



Oregon Safe Routes to School Advisory Committee **Charter**

Revised 10-25-23

Background

The Oregon Safe Routes to School Program consists of two parts: Construction and Education, both administered by the Oregon Department of Transportation (ODOT). Both programs focus on efforts that improve safety conditions for children to walk or bike to school. These programs are intended to address safety risks, such as any one of the components of a Priority Safety Corridor,¹ and other safety needs considering the unique perspectives and behavior of children who walk or bike. A comprehensive Safe Routes to School (SRTS) program is inclusive of both Education and Construction elements.

Since 2006, ODOT has invested in the SRTS program to increase safety and encourage children to walk and bike to school. Due to state funding from 2017 Keep Oregon Moving Act (House Bill 2017), the SRTS Construction program allocates \$10 million annually for SRTS Construction projects, which increases to \$15 million in 2023 and beyond. By fall 2019, the SRTS Education program will increase its distribution of federal funding from \$500,000 to \$1M annually, then to \$1.3M annually in 2021.

Within ODOT the SRTS program is housed within two divisions. The SRTS Construction Program is managed by the Public Transportation Division (PTD) and the Education Program by the Transportation Safety Office (TSO) housed in the Department of Motor Vehicles (DMV).

Purpose of Charter

The Oregon Safe Routes to School Advisory Committee (SRAC) Charter provides a clear and mutually agreeable statement of the roles and responsibilities of SRAC members and ODOT staff. It identifies the ways in which the SRAC will operate, including decision-making processes and meeting protocols. This charter guides the work and conduct of the SRAC to create and maintain an open and transparent process.

¹ Priority Safety Corridor Safety corridors are stretches of roads where fatal and serious injury traffic crash rates are higher than the statewide average for similar types of roadways.

Committee Purpose

The SRAC's charge is to guide the Safe Routes to School Construction and Education programs. The SRAC is advisory to the Oregon Transportation Commission (OTC), and in consultation with the Oregon Transportation Safety Committee (OTSC). The SRAC's charge is outlined in [Oregon Administrative Rule \(OAR\) 737-025](#).

Committee Composition

The SRAC comprises of 10-18 volunteer members representing interests including, but not limited to: the OTSC, Oregon Bicycle and Pedestrian Advisory Committee (OBPAC), Safe Routes to School practitioners, school districts, eligible entities, and equity, youth, and safety representatives. When needed, new member recommendations come from current SRAC members, community partners, and ODOT staff, with formal appointment by the ODOT Director.

SRAC Responsibilities

The SRAC has with two primary tasks:

- Providing ODOT with program guidance and developing recommendations for the OTSC and OTC as appropriate. Recommendations for the Education program go first to the OTSC before going to the OTC. The OTC is the decision-making body over both SRTS programs.
- Setting project selection criteria; making project selection recommendations.² Project selection recommendations go to the OTC for Construction projects and to the OTSC prior to the OTC for Education. The SRAC staff consults with OTSC and OBPAC for SRTS policy direction.

Members of SRAC agree to fulfill their responsibilities by:

- Attending and participating in quarterly SRAC meetings and additional meetings as needed.
- Studying all available information prior to meeting.
- Participating fully in the development of recommendations.

Members of SRAC agree to participate in good faith and to act in the best interests of the SRAC and its charge. For purposes of the SRAC, "good faith" means honesty in fact and conduct.

² For the initial 2018-19 Competitive Grant cycle, project selection criteria was determined by the SRTS Rule Advisory Committee. The SRAC will be charged with this responsibility for all subsequent grant application processes.

ODOT Staff Responsibilities

ODOT staff will provide:

- Technical support to inform discussions and decision-making by SRAC.
- Expertise on SRTS Construction and Education programs processes.
- Logistical and administrative assistance.
- Advice to the SRAC when warranted.

The ODOT Director will appoint a representative from an ODOT region to provide the agency's perspective in SRAC discussions. ODOT SRTS staff will not participate in the SRAC's decision and recommendation processes other than providing clarification or process suggestions.

Key staff includes:

- Oregon SRTS Education Program Manager
- Safe Routes to School Construction Program Manager
- Transportation Safety Office Manager
- Strategic Investments Manager
- Active Transportation Program Analyst
- Safe Routes to School and Connect Oregon Coordinator

Terms

SRAC members will serve a four-year term and a maximum of two terms.

SRAC Officers and Subcommittees

Chair and Vice/Incoming-Chair

- SRAC members provide nominations for the SRAC Chair and Vice/Incoming Chair for a term of two-years.³

Chair and Vice/Incoming-Chair Roles and Responsibilities:

- The Chair will work with the SRTS Program Manager to provide leadership in SRAC meetings and funding recommendation processes.
- The Vice/Incoming-Chair will serve in a supporting role should the Chair be unable to attend meetings.

³ For the 2018-19 Competitive Grant cycle, the SRTS Rule Advisory Committee determined the selection criteria. Subsequent grant solicitations' criteria are the charge of SRAC.

Internal - SRAC Chair Operational Responsibilities:

- Provide feedback on SRTS agendas.
- Open and close each SRTS meeting.
- Assist in creation and review of SRTS Committee annual work plans.
- Serve as a conduit for SRTS Committee members' ideas and issues.
- Maintain understanding of all SRTS subcommittee work and facilitate communication/updates to SRAC members as needed (e.g., Rapid Response).
- Assist in recommendation and recruitment process of new SRAC members.
- Provide annual review of SRAC Guiding Principles.
- Sit on subcommittee groups as liaison.

External - SRAC Representation Responsibilities:

- Represent SRAC at other ODOT committees including but not limited to:
 - Oregon Transportation Commission
 - Oregon Transportation Safety Committee

Rapid Response Subcommittee (RRS)

The RRS consists of three to four SRAC members in addition to the ODOT Safe Routes to School Construction Program Manager (Program Manager). The RRS members are volunteer SRAC members and appointed by vote of the full SRAC.

Rapid Response Subcommittee Roles and Responsibilities:

- Meet by phone monthly or as needed to discuss the program and applicants.
- Review and provide application score and recommendation of funding via email for entities who submit a Rapid Response Application within one week of receiving the notification from the Program Manager.
- Create policy recommendations for the Rapid Response Program.
- Provide regular updates to the SRAC on funding recommendations.
- Present to other ODOT committees like the OTC, OTSC, and OBPAAC when necessary.
- Additional internal responsibilities for ODOT staff in fulfilling the RRS's charge are:
 - Setting up and facilitating of monthly or as needed phone meetings.
 - Sending Letters of Intent (LOI) and applications to RRS members in a timely fashion.
 - Providing the agreed upon feedback or recommendation decision to the applicant.

RRS Decision Making Process

Funding recommendations will use a consensus decision-making model. If the RRS is unable to come to a unanimous recommendation, the project will be referred to the larger SRAC or may be delegated to the Technical Work Group. Involving the SRAC will take a much longer time, which is not in alignment with the intention of the Rapid Response Program, thus the Rapid Response Subcommittee will strive for consensus. If one of the Rapid Response Subcommittee members is not available for a week or more, then the remaining three members will make the recommendation. If the Construction Program Manager is away for a week or more, they will designate another ODOT staff to fill in their role. Funding recommendations will be submitted monthly or as needed to the OTC's consent agenda for approval.

Technical Work Group (TWG) Subcommittee

The TWG subcommittee is a standing work group comprised of three to four SRAC members who meet every other month to support SRAC decision-making and delve into issues that require input but do not warrant input by the full SRAC. Subcommittee members are volunteers and approved by the SRAC. Two to three additional SRAC members may join discussions on specific topics.

Technical Work Group (TWG) Roles and Responsibilities:

- Meet between SRAC meetings for 1 hour-90 minutes.
- Address issues as delegated by the Chair/Incoming Chair or SRAC. Meeting topics may include opportunities identified by Chair/Incoming Chair or SRAC that are outside regularly scheduled SRAC business (e.g., letters of support about upcoming OTC funding decisions) or other items (e.g., SRAC Charter updates, SRAC Guiding principles review, etc.).
- Make recommendations to SRAC for formal decision-making. No decisions will be made on behalf of SRAC at TWG meetings.
- Help set priorities and scoring criteria for Education and Construction program grants by reviewing criteria proposals before going to SRAC and makes recommendation to SRAC if needed.
- Assist in the review of proposed grant investments prior to SRAC meetings and makes recommendation to the SRAC if needed.

SRAC Meeting Protocols

- Meetings will be set by the SRAC for the following year by December of the previous year.
- All meetings will be led by ODOT staff and/or facilitated by a neutral third-party facilitator with support by SRAC Chairs to ensure the SRAC discussions are consistent with the SRAC Charter and align with SRAC feedback and recommendations and adhere closely to the project schedule.
- Upon review and discussion at the first SRAC meeting, members will be asked to accept the SRAC Charter and proposed SRAC Meeting Agreements.
- Members will make their best effort to attend all meetings virtually, in-person if scheduled as such, or via phone with notification to ODOT staff if unable to attend. If a meeting is missed, it is the responsibility of the SRAC member to contact the ODOT SRTS Program Managers and set up a phone meeting to remain updated as to not slow the overall SRAC progress.
- SRAC recommendations will not be revisited unless agreed upon by a majority of the SRAC members present.
- Public notification of SRAC meetings will occur at least one-week in advance with meeting materials posted on ODOT SRTS website. All SRAC meeting materials will follow ODOT public meeting notification guidelines.
- ODOT will make every effort to ensure meeting materials are finalized one-week prior to meetings; however, there may be instance where updated versions of materials are provided at SRAC meetings. In these cases, staff will describe any changes and allow for questions at the time of review.
- Meetings will begin and end on time. If agenda items cannot be completed, the SRAC will decide on a meeting extension, schedule an additional meeting, or continue the discussion at the next scheduled meeting.

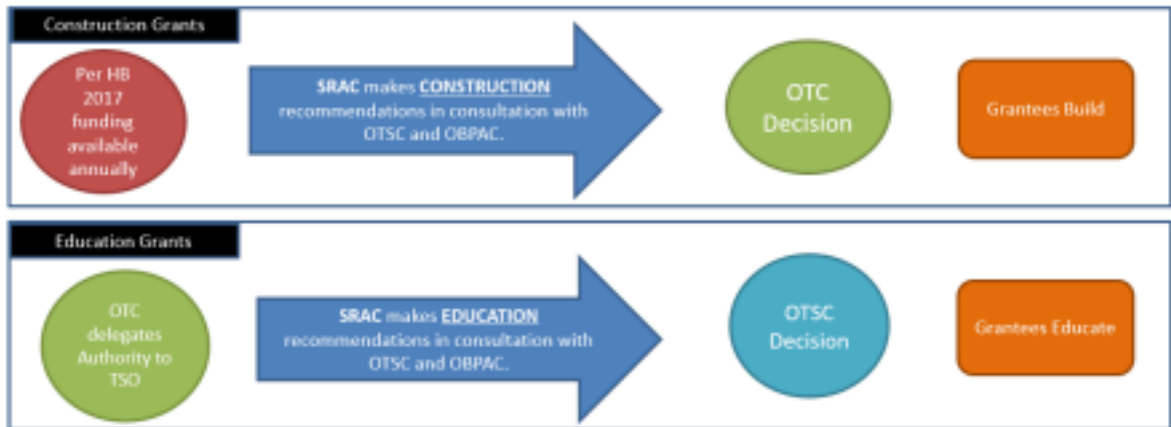
SRAC meeting summaries will reflect key discussion items, questions, feedback, outcomes, and assignments related to advancement of the SRAC's work. Draft summaries will be distributed within seven (7) workdays prior to the following SRAC meeting. SRAC members will be given an opportunity to clarify or propose edits to meeting summaries for an accurate record.

A public comment period will be at the beginning of every meeting with a three-minute limit for any person signed up to comment.

Decision-Making Process

While the SRAC has no final decision-making authority, its purpose is to engage diverse perspectives in its recommendations to OTC and OTSC on ODOT's SRTS Construction or Education programs. All SRAC feedback will be respectfully considered. OTC and OTSC may or may not accept the SRAC recommendations.

DECISION TREE: SAFE ROUTES TO SCHOOL GRANTS



SRAC Member Protocol:

- All members are encouraged to challenge themselves to approach their SRAC responsibilities with creativity, curiosity, and commitment and come fully prepared to all meetings. This is essential for well-informed discussions and decision-making.
- It is important for all points of view to be expressed in SRAC meetings and for all to give serious consideration to the comments made by all SRAC members and ODOT staff. Listening to wide ranging opinions and evaluating the merit of differing points of view is critical to develop reasoned and thoughtful funding recommendations.
- During the recommendation process, SRAC member will not advocate for any project which they may have had a role in its development, but to consider it as any other project and apply the same considerations and facts to it.
- To facilitate SRAC's decision-making and to ensure that the SRAC receives the collective benefit of the individual views, experience, background, training and expertise, a consensus decision-making model will assist the SRAC in drafting, editing, and refining its recommendations.

- Consensus decision-making is a process that allows meeting participants to consider proposals, express opinions, and discuss options for reaching general agreement. This model provides an opportunity for discussion of underlying values and concerns in the overall effort of developing widely accepted solutions.
- Consensus does not mean 100% agreement on every aspect of every issue. Instead, consensus means general support for a decision taken as a whole. This allows group members to vote in support of a recommendation even though they might prefer to have it modified in some manner in order to give it their full support.
- Members will work together to fulfill the SRAC Charter and seek to achieve consensus to the extent possible. For the purpose of the SRAC, consensus is achieved when all members can say:

I am fully supportive of this decision or choice.

or

*While I may not be fully supportive of this decision or choice,
I can live with it, and I will not oppose it.*

- With such a diverse membership, differences of opinion are expected. If the SRAC is unable to reach consensus, the staff or facilitator will call for a traditional vote if a quorum is in attendance. A quorum is defined as a half of the SRAC roster's voting members plus one.
- A minority report will accompany all SRAC's recommendations to the OTC and OTSC unless unanimous in nature.

Equitable Compensation Program (EECP)

The [Equitable Engagement Compensation Program](#), or EECP, pays participants for their time spent in engagement activities with ODOT such as, but not limited to advisory committees.

SRAC members who aren't paid through other means may receive \$20-30 per hour via prepaid cash card or check for scheduled time to participate in SRAC. The engagement activities are based on specific geographic areas and the project that exists or will exist there. Payments are administered by the project manager.

Payments come in three different forms based on frequency of the engagement activity with community members:

- Stipends are for engagement activities that occur at least twice or more, like advisory committees.
- Participants will receive payment for each activity they engaged and completed.

Communication with Media

SRAC members are requested to:

- Defer to ODOT staff for all media communications related to SRAC process and its recommendations.
- Not negotiate through the media or use the media to undermine the work of the SRAC.
- Raise all of their concerns, especially those being raised for the first time at a SRAC meeting and not in or through the media.

SRAC as Public Officials

SRAC members are considered public officials in their volunteer SRAC roles.

According to ORS 244.020(14), “Public Official” means 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.

This includes:

- Public Employees
- Elected Officials
- Members of Boards and Commissions
- Volunteers
- Relative:
 - ORS 244.020(15) “Relative” means:
 - (a) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate;
 - (b) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official or candidate;
 - (c) Any individual for whom the public official or candidate has a legal support obligation;
 - (d) Any individual for whom the public official provides benefits arising from the public official’s public employment or from whom the public official receives benefits arising from that individual’s employment; or
 - (e) Any individual from whom the candidate receives benefits arising from that individual’s employment.

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)

Conflict of Interest

In brief, a public official is met with a conflict of interest when participating in an official action could result in a financial effect to the public official, a relative of the public official or a business with which either are associated.

Statutory conflicts of interest have three components:

1. An **“action”**, **“decision”**, or **“recommendation”** made in an **“official capacity”**, which causes;
2. A private pecuniary benefit or detriment, for;
3. The **“public official”**, the public officials **“relative”**(s), or a **“business associated with which the person is associated”**,

the public official or the public official's relative.

Types of Conflict of Interest

Oregon Government Ethics law identifies and defines two types of conflicts of interest. An actual conflict of interest is defined in ORS 244.020(1) and a potential conflict of interest is defined in ORS 244.020(12).

Actual Conflict of Interest

- Any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the persons relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (12) of this section.
- *If the financial effect of an action is both **specific** and **certain**, then that action presents an actual conflict of interest.*

Potential Conflict of Interest

- Any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the persons relative, or a business with which the person or the persons relative is associated, unless the pecuniary benefit or detriment arises out of the following:
 - (a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
 - (b) Any action in the persons official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the persons relative or business with which the person or the persons relative is associated, is a member or is engaged.
 - (c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

When to Declare a Conflict of Interest

Officials on Boards or Commissions and Elected Officials ORS 244.120(2)

- When any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **would** be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or the person's relative or any business with which the person or a relative of the person is associated.
- When any action or any decision or recommendation by a person acting in the capacity as a public official, the effect of which **could** be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated
- Disclosure must occur when appointed officials are met with a conflict of interest, regardless whether the conflict is actual or potential.

How to Declare a Conflict of Interest

Officials on Boards or Commissions & Elected Officials ORS 244.120(2)

- 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.