out assigned duties to further the public official's personal gain. ORS 244.040(5) also prohibits a former public official from attempting to use confidential information for personal gain if that confidential information was obtained while holding the position as a public official, from which access to the confidential information was obtained.

ORS 244.040(6) also has a single provision to address circumstances created when public officials who are members of the governing body of a public body own or are associated with a specific type of business. The type of business is one that may occasionally send a representative of the business who appears before the governing body on behalf of a client for a fee. Public officials who are members of governing bodies and own or are employed by businesses, such as a law, engineering or architectural firms, may encounter circumstances in which this provision may apply.

There a variety of actions that a public official may take or participate in that could constitute the prohibited use or attempted use of the public official position. The use of a position could be voting in a public meeting, placing a signature on a government agency's document, making a recommendation, making a purchase with government agency funds, conducting personal business on a government agency's time or with a government agency's resources [i.e. computers, vehicles, heavy equipment or office machines].

NOTES:

Are there any circumstances in which a public official may use their position to accept financial benefits that would not otherwise be available but for holding the position as a public official?

Yes, ORS 244.040(2) provides a list of financial benefits that would not otherwise be available to public officials but for holding the position as a public official. The following financial benefits are not prohibited and may be accepted by a public official and some may also be accepted by a public official's relative or member of the public official's household:

Official Compensation: Public officials may accept any financial benefit that is identified by the public body served by the public official as part of the "official compensation package" of the public official. If the public body identifies such salary, health insurance or various paid allowances in the employment agreement or contract of a public official, those financial benefits are part of the "official compensation package" [ORS 244.040(2)(a)].

OAR 199-005-0035(3) provides a definition of "official compensation package:"

An "official compensation package" means the wages and other benefits provided to the public official. To be part of the public official's "official compensation package", the wages and benefits must have been specifically approved by the public body in a formal manner, such as through a union contract, an employment contract, or other adopted personnel policies that apply generally to employees or other public officials. "Official compensation package" also includes the direct payment of a public official's expenses by the public body, in accordance with the public body's policies.

Reimbursement of Expenses: A public official may accept payments from the public official's public body as reimbursement for expenses the public official has personally paid while conducting the public body's business [ORS 244.040(2)(c)].

The Commission has provided a definition in OAR 199-005-0035(4): "reimbursement of expenses' means the payment by a public body to a public official serving that public body, of expenses incurred in the conduct of official duties on behalf of the public body. Any such repayment must comply with any applicable laws and policies governing the eligibility of such repayment."



Honorarium: Public officials are allowed to accept honorarium by ORS 244.040(2)(b) as it is defined in ORS 244.020(8). A public official must know how honorarium is defined because there are many occasions where someone will offer them a financial benefit and call it an honorarium, but it does not meet the definition of honorarium.

A payment or something of economic value given to a public official in exchange for services provided by the public official is an honorarium when the setting of the economic value has been prevented by custom or propriety. The services provided by a public official may include but not be limited to speeches or other services provided in connection with an event.

The limitation for honorarium is \$50.



Awards for Professional Achievement: Public officials may accept an award, if the public official has not solicited the award, and the award is offered to recognize an achievement of the public official [ORS 244.040(2)(d)].

Awards for professional achievement should not be confused with awards of appreciation, allowed by ORS 244.020(7)(b)(C), honorarium allowed by ORS 244.040(2)(b) or gifts that are allowed or restricted by other provisions in ORS Chapter 244.

Awards for professional achievement are best illustrated by awards that denote national or international recognition of a public official's achievement. *These awards may also be offered by public or private organizations in the state that are meant to recognize a public official for an achievement.* Professional achievements recognized may be identified as a single accomplishment or an accomplishment achieved during a period of time, such as a calendar year or a public official's career upon retirement. Public officials may be educators, lawyers, certified public accountants or hold a doctorate in some field. These public officials may receive awards recognizing achievements in their fields and those awards would be considered by the Commission to be awards allowed by ORS 244.040(2)(d).



Gifts

There are occasions when public officials can accept gifts and Oregon Government Ethics law does not limit the quantity or value of gifts, but there are other occasions when the acceptance of gifts is limited to an aggregate value of \$50 from a single source in each calendar year [ORS 244.025].

When Oregon Government Ethics law uses the word “gift” it has the meaning in ORS 244.020(7)(a):

“Gift” means something of economic value given to a public official, a candidate or a relative or member of the household of the public official or candidate:

(a) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or candidates or the relatives or members of the household of public officials or candidates on the same terms and conditions; or

(b) For valuable consideration less than that required from others who are not public officials or candidates.” In other words, a “gift” is something of economic value that is offered to:

- A public official or candidate or to relatives or members of the household of a public official or candidate,
 - Without cost, at a discount or as forgiven debt and,
 - The same offer is not made or available to the general public who are not public officials or candidates.

To know whether gifts from a single source are limited or unlimited you must determine if the decisions or votes of the public official, who is offered a gift, would have a distinct economic impact on the source making the offer. If the source of the offer would receive a financial gain or avoid a financial cost from the decisions or votes of a public official, gifts from that source to that public official would be limited as to the aggregate value of gifts accepted from that source in a calendar year. This economic interest is a pivotal factor in determining the propriety of gifts and is found in the expression “legislative or administrative interest” which is defined in ORS 244.020(10) and is used in ORS Chapter 244, primarily, when applying the provisions regarding gifts accepted by public officials.

While a “gift” is defined in ORS 244.020(7)(a), ORS 244.020(7)(b), identifies specific gifts that are exempt from gift restrictions if the offers are made or accepted in the specific circumstances and conditions described.

What does a public official need to know about a “Legislative or Administrative Interest” [ORS 244.020(10)]?

Beginning in 2010, the change to the definition of what is a legislative or administrative interest represents one of the most significant changes made in Oregon Government Ethics law during the last session of the Oregon Legislative Assembly.

The change is significant because knowing if the source of a gift offered to a public official has a legislative or administrative interest determines whether or not the gift offered is allowed or restricted. Before this change, a public official only had to know if a gift was offered from a source with a legislative or administrative interest in the public official’s governmental agency, but now the focus is on the vote or decision of each individual public official. The change places greater responsibility on the individual public official to decide if a gift offered is restricted by ORS Chapter 244. The definition of a legislative or administrative interest is provided in ORS 244.020(10) as follows:

“‘Legislative or administrative interest’ means an economic interest, distinct from that of the general public, in:

- (a) Any matter subject to the decision or vote of the public official acting in the public official’s capacity as a public official; or
- (b) Any matter that would be subject to the decision or vote of the candidate who, if elected, would be acting in the capacity of a public official.”

In the context of gifts offered to or accepted by a public official or candidate, the public official or candidate must determine if the source of the offered gift has a legislative or administrative interest in the decision or vote of the public official or candidate, if elected. In applying the phrase “legislative or administrative interest,” there are several factors to consider:

Source: The Commission adopted a rule [OAR 199-005-0030(2)] that identifies the source of a gift is the person or entity that makes the ultimate and final payment of the gift’s expense. OAR 199-005-0030 also places on the public official the burden of knowing the identity of the source and insuring that the aggregate value in ORS 244.025 is not exceeded.

Distinct from that of the general public: This phrase refers to an economic interest and in the context of gifts the economic interest of the source of a gift. The economic interest is whether a vote or decision by a public official would result in a financial gain or a financial detriment to the party who holds the interest. There are many votes or decisions made by public officials that have the same general economic impact on all members of the general public. Income or property tax rates would be examples.

There are other decisions or votes that have an economic impact on specific persons, businesses or groups that are not experienced by members of the general public alike. To illustrate, private contractors have an economic interest in a public body’s authority to award contracts and that economic interest is distinct from the economic interest held

by members of the general public in the contracting authority of a public body. Also, real estate developers would have an economic interest in a public body's authority to approve subdivision applications and that economic interest is distinct from the economic interest held by members of the general public in the approval authority of a public body.

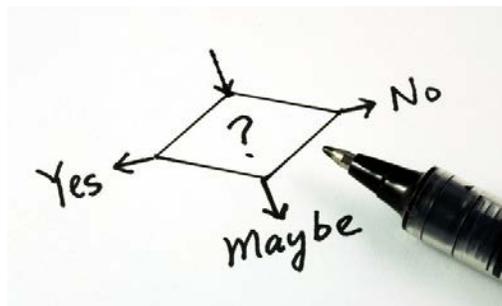
Vote: This has the common meaning of to vote as an elected member of a governing body of a public body or as a member of a committee, commission or board appointed by a governing body, Oregon Legislative Assembly or the Office of the Governor.

Decision: The Commission defines the term "decision" in OAR 199-005-0003(2). A public official makes a decision when the public official exercises the authority given to the public official to commit the public body to a particular course of action. Making a recommendation or giving advice in an advisory capacity does not constitute a decision.

The change to the definition of a legislative or administrative interest places the focus on the decision or vote of each individual public official. That means that any decision to accept or reject the offer of a gift must be made individually by each public official. It also means that there will be some public officials who may accept unlimited gifts from a source and other public officials within the same public body that would have restrictions on gifts from that same source because not all public officials in the same public body have similar responsibilities that would require any or similar decisions or votes.

If the source of the offer of a gift to a public official does not have a legislative or administrative interest in the decisions or votes of the public official, the public official can accept unlimited gifts from that source. [ORS 244.040(2)(f)] However, if the source of the offer of a gift to a public official has a legislative or administrative interest in the decisions or votes of the public official, the public official can only accept gifts from that source when the aggregate value of gifts from that source does not exceed \$50 in a calendar year [ORS 244.025].

While gifts from a source with a legislative or administrative interest in the decisions or votes of a public official are limited, there are some gifts that are exempt from the definition of what is a "gift." If the offer of a gift is exempt from the definition of a "gift," the offer may be accepted by a public official. The value of gifts that are allowed as exemptions does not have to be included when calculating the aggregate value of gifts received from that source in one calendar year.



There are gifts that are allowed because when offered under specific conditions and within certain circumstances the gifts are exempt from the definition of a “gift.” ORS 244.020(7)(b) provides a description of gifts that are allowed. If you are a public official accepting gifts or a source offering gifts it is important you become familiar with the requirements that may apply to you.

The following **GIFTS ARE ALLOWED** as exemptions to the definition of what is a “gift”:

- Campaign contributions as defined in ORS 260.005 [ORS 244.020(7)(b)(A)].
- Contributions to a legal expense trust fund established under ORS 244.209 [ORS 244.020(7)(b)(G)].
- Gifts from relatives or members of the household of public officials or candidates [ORS 244.020(7)(b)(B)].
- Anything of economic value received by a public official or candidate, their relatives or members of their household when:
 - The receiving is part of the usual and customary practice of the person’s business, employment, or volunteer position with any legal non-profit or for-profit entity [ORS 244.020(7)(b)(O)(i)].
 - The receiving bears no relationship to the person’s holding the official position or public office [ORS 244.020(7)(b)(O)(ii)].
- Unsolicited gifts with a resale value of less than \$25 and in the form of items similar to a token, plaque, trophy and desk or wall mementos [ORS 244.020(7)(b)(C) *and see resale value discussed in OAR199-005-0010*].
- Publications, subscriptions or other informational material related to the public official’s duties [ORS 244.020(7)(b)(D)].
- Waivers or discounts for registration fees or materials related to continuing education or to satisfy a professional licensing requirement for a public official or candidate [ORS 244.020(7)(b)(J)].
- Entertainment for a public official or candidate and their relatives or members of their households when the entertainment is incidental to the main purpose of the event [ORS 244.020(7)(b)(M) *and see “incidental” defined in OAR199-005-0025(1)*].
- Entertainment for a public official, a relative of the public official or a member of the public official’s household when the public official is acting in an official capacity and representing a governing agency for a ceremonial purpose [ORS 244.020(7)(b)(N) *and see “ceremonial” defined in OAR199-005-0025(2)*].

- Cost of admission or food and beverage consumed by the public official, a relative, household member, or staff member when accompanying the public official, who is representing government (state, local or special district), at a reception, meal or meeting held by an organization [ORS 244.020(7)(b)(E) *and the accompanying discussion in OAR199-005-0015*].
- Food or beverage consumed by a public official or candidate at a reception where the food and beverage is an incidental part of the reception and there was no admission charged [ORS 244.020(7)(b)(L) *and the accompanying discussion in OAR199-005-0025(1)*].
- When public officials travel together inside the state to an event bearing a relationship to the office held and the public official appears in an official capacity, a public official may accept the travel related expenses paid by the accompanying public official [ORS 244.020(7)(b)(K)].
- Payment of reasonable expenses if a public official is scheduled to speak, make a presentation, participate on a panel or represent a government agency at a convention, conference, fact-finding trip or other meeting. The paid expenses for this exception can only be accepted from another government agency, Native American Tribe, an organization to which a public body pays membership dues or not-for-profit organizations that are tax exempt under 501(c)(3) [ORS 244.020(7)(b)(F) *and see definition of terms for this exception in OAR 199-005-0020*].
- Payment of reasonable food, lodging or travel expenses for a public official, a relative of the public official or a member of the public official's household or staff may be accepted when the public official is representing the government agency or special district at one of the following:
 - Officially sanctioned trade promotion or fact-finding mission; [ORS 244.020(7)(b)(H)(i)]
 - Officially designated negotiation or economic development activity when receipt has been approved in advance [ORS 244.020(7)(b)(H)(ii). *Defined terms and an explanation of how and who may officially sanction or designate these events are addressed in OAR 199-005-0020(1)(b)(B).*]
- Payment of reasonable expenses paid to a public school employee for accompanying students on an educational trip [ORS 244.020(7)(b)(P)].
- Food and beverage when acting in an official capacity in the following circumstances:
 - In association with a financial transaction or business agreement between a government agency and another public body or a private entity, including such actions as a review, approval or execution of documents or closing a borrowing or investment transaction [ORS 244.020(7)(b)(I)(i)];

- While engaged in due diligence research or presentations by the office of the State Treasurer related to an existing or proposed investment or borrowing [ORS 244.020(7)(b)(I)(ii)]; or
- While engaged in a meeting of an advisory, governance or policy-making body of a corporation, partnership or other entity in which the office of the State Treasurer has invested moneys [ORS 244.020(7)(b)(I)(iii)].

The last gift I received was from _____. The source of this offer is / is not economically affected by my decisions or votes as a public official.

Gifts vs. Prohibited Use of Position

In understanding issues related to gifts, the operative definition of a “gift” is used in deciding how Oregon Government Ethics law would apply to a gift offered to or accepted by a public official or candidate. The application of the gift provisions regarding candidates is not included in this discussion. The following is a paraphrase of the definition taken from ORS 244.020(7)(a):

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

The definition of a “gift” has remained much the same since Oregon Government Ethics law was enacted. Originally, the law prohibited the offer or acceptance of any gifts; it allowed some gifts and for others it imposed limits on the aggregate value on gifts that could be accepted. With the recent revisions, Oregon Government Ethics law does not prohibit gifts but does place conditions on when some gifts may be accepted and for other gifts there is a limit on the aggregate value that can be accepted.

The primary focus of ORS 244.040(1) is on the use or attempted use of the position held by the public official and not on whether a gift is accepted by a public official. However, accepting gifts that would not be available “but for” holding a position as a public official could represent a prohibited financial benefit.

The financial benefit prohibited by ORS 244.040(1) is one obtained by a public official through the use or attempted use of a position or office held. The prohibited benefit may be gained through the public official’s access to and use of the public body’s resources.

The financial benefit may take several forms. It may be the avoidance of a personal expense, money, extra income from private employment, creation of a new employment opportunity or the use of confidential information for financial gain.

Gifts, on the other hand, are not received by a public official, primarily, because of the public official's use of a public body's resources, but because gifts are offered by sources other than the public official's government employer or the public body represented by the public official. Sources of gifts are private individuals, businesses or organizations; they are public bodies that are not the employer of or represented by the public official. Sources of gifts may also be employees of the same public body of the public official and they offer gifts acquired with their personal resources, not the public body's resources. If something of economic value is received from the employer of or the public body represented by a public official, that "something" is not a gift, it is a financial benefit either allowed or prohibited by ORS 244.040.

Conflict of Interest

Oregon Government Ethics law defines **actual conflict of interest** [ORS 244.020(1)] and **potential conflict of interest** [ORS 244.020(13)]. In brief, a public official is met with a conflict of interest when participating in official action which could result in a financial benefit or detriment to the public official, a relative of the public official or a business with which either are associated.

The difference between an actual conflict of interest and a potential conflict of interest is determined by the words "would" and "could." A public official is met with an **actual** conflict of interest when the public official participates in action that **would** affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated. A public official is met with a **potential** conflict of interest when the public official participates in action that **could** affect the financial interest of the official, a relative of that official or a business with which the official or the relative of that official is associated.

Questions to ask yourself:

I own a business that my public body does business with. Yes / No

I have a relative that owns a business that my public body does business with. Yes / No

A member of my household owns a business that my public body does business with. Yes / No

I have identified _____ a business or businesses with which I, my relatives and members of my household are associated.



What if I am met with a conflict of interest?

A public official must announce or disclose the nature of a conflict of interest. The way the disclosure is made depends on the position held. The following public officials must use the methods described below:

An elected public official, other than a member of the Legislative Assembly, or an appointed public official serving on a board or commission:

- (a) When met with a *potential* conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official; or
- (b) When met with an *actual* conflict of interest, announce publicly the nature of the actual conflict and refrain from participating* as a public official in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue.

Any other appointed official, including public officials in public bodies who are appointed, employed or volunteer:

Must provide a written notice to the person who appointed or employed them. The notice must describe the nature of the conflict of interest with which they are met [ORS 244,120(1)(c)].

My appointing authority is _____.

***NOTE:** If a public official is met with an actual conflict of interest and the public official's vote is necessary to meet the minimum number of votes required for official action, the public official may vote.

The public official must make the required announcement and refrain from any discussion, but may participate in the vote required for official action by the governing body. [ORS 244.120(2)(b)(B)]

These circumstances do not often occur. This provision does not apply in situations where there are insufficient votes because of a member's absence when the governing body is convened. Rather, it applies in circumstances when all members of the governing body are present and the numbers of members who must refrain due to actual conflicts of interest make it impossible for the governing body to take official action.

If in doubt, contact the Oregon Government Ethics Commission to seek guidance prior to engaging in any action, decision or recommendation in your official capacity.

The following circumstances may exempt a public official from the requirement to make a public announcement or give a written notice describing the nature of a conflict of interest:

- If the conflict of interest arises from a membership or interest held in a particular business, industry, occupation or other class and that membership is a prerequisite for holding the public official position [ORS 244.020(13)(a)].
- If the financial impact of the official action would impact the public official, relative or business of the public official *to the same degree* (meaning equally or proportionately) as other members of an identifiable group or "class." The Commission has the authority to determine the minimum size of a "class" [ORS 244.020(13)(b) and ORS 244.290(3)(a)].
- If the conflict of interest arises from an unpaid position as officer or membership in a nonprofit corporation that is tax-exempt under 501(c)(3) of the Internal Revenue Code [ORS 244.020(13)(c)].

How is the announcement of the nature of a conflict of interest recorded?

The public body that is served by the public official will record the disclosure of the nature of the conflict of interest in the official records of the public body [ORS 244.130(1)].

Is a public official required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon?

The announcement needs to be made on each occasion the conflict of interest is met. For example, an elected member of the city council would have to make the public announcement one time during a meeting of the city council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting. An employee in a city planning department would have to give a separate written notice on each occasion they participate in official action on a matter that gives rise to a conflict of interest [ORS 244.120(3)].

If a public official failed to announce the nature of a conflict of interest and participated in official action, is the official action voided?

No. Any official action that is taken may not be voided by any court solely by reason of the failure of the public official to disclose an actual or potential conflict of interest [ORS 244.130(2)].

**My positions as a _____ requires me to _____
announce the nature of conflicts of interest on _____ occasion.**

NOTES:

Employment

Does Oregon Government Ethics law prohibit a public official from owning a private business or working for a private employer while continuing employment with or holding a position with a public body?

No. Many public officials hold or perform services as volunteers, meaning there is little or no compensation and they have a private source of income to maintain a household. There are also public officials who do receive compensation, but for personal reasons find it necessary to seek additional sources of income. Some obtain employment with a private business and others establish a private business of their own.

ORS 244.040(3) prohibits a public official from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the public official's vote, official action or judgment. Any employer who may directly or indirectly offer employment under these conditions may also violate this provision.

In general, public officials may obtain employment with a private employer or engage in private income producing activity of their own. They must not use the position held as a public official to create the opportunity for additional personal income. The public official must also insure that there is a clear distinction between the use of personal resources and time for personal income producing activity and the use of the public body's time and resources. The Commission has created guidelines for public officials to follow in order to avoid violating Oregon Government Ethics law when engaged in private employment or a personally owned business.

GUIDELINES FOR OUTSIDE EMPLOYMENT OF PUBLIC OFFICIALS

1. Public officials are not to engage in private business interests or other employment activities on their governmental agency's time.
2. A governmental agency's supplies, facilities, equipment, employees, records or any other public resources are not to be used to engage in private business interests.
3. The position as a public official is not to be used to take official action that could have a financial impact on a private business with which you, a relative or member of your household are associated.

4. Confidential information gained as a public official is not to be used to obtain a financial benefit for the public official, a relative or member of the public official's household or a business with which any are associated.
5. When participating in an official capacity and met with a potential or actual conflict of interest related to a business, associated with the public official, relative or household member, the public official must disclose the nature of the conflict of interest using one of the following methods:
 - o Employees of governmental agencies must give written notice to their appointing authority.
 - o Elected or appointed public officials must publicly disclose once during each meeting convened by the governing body they serve.

What are the restrictions on employment after I resign, retire or leave my public official position?

- ORS 244.040(1) prohibits public officials from using their official positions or offices to create a new employment opportunity; however, most former public officials may enter the private work force with few restrictions.

Resources

All members of the Commission staff are cross-trained in the laws and regulations under the Commission's jurisdictions. Questions regarding the Commission's laws, regulations and procedures are a welcome daily occurrence. Timely and accurate answers are a primary objective of the staff. Guidance and information is provided either informally or in written formal opinions. The following are available:

- Telephone inquiries are answered during the call or as soon as possible.
- E-mail inquiries are answered with return e-mail or telephone call as soon as possible.
- Letter inquiries are answered by letter as soon as possible.
- Written opinions on specific circumstances can also be requested.

If a person requests, receives or relies on any of the advice or opinions authorized by ORS 244.280 through ORS 244.284, does that person have what is referred to as "safe harbor" protection from becoming a respondent to a complaint filed with or initiated by the Commission?

There is no "safe harbor," if the term is understood to mean that any person who relies on any advice or opinions offered by the Commission or the staff is protected from being a respondent to a complaint, found violating laws within the jurisdiction of the Commission or receiving a penalty for a violation.

There is, however, specific and conditional protection for any person who has requested and relied upon advice or an opinion from the Commission or its staff.

It is important to remember that the provisions of law apply to the individual actions of the person or public official. There are events or occasions when more than one public official may be present and participating in their official capacities. Depending on the circumstances and conditions for an event or transaction the law may have a different application for one public official than for other public officials.

Sanctions for Violations

- Civil Penalty [ORS 244.350]
- Forfeiture [ORS 244.306]
- Letters of Reprimand, Correction or Education [ORS 244.350(5)]

Resources and Information

- Telephone 503-378-5105
- Fax 503-373-1456
- e-mail: OGEC.mail@state.or.us
- Website: <http://www.oregon.gov/OGEC>
- Training
 - In person
 - iLinc Webinars – Presented live using the internet
 - iLearn – Self-paced online eLearning



Oregon Government Ethics Commission (OGEC) Resource Chart

TRAINING	In-Person & On-Site	Trainers are available to present training sessions or workshops on government ethics law, lobbying regulations and executive session provisions. You can request this training by calling our office at: 503-378-5105 or by completing a 'request for training' on-line at: https://www.oregon.gov/OGEC/Pages/training_request.aspx
	Webinars	OGEC offers Adobe Connect Webinars. These 30 to 60 minute trainings are presented live by an OGEC trainer using the internet. We offer several different classes each month or we can also provide customized webinar trainings: <ul style="list-style-type: none"> • Monthly Webinar Calendar (bottom of page): https://www.oregon.gov/OGEC/Pages/training.aspx • To register or arrange for customized webinar training please e-mail us at: ogec.training@oregon.gov
	iLearnOregon	These training modules are short, focused and convenient. This training focuses on government ethics law, lobbying regulations and executive session provisions. Anyone with an e-mail address can register to take classes through iLearnOregon, whether you are a public official or a private citizen. iLearnOregon can be accessed via the following links: <ul style="list-style-type: none"> • State employee – https://www.oregon.gov/OGEC/docs/training/ilearn_new_acct_state_employee_20101130.pdf • Non-State employee – https://www.oregon.gov/OGEC/docs/training/ilearn_new_acct_non_state_employee_20101129.pdf
GUIDANCE	Request Guidance on Ethics Related Issues/Situations	<ul style="list-style-type: none"> • Written – Send requests via e-mail to: ogec.mail@oregon.gov ; by fax to: 503-373-1456 or by U.S. mail to: 3218 Pringle Road SE, Suite 220, Salem, Oregon 97302-1544 • Telephone – 503-378-5105 • In-person – By visiting our office at the mailing address listed under “Written” above.
	Review Previously Issued Guidance	<ul style="list-style-type: none"> • Advice – https://apps.oregon.gov/OGEC/CMS/Advice • Opinions – https://www.oregon.gov/OGEC/pages/opinion_category.aspx
FORMS & PUBLICATIONS	Guide for Public Officials	Link to Guide and 2015 Supplement: https://www.oregon.gov/OGEC/Pages/forms_publications.aspx
	Public Records	Public Records Look-up: https://apps.oregon.gov/OGEC/EFS/Records To request copies of public records in the custody of the OGEC: https://www.oregon.gov/OGEC/Pages/public_records.aspx
	File a Complaint	Complaint form can be accessed via: https://apps.oregon.gov/OGEC/CMS/complaint