



EDUCATOR ADVANCEMENT COUNCIL

RETREAT AGENDA – DAY ONE

Tuesday, October 23, 2018

1:00 p.m. – 5:00 p.m.

Broadway Commons, 1300 Broadway Street NE, Salem, OR

Conference Call: (877)336-1828, public access code 8478084 (*listen only*)

Meeting Protocols

- ✓ All team members are equals and respected as such.
- ✓ The Chair calls on participants during discussions.
- ✓ Discussions are improved by self-assessing “*am I contributing too much or too little?*”
- ✓ We ask clarifying questions when needed and address issues, not individuals.
- ✓ Topics beyond the current agenda are captured to address in the future.

Meeting Outcomes – Day One

- ✓ Enhanced Equity Context
- ✓ Communications
- ✓ Ethics Training
- ✓ Procedural Subcommittee Update

1:00	1.0	Welcome Remarks	
	1.1	Introductions, Agenda Review/Outcomes	Chair Oakes
1:15	2.0	Preliminary Business	
	2.1	Roll Call	Debbie Green
	2.2	Agenda Approval	Chair Oakes
1:25	3.0	Public Comment	Chair Oakes
		• <i>Public members wishing to provide public testimony must sign in at the meeting.</i> • <i>There will only be one speaker from each group.</i> • <i>Each individual speaker or group spokesperson will have three (3) minutes.</i> • <i>The Council welcomes and appreciates public input, but due to time constraints is unable to respond directly to testimony during the meeting.</i>	
1:35	4.0	Communications	Lisa Morawski
2:15	5.0	Retreat Activity	Cheryl Myers
2:30		BREAK	
2:40	6.0	Equity Training	
	6.1	Equity Lens Historical Context	Nancy Golden
	6.2	Culturally-Responsive Practices/Pedagogy	Carmen Urbina
3:30	7.0	Ethics Training	Tammy Hedrick
4:20	8.0	Procedural Subcommittee Update	Subcommittee Chair
4:40	9.0	Wrap Up/Activity	Chair Oakes
5:00	10.0	Adjourn	

Unanticipated agenda items may or may not be included. All Educator Advancement Council meetings are open to the public and conform to Oregon public meetings laws. Accommodations requests should be submitted to EACinfo@OregonLearning.org (503)373-1283 at least 48 hours in advance. To subscribe to meeting notices please register [here](#) or www.education.oregon.gov to also find upcoming meetings and prior meeting materials.



Education Investment Board: Equity Lens

OEIB Vision Statement

To advise and support the building, implementation and investment in a unified public education system in Oregon that meets the diverse learning needs of every pre-K through postsecondary student and provides boundless opportunities that support success; ensuring a 100 percent high school graduation rate by 2025 and reaching the 40-40-20 goal.

OEIB Equity Lens: Preamble

The Oregon Educational Investment Board has a vision of educational equity and excellence for each and every child and learner in Oregon. We must ensure that sufficient resource is available to guarantee their success and we understand that the success of every child and learner in Oregon is directly tied to the prosperity of all Oregonians. The attainment of a quality education strengthens all Oregon communities and promotes prosperity, to the benefit of us all. It is through educational equity that Oregon will continue to be a wonderful place to live, and make progress towards becoming a place of economic, technologic and cultural innovation.

Oregon faces two growing opportunity gaps that threaten our economic competitiveness and our capacity to innovate. The first is the persistent achievement gap between our growing populations of communities of color, immigrants, migrants, and low income rural students with our more affluent white students. While students of color make up over 30% of our state- and are growing at an inspiring rate- our achievement gap has continued to persist. As our diversity grows and our ability to meet the needs of these students remains stagnant or declines- we limit the opportunity of everyone in Oregon. The persistent educational disparities have cost Oregon billions of dollars in lost economic output¹ and these losses are compounded every year we choose not to properly address these inequalities.

¹ Alliance for Excellent Education. (November 2011). *The high cost of high school dropouts: What the nation pays for inadequate high schools.* www.all4ed.org

The second achievement gap is one of growing disparity between Oregon and the rest of the United States. Our achievement in state benchmarks has remained stagnant and in some communities of color has declined while other states have begun to, or have already significantly surpassed our statewide rankings. If this trend continues, it will translate into economic decline and a loss of competitive and creative capacity for our state. We believe that one of our most critical responsibilities going forward is to implement a set of concrete criteria and policies in order to reverse this trend and deliver the best educational continuum and educational outcomes to Oregon's Children.

The primary focus of the equity lens is on race and ethnicity. While there continues to be a deep commitment to many other areas of the opportunity gap, we know that a focus on race by everyone connected to the educational milieu allows direct improvements in the other areas. We also know that race and ethnicity continue to compound disparity. We are committed to explicitly identifying disparities in education outcomes for the purpose of targeting areas for action, intervention and investment.

Beliefs:

We believe that everyone has the ability to learn and that we have an ethical responsibility and a moral responsibility to ensure an education system that provides optimal learning environments that lead students to be prepared for their individual futures.

We believe that speaking a language other than English is an asset and that our education system must celebrate and enhance this ability alongside appropriate and culturally responsive support for English as a second language.

We believe students receiving special education services are an integral part of our educational responsibility and we must welcome the opportunity to be inclusive, make appropriate accommodations, and celebrate their assets. We must directly address the over-representation of children of color in special education and the under-representation in “talented and gifted.”

We believe that the students who have previously been described as “at risk,” “underperforming,” “under-represented,” or minority actually represent Oregon’s best opportunity to improve overall educational outcomes. We have many counties in rural and urban communities that already have populations of color that make up the majority. Our ability to meet the needs of this increasingly diverse population is a critical strategy for us to successfully reach our 40/40/20 goals.

We believe that intentional and proven practices must be implemented to return out of school youth to the appropriate educational setting. We recognize that this will require us to challenge and change our current educational setting to be more culturally responsive, safe, and responsive to the significant number of elementary, middle, and high school students who are currently out of school. We must make our schools safe for every learner.

We believe that ending disparities and gaps in achievement begin in the delivery of quality Early Learner programs and appropriate parent engagement and support. This is not simply an expansion of services -- it is a recognition that we need to provide services in a way that best meets the needs of our most diverse segment of the population, 0-5 year olds and their families.

We believe that resource allocation demonstrates our priorities and our values and that we demonstrate our priorities and our commitment to rural communities, communities of color, English language learners, and out of school youth in the ways we allocate resources and make educational investments.

We believe that communities, parents, teachers, and community-based organizations have unique and important solutions to improving outcomes for our students and educational systems. Our work will only be successful if we are able to truly partner with the community, engage with respect, authentically listen -- and have the courage to share decision making, control, and resources.

We believe every learner should have access to information about a broad array of career/job opportunities and apprenticeships that will show them multiple paths to employment yielding family-wage incomes, without diminishing the responsibility to ensure that each learner is prepared with the requisite skills to make choices for their future.

We believe that our community colleges and university systems have a critical role in serving our diverse populations, rural communities, English language learners and students with disabilities. Our institutions of higher education, and the P-20 system, will truly offer the best educational experience when their campus faculty, staff and students reflect this state, its growing diversity and the ability for all of these populations to be educationally successful and ultimately employed.

We believe the rich history and culture of learners is a source of pride and an asset to embrace and celebrate.

And, we believe in the importance of supporting great teaching. Research is clear that “teachers are among the most powerful influences in (student) learning.”² An equitable education system requires providing teachers with the tools and support to meet the needs of each student.

Purpose of the OEIB Equity Lens: The purpose of the equity lens is to clearly articulate the shared goals we have for our state, the intentional investments we will make to reach our goals of an equitable educational system, and to create clear accountability structures to ensure that we are actively making progress and correcting where there is not progress. As the OEIB executes its charge to align and build a P-20 education system, an equity lens will prove useful to ensure **every** learner is adequately prepared by educators focused on equity for meaningful contributions to society. The **equity lens** will confirm the importance of recognizing institutional and systemic barriers and discriminatory practices that have limited access for many students in the Oregon education system. The equity lens emphasizes underserved students, such as out of school youth, English Language Learners, and students in some communities of color and some rural geographical locations, with a particular focus on racial equity. The result of creating a culture of equity will focus on the outcomes of academic proficiency, civic awareness, workplace literacy, and personal integrity. The system outcomes will focus on resource allocation, overall investments, hiring and professional learning.

Oregon Educational Investment Board Case for Equity:

Oregonians have a shared destiny. Individuals within a community and communities within a larger society need the ability to shape their own present and future and we believe that education is a fundamental aspect of Oregon’s ability to thrive. Equity is both the means to educational success and an end that benefits us all. Equity requires the intentional examination of systemic policies and practices that, even if they have the appearance of fairness, may in effect serve to marginalize some and perpetuate disparities. Data are clear that Oregon demographics are changing to provide rich diversity in race, ethnicity, and language.³ Working toward equity requires an understanding of historical contexts and the active investment in changing social structures and changing practice over time to ensure that all communities can reach the goal and the vision of 40/40/20.

² Hattie, J. (2009), *Visible learning: A synthesis of over 800 meta-analyses relating to student achievement*. P. 238.

³ Oregon Statewide Report Card 2011-2012. www.ode.state.or.us

ADDENDUMS

Basic Features of the Equity Lens:

Objective: By utilizing an equity lens, the OEIB aims to provide a common vocabulary and protocol for resource allocation and evaluating strategic investments.

The following questions will be considered for resource allocation and evaluating strategic investments:

- 1. Who are the racial/ethnic and underserved groups affected? What is the potential impact of the resource allocation and strategic investment to these groups?**
- 2. Does the decision being made ignore or worsen existing disparities or produce other unintended consequences? What is the impact on eliminating the opportunity gap?**
- 3. How does the investment or resource allocation advance the 40/40/20 goal?**
- 4. What are the barriers to more equitable outcomes? (e.g. mandated, political, emotional, financial, programmatic or managerial)**
- 5. How have you intentionally involved stakeholders who are also members of the communities affected by the strategic investment or resource allocation? How do you validate your assessment in (1), (2) and (3)?**
- 6. How will you modify or enhance your strategies to ensure each learner and communities' individual and cultural needs are met?**
- 7. How are you collecting data on race, ethnicity, and native language?**
- 8. What is your commitment to P-20 professional learning for equity? What resources are you allocating for training in cultural responsive instruction?**

Creating a culture of equity requires monitoring, encouragement, resources, data, and opportunity. OEIB will apply the equity lens to strategic investment proposals reviews, as well as its practices as a board.

Definitions:

Equity: in education is the notion that EACH and EVERY learner will receive the necessary resources they need individually to thrive in Oregon's schools no matter what their national origin, race, gender, sexual orientation, differently abled, first language, or other distinguishing characteristic.

Underserved students: Students whom systems have placed at risk because of their race, ethnicity, English language proficiency, socioeconomic status, gender, sexual orientation, differently abled, and geographic location. Many students are not served well in our education system because of the conscious and unconscious bias, stereotyping, and racism that is embedded within our current inequitable education system.

Achievement gap: Achievement gap refers to the observed and persistent disparity on a number of educational measures between the performance of groups of students, especially groups defined by gender, race/ethnicity, and socioeconomic status.

Race: Race is a social – not biological – construct. We understand the term “race” to mean a racial or ethnic group that is generally recognized in society and often, by government. When referring to those groups, we often use the terminology “people of color” or “communities of color” (or a name of the specific racial and/or ethnic group) and “white.”

We also understand that racial and ethnic categories differ internationally, and that many of local communities are international communities. In some societies, ethnic, religious and caste groups are oppressed and racialized. These dynamics can occur even when the oppressed group is numerically in the majority.

White privilege: A term used to identify the privileges, opportunities, and gratuities offered by society to those who are white.

Embedded racial inequality: Embedded racial inequalities are also easily produced and reproduced – usually without the intention of doing so and without even a reference to race. These can be policies and practices that intentionally and unintentionally enable white privilege to be reinforced.

40-40-20: Senate Bill 253 - states that by 2025 all adult Oregonians will hold a high school diploma or equivalent, 40% of them will have an associate's degree or a meaningful postsecondary certificate, and 40% will hold a bachelor's degree or

advanced degree. 40-40-20 means representation of every student in Oregon, including students of color.

Disproportionality: Over-representation of students of color in areas that impact their access to educational attainment. This term is a statistical concept that actualizes the disparities across student groups.

Opportunity Gap: the lack of opportunity that many social groups face in our common quest for educational attainment and the shift of attention from the current overwhelming emphasis on schools in discussions of the achievement gap to more fundamental questions about social and educational opportunity.⁴

Culturally Responsive: Recognize the diverse cultural characteristics of learners as assets. Culturally responsive teaching empowers students intellectually, socially, emotionally and politically by using cultural referents to impart knowledge, skills and attitudes.⁵

⁴ (The Opportunity Gap (2007). Edited by Carol DeShano da Silva, James Philip Huguley, Zenub Kakli, and Radhika Rao.

⁵ Ladson-Billings, Gloria (1994). *The Dreamkeepers: Successful Teachers of African American Children*.

Educator Advancement Council

October 23, 2018

Docket Item# 7.0

Oregon Government Ethics Law



Oregon Government Ethics Commission

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About the Commission

The Oregon Government Ethics Commission (OGECE), 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 OGECE also enforces state laws that require lobbyists and the entities they represent to register and quarterly report their expenditures. The third area of OGECE 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,
 - o Without cost, at a discount or as forgiven debt and,
 - o 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.

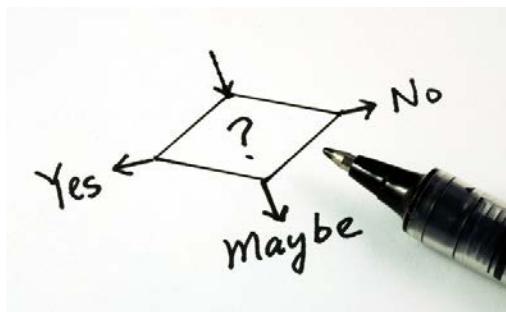
Vote: This has the common meaning of to vote as an elected member of a governing body of a public body or as a member of a committee, commission or board appointed by a governing body, Oregon Legislative Assembly or the Office of the Governor.

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:
 - o 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)].
 - o 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:
 - o Officially sanctioned trade promotion or fact-finding mission; [ORS 244.020(7)(b)(H)(i)]
 - o 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:
 - o 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)];

- o 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
- o 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
 - o In person
 - o iLinc Webinars – Presented live using the internet
 - o iLearn – Self-paced online eLearning





EDUCATOR ADVANCEMENT COUNCIL RETREAT AGENDA – DAY TWO

Wednesday, October 24, 2018

8:30 a.m. – 3:00 p.m.

Broadway Commons, 1300 Broadway Street NE, Salem, OR

Conference Call: (877)336-1828, public access code 8478084 (*listen only*)

Meeting Protocols

- ✓ All team members are equals and respected as such.
- ✓ The Chair calls on participants during discussions.
- ✓ Discussions are improved by self-assessing “*am I contributing too much or too little?*”
- ✓ We ask clarifying questions when needed and address issues, not individuals.
- ✓ Topics beyond the current agenda are captured to address in the future.

Meeting Outcomes – Day Two

- ✓ EAC Policy Priorities
- ✓ Mission, Vision, Values | Strategic Planning

8:30	1.0	Welcome Remarks	Chair Oaks
8:35	2.0	Preliminary Business	
	2.1	Roll Call	Debbie Green
8:40	3.0	Consent Agenda	
	3.1	Approve September 26 and October 8, 2018, meeting minutes	Chair Oaks
8:45	4.0	Administrative Agent Update	
	4.1	Staff Engagement Report / RFI update	Hilda Rosselli
8:50	5.0	Retreat Activity	Julie Smith
9:00	6.0	EAC Policy Priorities	Lindsey Capps Chief Education Officer
9:30	7.0	Mission, Vision, Values/Strategic Planning	Holly Valkama
Noon		LUNCH	
1:00	8.0	Vision, Values/Strategic Planning (continued)	Holly Valkama
2:45	9.0	Wrap-up/Closing Comments	Chair Oaks
3:00	10.0	Adjourn	

EDUCATOR ADVANCEMENT COUNCIL MINUTES

Wednesday, September 26, 2018

Public Service Building, 255 Capitol St., NE, Salem, Oregon

9:00 a.m. – 3:00 p.m.

Present: Chair Oakes, Vice-Chair Grotting, Mark Redmond (Director Andrews surrogate), Director Capps, Director Cox, Director Homer-Anderson, Carmen Urbina (Director Gill surrogate), Director Girod, Director Graupp, Director Koskela, Director Martinez, Director McLain, Director Richards, Director Rosilez, Director Scruggs, Director Viles, Director Yoshioka; Director Lynn joined by phone at 11:30am; Director Calderon arrived at 12:30 p.m.

Excused: Director Gomez, Director Roblan, Director Schadler, Director Wilk

Administrative Agent staff present: Cheryl Myers, EAC Transition Director; Hilda Rosselli, College & Career Readiness and Educator Advancement Policy Director; Debbie Green, Executive Support; Julie Smith, Contractor

Agenda and meeting materials [here](#).

1.0 Welcome Remarks

1.1 Agenda Review/Outcomes

Chair Oakes welcomed the Directors and reviewed meeting outcomes. She noted some Directors will be in and out due to attendance at legislative meetings.

1.2 Thinking Ahead to October

Chair Oakes provided an overview of the October EAC Retreat: developing a mission/vision/values statement and beginning a strategic plan framework, revisiting the IGA regarding appointing Rotating Directors, and learning historical context of the Equity Lens with Nancy Golden, former Chief Education Officer.

1.3 iLearn – Ethics training

There are three online trainings which Directors need to complete prior to October 23, 2018. The meeting materials contain instructions on how to sign up with iLearn and complete these trainings.

2.0 Preliminary Business

2.1 Roll Call – Debbie Green conducted the roll call; a quorum was established.

2.2 Approval of the Agenda

Director Girod moved to approve the agenda, seconded by Director Scruggs; no discussion, motion passed unanimously.

3.0 Consent Agenda

3.1 Approve July 25, and August 23, 2018, meeting minutes

3.2 EAC Directors Foundational Communications Message

Director Grotting moved to approve the consent agenda as presented, seconded by Director Richards; motion passed unanimously.

4.0 ACTION ITEM: Adopt Policies & Procedures Manual

Chair Scruggs provided a brief update. Directors have had the opportunity to provide edits and feedback. This is a living document that can be amended as needed. Once adopted, the Subcommittee will move

forward to draft addendum recommendations for travel reimbursements, and develop operating agreements for Council Directors.

Director Rosilez moved to adopt the Policies and Procedures Manual, seconded by Director Grotting. Motion passed unanimously by Standing Directors.

5.0 Administrative Agent Update

5.1 Governor's Policy Agenda

Director Capps provided a review of two policy papers the Governor released in late August. The Governor's efforts focus on: achieving an equitable seamless system of education and how to elevate children, youth, and families out of poverty. He noted the inclusion of the EAC in the Governor's Education Agenda and its charge relevant to the best practice of "Developing and Empowering Educators."

5.2 Staff Engagement Report

Several Directors and staff had the opportunity to present the previous evening to the Joint Committee on Student Success – whose goals are closely aligned to this work. Three Directors are attending the Gates Foundation meeting in Seattle next week, exploring the future of teacher preparation programs. New research shows preparation in a clinical setting with coursework being adjunct is helping to better prepare teachers for the classroom. Those attending The Gates Foundation meeting will develop notes to share with the full Council. Education Service District (ESD) visits are being scheduled for October to begin outreach to superintendents throughout the state.

6.0 Teacher Standards & Practices Commission Legislative Request

Director Rosilez reviewed TSPC's legislative request to develop a teacher candidate support fund for culturally and linguistically diverse candidates entering the teaching field. This would be a separate fund in addition to TSPC general and fee funds which support TSPC work. It is designed to assist individuals with costs associated with seeking and obtaining educator licensure. This could include coursework, licensing exams, and other costs. Rulemaking work continues to address barriers. e.g. testing bias and program changes within the TSPC agency.

7.0 EAC Communications

Lisa Morawski, Public Affairs Director for the Chief Education Office (CEdO), provided an update on EAC communications. We are meeting with communities, leaders, and educators to message EAC efforts and how we anticipate rolling out the work to teachers and leaders throughout the state. Data gathered from these meetings will be used at our October Retreat for an in-depth conversation about developing a well-articulated communication plan. A new, more user-friendly CEdO website will be launched soon, including an enhanced EAC website.

8.0 Public Comment

- *Public members wishing to provide public testimony must sign in at the meeting.*
- *There will only be one speaker from each group.*
- *Each individual speaker or group spokesperson will have three (3) minutes.*
- *The Council welcomes and appreciates public input, but due to time constraints is unable to respond directly to testimony during the meeting.*

Jeff Fish, Clackamas ESD Human Resource Director, has been in discussion with other HR Directors in Clackamas County and they are concerned with retention issues where their teachers can drive across the border to Washington for 20-25% higher starting salary. They are aware of the upcoming RFI to develop new networks for educators and are interested in the "Grow Your Own" model in their area. ESDs are in a unique position to host an educator network to support this work.

9.0 EAC Work Group Timelines

The three Work Group (WG) liaisons met to address alignment between the Work Group Plans and goals. They developed a draft document highlighting the objectives and activities to be completed by Spring 2019. The upcoming RFI for Launching New Networks will include an informational webinar. After the initial 30 days responses are in, the WG will determine if regional gaps exist and consider extending the RFI with additional outreach. This iterative process is designed to inform the Request for Proposal (RFP) which is the next step. Director Rosilez requested during the RFP development, the WG report to the EAC how it will provide differentiated technical assistance to reach all potential target stakeholders and constituents for network success; the Launching New Networks WG will add this to their Work Plan. There was consensus by the Council for this requested report to be brought forward by the WG.

10.0 Work Group Time

10.1 The work groups met simultaneously to review their work-to-date and further develop next steps.

WORKING LUNCH / Continued Work Group Time

11.0 Updates on Work Groups and Work Group Timelines

- **Supporting New Educators:** consolidated the feedback from the August listening session down to four domains and then used a vetting exercise to prioritize recommendations for the Networks. They identified high impact areas to be addressed by EAC and postponed further funding conversations until results are available to review. Hilda Rosselli announced that on November 16, they will be co-sponsoring with COSA another listening session, this time with novice administrators from a variety of locations, support levels, and experiences to further understand needed supports. They propose EAC consider, where possible, employment supports in an RFP to include preps, general assignments, induction, and professional development.
- **Launching New Networks:** They particularly want teachers who serve on this Council to review the RFI to provide feedback to ensure the RFI reflects teacher voice. They discussed beginning an informal, direct outreach by e-mail or phone to affiliates Directors are connected with when the RFI goes out in order to raise awareness and answer questions. The WG requested administrative staff maintain a list of people who are being contacted about the RFI/EAC to allow intentional outreach to all geographic areas of the state. Once data comes in we could possibly develop a live mapping tool to identify the point and reach of the networks that responded. Adjust the date of RFI release to mid-October. Advocate for stable school funding – it will be impossible to build systems that work in districts without stable school funding.
- **Fiscal Model:** In addition to separate work group time, they met with Launching New Networks WG. Determined the RFI results are crucial to further decision-making and will delay further funding conversation until results are available to review. In the interim, the Fiscal Model WG turned their attention to additional workforce data from ODE and to schedule time with the Prototyping Networks to learn more about their formation and budgetary operating resource needs.

12.0 Early Learning Update

Director Calderon – spoke to alignment of the Governor’s Children’s Cabinet work with EAC.

- **Early Childhood Workforce (pre-K to Grade 3)** There are approximately 25,000 early childhood educators across Oregon; 97% are women, 35% have a BA (Head Start requires one) but compensation is not commensurate to the degree. It is difficult to retain good teachers at these low wages and there is a current turnover of 25%.

- The current professional learning system for the Early Learning Workforce includes standards, training, assistance, and credentials and degrees.
- What policy priorities are used to support the ECE Workforce? Pathways and partnerships with higher education, supporting ongoing professional learning, and progressive standards and supports for publicly funded programs.
- Governor's Children's Agenda includes expansion of childcare for infants and toddlers living in low-income families. Expansion of preschool slots across the state for 3-4 year olds living in low-income families.

13.0 Request for Information (RFI) – Launching New Networks

13.1 ACTION ITEM: Approve Launching New Networks (RFI)

Due to multiple edits on this document articulated during the Work Group time, this action item will be moved to a phone meeting on October 8, 2018, at 4 p.m. for a vote to approve.

14.0 COSA Work Groups: Alignment with EAC Vision

Craig Hawkins and Morgan Allen from COSA shared three legislative proposals which include:

- Early Learning – expand preschool for 3-4 year olds targeted at families who are 200% or more below the poverty level.
- Social-emotional wellbeing - \$75M investment with bulk of dollars to provide additional mental health and healthcare staff.
- Education workforce development – grow and diversity K-12 educators by recruiting and retaining linguistically and culturally diverse staff. Invest \$15.8M to fund and facilitate the “Grow Your Own” program.

COSA formed three Work Groups to create draft priorities with the focus on students. These Work Groups included representatives from healthcare, early learning, higher education, community organizations, nonprofits, Governor's office, and state agencies. They want to have a finalized version in mid-October and a Senate or House committee will sponsor a bill.

15.0 Wrap Up

Next Meeting:

October Retreat:

- **October 23, 1-5 p.m.**
- **October 24, 8:30 a.m. – 3 p.m.**
- **Location: Broadway Commons**

EDUCATOR ADVANCEMENT COUNCIL MINUTES

Monday, October 8, 2018

4:00 – 4:30 p.m.

Conference Call: (877)336-1828, public access code 8478084 (*listen only*)

Directors Present: Chair Oakes, Director Andrews, Director Calderon, Director Capps, Director Gill surrogate Carmen Urbina, Director Girod, Director Gomez, Director Graupp, Director Martinez, Director Schadler, Director Wilk, Representative McLain

Directors Excused (submitted vote by ballot): Director Grotting, Director Homer-Anderson, Director Koskela, Director Richards, Director Rosilez, Director Scruggs, Director Viles, Director Yoshioka

Administrative Agent Staff: Cheryl Myers, EAC Transition Director; Hilda Rosselli, College & Career Readiness and Educator Advancement Policy Director; Debbie Green, Executive Support

1.0 Welcome Remarks

- 1.1 Agenda Review/Outcomes
- 1.2 Roll Call – Debbie Green conducted roll call and determined a quorum was present.

2.0 Public Comment

None submitted.

3.0 ACTION ITEM: Approve Launching New Networks Request for Information (RFI)

Vice-chair Andrews and Chair Richards thanked Directors and administrative staff for their work on the RFI. Director Graupp moved to approve the RFI draft as presented, seconded by Director Capps. Hilda Rosselli reviewed the RFI timeline which includes a first request of entries by November 13, 2018. After first responses are received, administrative staff will review gap areas and reach out to additional contacts to encourage more participation and potentially extend the submission timeline. Director Yoshioka had a suggested addition to the RFI on his write-in ballot. It was determined that his request was already reflected in the current RFI version; Director Graupp concurred. Chair Oakes closed discussion and Debbie Green conducted a verbal vote. Motion passed unanimously.

4.0 Next Meeting

- 4.1 October Retreat
 - October 23, 1-5 p.m.
 - October 24, 8:30 a.m. – 3 p.m.

5.0 Adjourned at 4:30 p.m.



Educator Advancement Council

October 24, 2018

Docket Item #4.1

Docket Item: EAC Administrative Agent Update

Date	Event Attended	Sponsoring Organization	EAC Staff Attending	Directors Attending
10/3-10/4	Reimaging Teacher Preparation Together	Gates Foundation	Hilda Rosselli	Mark Girod Anthony Rosilez Marvin Lynn
10/5	Director's Advisory Council	ODE	Hilda Rosselli	
October	ESD Visits • Douglas County • Clackamas • Intermountain • NW Regional • South Coast • Southern Oregon • Lane • Malheur • High Desert • LBL-Lincoln • Willamette • Multnomah	CEdO	Hilda Rosselli Cheryl Myers	Paul Andrews Bill Graupp Don Grotting Michele Oakes Ken Martinez Mark Girod Belle Koskela Martha Richards Matt Yoshioka
10/10	Higher Education Coordinating Commission	HECC	Hilda Rosselli	Lindsey Capps
10/18	ODE Director and Education Partner Meeting	ODE	Hilda Rosselli	Lindsey Capps Colt Gill Carmen Urbina
10/19	Oregon Association of Colleges for Teacher Education	OACTE	Hilda Rosselli	Mark Girod Marvin Lynn

Upcoming Events

Date	Event Scheduled	Sponsoring Organization	EAC Staff Attending	Directors Attending
11/2	edTPA	OSU	Hilda Rosselli	
11/7-8	Facing Race-Building Racial Equity	Race Forward: Center for Racial Justice Innovation	Cheryl Myers	
11/8-11	OSBA Annual Conference	OSBA	Hilda Rosselli Julie Smith	Paul Andrews Lindsey Capps Bill Graupp

****Content will continue to be updated and may not reflect the most current information by the time the Educator Advancement Council meets***



Key Audiences Exercise

There are many intended beneficiaries when expertise and resource sharing around professional learning and supports for educators are coordinated through educator networks. These include students, teachers, principals and other administrators, parents and community members, school district leadership and state policymakers.

Who do you think are the key audiences for this work? What are their needs and what messages most apply to each audience? When is the right time to engage with these audiences?

Audience (examples)	Needs	Messages	Timing
Teachers			
Superintendents			
Community-based organizations			
School board leaders			
Principals			
Legislators			



Key Messages Exercise

Review the following draft messages that describe the EAC and educator networks. Think about what resonates with you and what you think is missing or not effective. In small groups, discuss, edit and/or draft your own key messages.

Why? Serving every student better. Creating a brighter future for all kids.

1. Educators and school leaders require time, resources and support to develop effective, student-centered practices tailored to individual student needs. Every educator needs support at some point along their career path to meet the needs of their students.
2. In Oregon, state resources and support for the educator profession have been sporadic and have not reached all geographic areas.

Who? Provide world-class supports to grow and develop world-class teachers and administrators.

3. The goal of educator networks is ensuring all teachers and administrators, regardless of school size or geographic location, will have access to high-quality, culturally responsive professional learning and supports throughout their career.

How? Connecting educators. Sharing resources, expertise and best practices across schools and districts based on educator needs.

4. Unlike in the past, the professional learning, support, and resources for educators will not be through competitive grants administered and directed by the state.
5. Teachers and school leaders will now help design and implement supports and professional learning system changes which inform policy, funding, and practice.

What? A) Educator networks. Networks focused on sustained processes and practices for quality learning, not one-and-done, top-down program implementation

6. Educator networks do not organize around a solution, program, or an initiative, but around improving systems of support for educators along the educator advancement continuum. By focusing on system improvement, the new educator networks will sustain changes and expand the investment.

7. This new system will allow districts and regions to understand and address local educator needs — by bringing teachers, administrators, students, community members, and families to the table to talk about real challenges.

What? B) Educator Advancement Council. Statewide coordination of supports for teachers and improved outcomes for students by empowering local decision-making

8. The EAC is an innovative, public-nonprofit partnership, with equity and educator voice at its core.
9. The EAC seeks to grow and develop our educator workforce with teachers and administrators who reflect the communities and students they serve.
10. The EAC aims to support educators throughout the continuum of a teacher's career, from recruitment, to professional growth, to leadership opportunities.

Group Discussion

What messages do you think will best resonate with key audiences?

What elements do you think are missing?

Additional messages drafted by the group:

Parents			
	-		