

for the university of oregon community

february 20, 2006

featured stories

**International programs vice provost named**

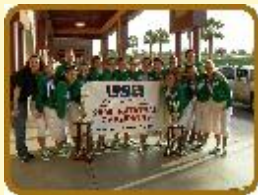
Chunsheng Zhang, associate vice president for academic affairs/international studies at St. Cloud State University, has been named vice provost for international affairs and outreach.

[▶ Full Story...](#)**Expanded Portland Center could double enrollment**

New and expanding Portland programs have prompted the University of Oregon to seek a larger space for its downtown center.

[▶ Full Story...](#)**University of Oregon, Oregon Health and Sciences University and PeaceHealth team up to expand medical education**

A University of Oregon partnership with Oregon Health and Science University (OHSU) and PeaceHealth, Oregon Region, first proposed in the fall of 2004, continues to examine opportunities to train physicians in Oregon and also address an anticipated medical work force shortage.

[▶ Full Story...](#)**University of Oregon Dance Team wins first national title**

The University of Oregon dance team, sponsored by club sports, won its first national championship on Feb. 6 at the USA Collegiate National Championship held in Las Vegas.

[▶ Full Story...](#)**An election reminder for university employees**

An election reminder for university employees

potpourri

Make Distinguished Teaching Award nominations by March 1

Nominations are being sought through March 1 for the university's highest teaching awards.

[▶ Full Story...](#)**26th Annual - Craft Center Family Album Show**

Please join us for the Craft Center's 26th Annual Family Album Show. This exhibit features fine artwork created by instructors and staff of the Craft Center. The show will take place at the Adell McMillan Gallery, 2nd floor of the Erb Memorial Student Union at the University of Oregon. For more info call 346-4361.

[▶ Full Story...](#)**Convocation 2006 – Save the Date**

Billy Collins, U.S. poet laureate between 2001 and 2003, will deliver this year's convocation address on Sept. 24 at McArthur Court.

[▶ Full Story...](#)**Getty grant to preserve open space**

Project will determine guidelines for future campus development

[▶ Full Story...](#)**AAA faculty member wins prestigious architecture award**

Nico Larco, assistant professor of architecture, has won the 2005 American Institute of Architecture (AIA) New England Citation for Design Excellence Award.

[▶ Full Story...](#)



"Kelp highway" may have helped the peopling of the Americas

If humans migrated from Asia to the Americas along Pacific Rim coastlines near the end of the Pleistocene era, kelp forests may have aided their journey, according to research led by Jon Erlandson, professor of anthropology and director of the Museum of Natural and Cultural History.

[▶ Full Story...](#)

[▶ Full Story...](#)

Students recognized for reducing natural hazard risk

A project completed by the University of Oregon's Community Planning Workshop (CPW) Student Team has won the 2005 Student Achievement in Natural Hazard Risk Reduction award. The Partners for Disaster Resistance and Resilience: Oregon Showcase State presents the award annually in recognition of student projects that show exceptional merit in the field of natural hazard risk reduction.

[▶ Full Story...](#)

University business, law students offer free tax help to other students

Students who might be puzzled by the vagaries of the tax law or just need help preparing their return can get help from fellow University of Oregon students.

[▶ Full Story...](#)

Guest actor to play lead in West Coast premiere of 'After Mrs. Rochester'

Annie McGregor, a visiting professor from Penn State University, will play the leading role of novelist Jean Rhys in the [University Theater](#) production of "After Mrs. Rochester."

[▶ Full Story...](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .

Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community



International programs vice provost named

Chunsheng Zhang, associate vice president for academic affairs/international studies at St. Cloud State University, has been named vice provost for international affairs and outreach.

Zhang, who has been at St. Cloud State (located in St. Cloud, Minn.) since 1999, will assume his new duties on June 1. His responsibilities will include those currently held by Tom Mills, who is retiring as the university's associate vice president of international programs. Zhang also will have oversight of the university's AHA International programs.

"We are absolutely delighted that a leader in university international affairs of Dr. Zhang's caliber will be joining the University of Oregon," said Lorraine Davis, vice president of academic affairs. "Oregon has been recognized as being among the country's most active research universities in advancing the cause of internationalization in many academic areas. We are confident Dr. Zhang will do much to have the university continue to increase its presence on the world stage."

"I am honored to have been selected as the vice provost for international affairs and outreach at the University of Oregon," said Zhang. "I feel excited and energized about the opportunities to help further strengthen the internationalization efforts throughout the campus. I look forward to working with new colleagues, students, alumni and friends to further enhance the university's reputation as a truly internationalized top research university in the U.S. and the world."

Zhang holds a doctorate in higher education administration and a master's degree in educational administration, both from Bowling Green State University (Ohio). He received a bachelor's degree in English language and literature from Nankai University in Tianjin, China. Zhang, who also has served on the faculty at the University of Missouri, was a 2004 fellow at the Harvard Institutes for Higher Education and a 2001 Millennium Leadership Initiative fellow for the American Association of State Colleges and Universities.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

Expanded Portland Center could double enrollment

New and expanding Portland programs have prompted the University of Oregon to seek a larger space for its downtown center.

“Establishing a Portland Center that is big enough for our current and future needs is an important goal for the university,” said John Moseley, senior vice president and provost.

Classes in architecture, law, and continuing education are currently offered at the 40,000-square foot Portland Center at Salmon and 2nd Ave. The building also houses Intercollegiate Athletic offices, the Duck Shop, the Labor Education Resource Center, and the university's career center. The Oregon Executive MBA program now operates from 200 SW Market St. and plans are underway to expand journalism offerings to Portland. The university's development offices, AHA International, and other administrative offices are located elsewhere in downtown Portland.

“A larger space would allow the university to consolidate its Portland offices and could double the number of students who are currently enrolled in Portland classes,” Moseley said.

The White Stag building in the Old Town district has been identified as one possibility, although Moseley said no decision has been made. Under a preliminary arrangement currently being discussed, Venerable Properties of Portland would purchase three of the four historical buildings on the White Stag block, located on Burnside St. and Naito Parkway, and lease some 60,000 square feet to the university. University officials met recently to discuss renovations and design concepts for the space.

Working with Venerable, the university began looking for additional space in Portland about a year ago. The university had previously considered the Custom House. The university also is looking at the Broadway Building at 511 NW Broadway, now occupied by U.S. Citizenship and Immigration Services. The executive committee of the Oregon University System has conditionally authorized the university to pursue acquisition of the building from the federal government.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.
Senior Director of Public and Media Relations: Mary Stanik
Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239
Telephone (541) 346-3134; FAX (541) 346-2537
Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

University of Oregon, Oregon Health and Sciences University and PeaceHealth team up to expand medical education

A University of Oregon partnership with Oregon Health and Science University (OHSU) and PeaceHealth, Oregon Region, first proposed in the fall of 2004, continues to examine opportunities to train physicians in Oregon and also address an anticipated medical work force shortage.

An estimated 1,255 Oregon doctors will leave the field in 2006. At the same time, only 216 new physicians will have graduated from the OHSU School of Medicine, said Joe Robertson, the school's dean.

Ongoing discussions regarding the collaboration have centered on the idea of having the first, and possibly the second, year of medical training (both are focused on classroom and laboratory instruction) taking place at the University of Oregon. Training for the third and fourth years, which involves clinical rotations, would take place at PeaceHealth.

While the proposal will require funding assistance from the Oregon legislature, a proposed timeline could bring third or fourth year students to Eugene for clinical rotations at PeaceHealth as early as fall 2007. The first and second-year programs could begin around 2008 or 2009. Once fully implemented, the collaboration is expected to help train up to 40 additional physicians per year.

"I am delighted that the University of Oregon has been invited to join in this endeavor," said Dave Frohnmayer, university president. "We look forward to bringing our strong legacy of interdisciplinary research and the quality of our academic science programs to this important partnership for Oregon's future."



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

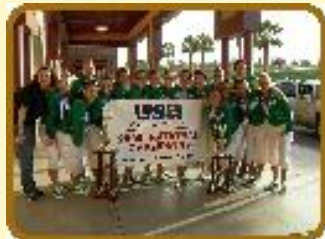
Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community



University of Oregon Dance Team wins first national title

The University of Oregon dance team, sponsored by club sports, won its first national championship on Feb. 6 at the USA Collegiate National Championship held in Las Vegas.

Oregon dancers, competing against some of the country's best teams, won in the hip hop division. The championships took place Feb. 5 and 6 and featured teams from the University of Southern California, University of California-Santa Barbara, University of Nevada-Las Vegas, University of Missouri, University of California-San Diego, University of Kentucky, Brigham Young University, Washington State University, California Polytechnic University, and Boise State University, among other universities.

Team coaches Karl Mundt and Robin Badstubner said the win was all the more impressive given that many of the other teams competing in the championships are funded by university athletic departments, which typically have substantially larger budgets.

"Our team did a great deal of fundraising to participate in this event," said Mundt. "We are so grateful for all that club sports and the executive committee have done for us, but ultimately the team has to come up with the majority of its funding."

The University of Oregon Club Sports dance team was founded in 1998 and was student-run and coached until Mundt became coach in 2001. Badstubner, a former team member, became a coach two years ago. This championship is the first ever won by a university dance team from the state of Oregon. The 15-member team also performs at all home football games (in the Moshofsky Center), as well as at some men's and women's basketball halftimes and at community fundraisers and dance events throughout Oregon.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

Make Distinguished Teaching Award nominations by March 1

Nominations are being sought through March 1 for the university's highest teaching awards.

Faculty members who have taught at the university for at least two years are eligible for the Ersted Award. The Thomas F. Herman Award is given to faculty members who have held university academic rank for at least seven years and have demonstrated long-standard excellence in teaching.

Nominations may be submitted at: <http://academicaffairs.uoregon.edu/Awards/Nomination.html>

Nominations should include the faculty member's name and department, the applicable award name, reasons for the nomination, and the name, e-mail address and telephone number of the nominator.

As well, nomination forms are available from the Office of Academic Affairs, 207 Johnson Hall. Completed nominations may be sent to Gwen Steigelman at the same address. Nominations also may be submitted via e-mail to gwens@uoregon.edu.

 [Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php>. Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.
Senior Director of Public and Media Relations: Mary Stanik
Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239
Telephone (541) 346-3134; FAX (541) 346-2537
Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

26th Annual - Craft Center Family Album Show

Please join us for the Craft Center's 26th Annual Family Album Show. This exhibit features fine artwork created by instructors and staff of the Craft Center. The show will take place at the Adell McMillan Gallery, 2nd floor of the Erb Memorial Student Union at the University of Oregon. For more info call 346-4361.

University of Oregon Craft Center Staff Art Exhibit

Show Dates -Feb 13–Mar 22 , Mon-Fri 7a-11p, Sat & Sun 10a-11p



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> . Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community



Convocation 2006 – Save the Date

Billy Collins, U.S. poet laureate between 2001 and 2003, will deliver this year's convocation address on Sept. 24 at McArthur Court.

Collins, who also is a Distinguished Professor of English at Lehman College, has published eight collections of poetry, including *Questions about Angels* and *The Art of Drowning*. His newest book, *The Trouble with Poetry: And Other Poems*, was released by Random House in October 2005. Collins currently is the poet laureate for the state of New York.

[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php>. Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

Getty grant to preserve open space

Project will determine guidelines for future campus development

The university's planning office has won a \$190,000 Getty Foundation Campus Heritage grant that will be used to ensure the preservation of historic and landscape features of the campus. The university is one of just 11 universities nationwide to receive the grant.

"The university has made great strides in identifying and preserving its historically important buildings and amenities," said Christine Thompson, planning associate. "This grant will enable us to devote our attention to one of the most significant character-defining features on campus, the open space framework. We'll develop a campus heritage landscape plan that will be used as a guide as development inevitably occurs to meet the university's future needs," she said.

Five of these campus open spaces and portions of another three were part of the original campus plan developed by renowned architect Ellis Laurence in 1914 and are included in the National Register of Historic Places. The grant will allow the university, for the first time, to conduct a comprehensive cultural resources survey and develop a preservation plan for these and 11 other campus landscapes.

Students, faculty and staff from the School of Architecture and Allied Arts will play a key role in the study. Students in the university's Historic Preservation Program's survey class will catalog features of the open spaces, such as the views, defining elements, trees and landscaping, and circulation patterns. The consultants hired for the project will be guest lecturers in the landscape architecture department's seminar class.

The campus heritage landscape plan will build upon the policies in the existing campus plan and campus tree plan and will include overall landscape preservation guidelines, patterns and standards. To test the applicability of the plan guidelines, detailed preservation scenarios will be developed for three specific landscapes and three building sites. The plan and the scenarios are expected to be completed by the fall of 2006.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

An election reminder for university employees

An election reminder for university employees

With elections looming in Oregon and across the country this year, university employees should know that state law prohibits the use of public funds to advocate for or against a ballot measure or candidate. The law also state employees from requiring other employees, on the job or off, to support or oppose a ballot measure. According to Melinda Grier, university general counsel, all of this means that:

YOU CAN provide balanced, objective informational background on ballot measures, but...

YOU CAN'T spend work time advocating or opposing a ballot measure or candidate.

YOU CAN use your own time, including lunch hours or coffee breaks for political work, but...

YOU CAN'T use state resources (copying machines, faxes, computers, postage) for political work on a ballot measure or to help a candidate.

YOU CAN wear campaign buttons at work, but...

YOU CAN'T post political posters or flyers in public work spaces or facing out on doors or windows.

YOU CAN write letters expressing your opinion on ballot measures and candidates, but...

YOU CAN'T use your university title in a way that suggests you represent the university's position.


YOU CAN discuss your political opinions with co-workers during breaks or away from work, but...

YOU CAN'T require or coerce those who you supervise to take a position or participate in political activities.

The Secretary of State's office has two publications available online that offer further information:

Restrictions on Political Campaigning for Public Employees – Quick Reference:
http://www.sos.state.or.us/elections/Publications/260.432_quickref.pdf

2006 Restrictions on Political Campaigning by Public Employees, ORS 260.432:<http://www.sos.state.or.us/elections/Publications/restrictions.pdf>

 [Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community



“Kelp highway” may have helped the peopling of the Americas

If humans migrated from Asia to the Americas along Pacific Rim coastlines near the end of the Pleistocene era, kelp forests may have aided their journey, according to research led by Jon Erlandson, professor of anthropology and director of the Museum of Natural and Cultural History.

Erlandson presented the work on Feb. 19 at the American Association for the Advancement of Science (AAAS) annual meeting.

Until recently, the “coastal migration theory” was not accorded much importance by most scholars. However, new discoveries have moved it to the forefront of debate on the origins of the First Americans. It is now known that seafaring peoples living in the Ryuku Islands and Japan near the height of the last glacial period (about 35,000 to 15,000 years ago) adapted to cold waters comparable to those found today in the Gulf of Alaska. From Japan, they may have migrated northward through the Kurile Islands, to the southern coast of Beringia (ancient land bridge between what is now Siberia and Alaska), and into the Americas.

“The coastal migration theory has yet to be proven with hard evidence, but we have been finding earlier and more widespread evidence for coastal settlement around the Pacific Rim,” said Erlandson. “The fact that productive kelp forests are found adjacent to some of the earliest coastal archaeological sites in the Americas supports the idea that such forests may have facilitated human coastal migrations around the Pacific Rim near the end of the last glacial period. In essence, they may have acted as a sort of kelp highway.”

Kelp forests are some of the world’s richest ecosystems. They are found from Japan to Baja California and to South America’s west coast. They would have provided a similar assortment of food resources—including shellfish, fish, sea mammals, and seabirds--along thousands of miles of the North Pacific coast, and also reduced wave energy for people in boats. These people also would have had access to a variety of land resources. In contrast, people migrating through the interior would have had fewer options and would have had to pass through much more varied landscapes, including tundra, boreal and tropical forests, and deserts.

"This study is a unique example of collaboration between coastal archaeologists and marine biologists" Erlandson said. "I've worked on many early sites near kelp forests from Alaska to California, but I never realized similar habitats were present around much of the Pacific Rim. Combining our very different perspectives provided an opportunity to reach insights that none of us would have attained alone."

The "kelp highway hypothesis" first crystallized among an interdisciplinary group working at the National Center for Ecological Analysis and Synthesis. The study's other researchers include: Michael Graham of Moss Landing Marine Laboratories; Bruce Bourque of Bates College; Debbie Corbett of the U.S. Fish and Wildlife Service in Anchorage, Alaska; James Estes of the U.S. Geological Survey and the University of California-Santa Cruz; and, Robert Steneck of the University of Maine.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> . Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

AAA faculty member wins prestigious architecture award

Nico Larco, assistant professor of architecture, has won the 2005 American Institute of Architecture (AIA) New England Citation for Design Excellence Award.

Larco, who has been a member of the AAA faculty since September, was awarded the honor in the creative work category for the work he did on two residence halls (King Hall and Wieland Hall) at Amherst College in Amherst, Mass. Larco was project architect on both buildings while he was affiliated with William Rawn Associates in Boston.

The award citation noted that the AIA "liked the powerful simplicity and rational, elegant use of materials in these strong building forms. These two powerful and austere buildings set a high standard for future buildings in this new campus masterplan."



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php>. Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

Students recognized for reducing natural hazard risk

A project completed by the University of Oregon's Community Planning Workshop (CPW) Student Team has won the 2005 Student Achievement in Natural Hazard Risk Reduction award. The Partners for Disaster Resistance and Resilience: Oregon Showcase State presents the award annually in recognition of student projects that show exceptional merit in the field of natural hazard risk reduction.

The CPW team members were recognized for their work on the Lane County Community Wildfire Protection Plan. Team members included Julie Baxter, Morgan Ellis, Sam Fox, Kate Lenzser and Jessica Nunley.

The Lane County Community Wildfire Protection Plan (CWPP) identifies strategies and priorities for the protection of life, property, and infrastructure in the wildland-urban interface. The CWPP is a shared plan administered jointly by the Lane County Board of Commissioners, the Oregon Department of Forestry, and the Lane County Fire Defense Board. The project was a combined effort between CPW and the Oregon Natural Hazards Workgroup at the university's Community Service Center.

Baxter, who was the project manager, graduated with a master's degree from the university's Oregon Planning, Public Policy and Management (PPPM) program in June 2005. Ellis, Fox and Nunley are second-year master's degree candidates in the PPPM program. Lenzser is a senior in the PPPM program.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php>. Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

for the university of oregon community

University business, law students offer free tax help to other students

Students who might be puzzled by the vagaries of the tax law or just need help preparing their return can get help from fellow University of Oregon students.

University students in business and law are working together to offer free tax preparation assistance for single filers who earned less than \$25,000 last year or families of two to four whose gross income is \$35,000 or less. Larger families must earn no more than \$50,000 to qualify for this free tax free help.

Beta Alpha Psi started the Business School VITA program in the mid 1990s. Since that time, accounting students have provided tax assistance to university students and local community members. The law school's Pro Bono Committee has provided volunteer tax help through VITA since 1999. Recently, Beta Alpha Psi and the School of Law have begun to work together to expand VITA's reach in the university area.

Tax preparation sessions will be held on the following Saturdays (with the noted exceptions) in room 455 (Accounting Suite) of the Lillis Business Complex:

February 25 Noon-6 p.m.

March 4 Noon-6 p.m.

March 11 Noon-6 p.m.

March 18 Noon-6 p.m.

March 25 No session


April 1 No session

April 8 Noon-6 p.m.

April 15 Noon-6 p.m.

For more information, e-mail the law program coordinator rfritch@uoregon.edu or the business program coordinator jcampo@uoregon.edu. For details about what to bring to the clinic, go to the IRS website <http://www.irs.gov/individuals/index.html%20> and follow the

link to "Free income tax preparation."

 [Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.

Senior Director of Public and Media Relations: Mary Stanik

Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239

Telephone (541) 346-3134; FAX (541) 346-2537

Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

university of oregon



University Theatre

Next at the University Theatre

2005- 2006 Robinson Season	<i>Rumors</i>	by Neil Simon November 11- 26
	After Mrs. Rochester	by Polly Teale March 3- 18
	<i>A Midsummer Night's Dream</i>	by William Shakespeare May 19- June 3
2005- 2006 Second	A Piece of My Heart by Shirley Lauro	October 26, 27, 28, 29 November 3, 4 & 5- 8 PM
	The Night Thoreau Spent in Jail	

Season

in the Arena Theatre

by Jerome Lawrence

Robert E. Lee

February 8, 9, 10, 11, 16, 17, 18- 8 PM

The Baltimore Waltz

by Paula Vogel

April 26, 27, 28, 29

May 4, 5, & 6- 8 PM



*Robinson
Theatre Season*



*Department of
Theatre Arts*



Second Season



Pocket Playhouse



Box Office



History

for the university of oregon community

Guest actor to play lead in West Coast premiere of 'After Mrs. Rochester'

Annie McGregor, a visiting professor from Penn State University, will play the leading role of novelist Jean Rhys in the [University Theater](#) production of "After Mrs. Rochester."

The play opens Friday, March 3 in the Robinson Theatre. McGregor is a 1989 graduate of the university.

The play interweaves details from the life of Rhys with the fictional tale of Bertha Mason, the insane and violent wife of Rochester in "Jane Eyre." Rhys is the author of "Wide Sargasso Sea," a novel about Mrs. Rochester's childhood and early life.

Performances with 8 p.m. curtain times will take place on March 3, 4, 10, 11, 17 and 18. The play will begin at 7:30 p.m. on Thursday, March 9. A matinee performance will begin at 2 p.m. on Sunday, March 12. All performances will be in the Robinson Theatre in Villard Hall, 1109 Old Campus Lane). Free parking is available in the university parking lot at East 11th Ave. and Kincaid St.

Sunday's matinee will be a benefit for the ASUO Women's Center "Take Back the Night" event. Collections to support the recovery therapy of former student and recovering quadriplegic Noah Smith will be taken after performances on Thursday, Friday and Saturday, March 9-11.

Tickets are \$6 for the general public, \$5 for University of Oregon faculty and staff members, senior citizens, and non-UO students and \$4 for University of Oregon students.

Tickets, except for the Sunday matinee, are available at the university ticket office in the Erb Memorial Union, 1222 E 13th Avenue, (541) 346-4363. Matinee tickets may be purchased from the Women's Center by calling 346-4095. Tickets also will be sold on evenings of the performance at the University Theatre Box Office.



[Back to Inside Oregon](#)

Each issue of Inside Oregon is archived on the web at <http://duckhenge.uoregon.edu/inside/archive.php> .
Inside Oregon is the official newsletter for employees of the University of Oregon and is published biweekly during the academic year and monthly in June, July and August.

Published by Public and Media Relations, Johnson Hall, 1098 E. 13th Ave.
Senior Director of Public and Media Relations: Mary Stanik
Mailing Address: Inside Oregon, Public and Media Relations, 1239 University of Oregon, Eugene, OR 97403-1239
Telephone (541) 346-3134; FAX (541) 346-2537
Email: pmr@uoregon.edu

[Call for contributions and schedule](#)

The University of Oregon is an equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

the uo's newsletter for faculty, staff, and graduate teaching fellows

***Inside Oregon* Schedule, Call for Contributions**

Inside Oregon is our faculty, staff, GTF newsletter for the entire UO community. Your contributions and story suggestions are most welcome. Here's what we are especially looking for:

- Awards, honors, on-the-move news of your faculty and staff
- Faculty, staff and GTFs who engage the community in notable ways for our Community Spotlight feature)
- Faculty, staff and GTFs conducting compelling projects and research (for our "Cornerstones Spotlight" of people who exemplify the four UO cornerstones of connection, discovery, inspiration and opportunity)
- New works and publications by faculty, staff and GTF authors and artists
- Digital photos of your department, college or school special gatherings for our planned "Were You There?" photo gallery feature

Send your materials by e-mail to:

Paul Omundson, editor

omundson@uoregon.edu

Telephone (541) 346-3247

***Inside Oregon:* Remaining issues for 2005-6 academic year**

Nov. 7
(Content deadline Oct. 28)

Nov. 21 - holiday issue
(Content deadline Nov. 14)

Dec. 2 - last day of fall term issue; (Note: this issue posts on a Friday)
(Content deadline Nov. 23)

NO ISSUES DURING WINTER VACATION

Jan. 9 - first day of winter term issue
(Content deadline Jan. 2)

Jan. 23

(Content deadline Jan. 9)

Feb. 6

(Content deadline Jan. 30)

Feb. 20

(Content deadline Feb. 13)

March 6 - end of winter term issue

(Content deadline Feb. 27)

NO ISSUE MARCH 20 (spring break)

April 3 - start of spring term issue

(Content deadline March 27)

April 17

(Content deadline April 10)

May 1

(Content deadline April 24)

May 15

(Content deadline May 8)

May 29 - end of spring term issue

(Content deadline May 22)

June 12 - commencement issue

(Content deadline May 29)

June 26 - start of summer session issue

(Content deadline June 19)

Aug. 14 - summer convocation issue

(Content deadline Aug. 8)

For the 2006-7 school year biweekly issues begin Sept. 25, 2006.





A public employee, on their **own, off duty time**, may send letters to the editor that advocate a political position and may participate in any other lawful political activity.

It is advised that a salaried public employee keep records when appropriate in order to verify any such political activity that occurs while off duty.

Prohibited and Allowable Activities for Elected Officials*

**includes a person appointed to fill a vacancy in an elective public office*

Elected officials **may**:

- advocate a political position at any time. Elected officials are not considered a “public employee” for purposes of ORS 260.432. ORS 260.432(4)(a).
- vote with the other elected officials of a governing body (such as a school board, city council or county commission) to support or oppose a measure, and publicly discuss such a vote—but must not use the public employee staff time to assist in this, except for ministerial functions
- perform campaign activity at any time, however must take caution not to involve any public employee’s work time to do so

Elected officials **may not**:

- in the role of a supervisor, request a public employee—whether the public employee is on or off duty—to perform any political activity

A request made by a person in a position of supervisor or superior is viewed as a command for purposes of this election law.

- have an opinion piece or letter advocating a political position published in a jurisdiction’s newsletter or other publication produced or distributed by public employees

ORS 260.432 Quick Reference— Restrictions on Political Campaigning for Public Employees

Generally, ORS 260.432 states that a public employee* may not, while on the job during working hours, promote or oppose election petitions, candidates, political committee or ballot measures. Additionally, no person (including elected officials) may require a public employee (at any time) to do so.

**A “public employee” includes public officials who are not elected, whether they are paid or unpaid (including appointed boards and commissions).*

As used in this Quick Reference

We use the phrase “advocate(s) a political position” to mean—promote or oppose an initiative, referendum or recall petition, candidate, political committee or ballot measure.

The term “impartial” means equitable, fair, unbiased and dispassionate.

See the Secretary of State’s detailed memo on ORS 260.432 for specific factors to assist in ensuring impartiality in communications about ballot measures. It is posted on the website under Publications.



For more detailed information about ORS 260.432 and information about other election laws, contact:

Secretary of State, Elections Division

John Lindback, Director	phone	503 986 1518
State Capitol Building Room 141	fax	503 373 7414
Salem OR 97310-0722	tty	503 986 1521
	web	www.sos.state.or.us/elections

Prohibited Activities

A public employee, while on the job during work hours **may not:**

- prepare or distribute written material, post website information, transmit emails or make a presentation that advocates a political position
- collect funds, prepare filing forms or correspondence on behalf of candidates or political committees
- produce or distribute a news release or letter announcing an elected official's political position
- make outgoing calls to schedule or organize campaign events or other political activity on behalf of an elected official or political committee
- grant unequal access to public facilities to candidates or political committees
- direct other public employees to participate in political activities, when in the role of a supervisor
- draft, type, format or edit a governing body's resolution that advocates a political position (except to conform the resolution to a standard format)
- prepare or give recommendations to the governing body urging which way to vote on such a resolution
- sign such a resolution, except if the signature is only ministerial and clearly included to attest the board took the vote
- announce the governing body's position on such a resolution to the media
- include the governing body's position or vote on such a resolution in a jurisdiction's newsletter or other publication

A public employee who provides voter registration assistance under the federal National Voter Registration Act (NVRA) must not, when performing voter registration services, influence a client's political choices. This means no display of political preferences, including a restriction that no political buttons may be worn. ORS 247.208(3)

Allowable Activities

A public employee, while on the job during working hours **may:**

- prepare and distribute **impartial** written material or make an **impartial** presentation that discusses election subjects (using the guidelines provided in the Secretary of State's detailed memo on ORS 260.432 and obtaining review from the jurisdiction's legal counsel, as available.) The Secretary of State's Elections Division is also available for an advisory review of draft material about ballot measures produced by government agencies.
- perform standard job duties, such as taking minutes at a public meeting, maintaining public records, opening mail, inserting a proposed resolution into a board agenda packet
- impartially advise employees about possible effects of a measure, but not threaten them with financial loss to vote a particular way
- address election-related issues while on the job, in a factual and impartial manner, if such activity is legitimately within scope of employee's normal duties
- as staff of an elected official, handle incoming calls about the official's availability for political events
- prepare neutral, factual information for a governing body to use in determining what position to take on an issue (planning stage of a governing body's proposed issue before certified as a measure to a ballot is not subject to ORS 260.432)
- in a clerical manner, incorporate amendments into a finalized version of a governing body's resolution on an issue
- respond to public records request for information, even if the material advocates a political position
- wear political buttons subject to applicable employer policies*
- express personal political views subject to applicable employer policies*

**and unless the public employee is providing voter registration services under NVRA, where additional restrictions apply - see note on previous page about ORS 247.208(3).*



- 2006 -

RESTRICTIONS ON POLITICAL CAMPAIGNING

by PUBLIC EMPLOYEES, ORS 260.432

Issued by:

Bill Bradbury
Secretary of State
Elections Division
141 State Capitol
Salem, Oregon 97310

Tel: 503-986-1518
Fax: 503-373-7414
Web: www.sos.state.or.us

February 1, 2006

2006 RESTRICTIONS ON POLITICAL CAMPAIGNING BY PUBLIC EMPLOYEES

Table of Contents

INTRODUCTION	1
OVERVIEW OF RESTRICTIONS AND ALLOWABLE ACTIVITIES	1
Examples of Restrictions on Public Employees.....	2
Examples of Allowable Activities for Public Employees.....	2
SOME SPECIFIC SITUATIONS	
1. Candidate Forums and Measure Debates held by Public Jurisdictions.....	3
2. Distribution of Political Material within a Government Agency.....	4
3. Facilities and Property, Use of.....	4
4. Governing Body Actions Before Issue Certified as Measure.....	5
5. Information about Election Matters Provided by Public Employees.....	6
6. Legal Challenges by Public Jurisdictions.....	7
7. Legislation and Lobbying: Support or Opposition of Legislative Bills.....	7
8. Meetings and Presentations at which a Ballot Measure is Discussed.....	7
9. National Voter Registration Act (NVRA) and ORS 247.208(3).....	8
10. Personal Expression by Public Employees, Wearing Political Buttons.....	9
11. Resolutions (Vote) by an Elected Governing Body, Advocating a Political Position....	9
12. Salaried (Management) vs. Hourly Staff.....	10
13. Telephone Calls.....	11
14. Title of Public Employee, Use of.....	11
15. Uniform Worn by Public Employee.....	11
16. Union Bulletin Boards.....	12
17. Visits by Candidate or Candidate Representative.....	12
18. Voters' Pamphlet.....	12
ELECTED OFFICIALS	13
WRITTEN MATERIAL RELATING TO MEASURES	
The Role of the Elections Division in Reviewing Documents.....	14
Factual versus Promotional Material Prepared by Public Employees.....	15
Determining Whether Material is Campaign Advocacy - Factors to Consider.....	15
Ballot Titles and Explanatory Statements.....	20
Postcards and Separate Information Pieces.....	21
Previously Published Materials.....	21
Signs or Banners.....	22
Video and Audio Productions.....	22
Websites and Email.....	22
Public Notice Required by ORS 260.432(3).....	23
Conclusion.....	23
Other Information Sources.....	24
ATTACHMENTS	
Examples of Inadvisable Language.....	26
Statute.....	28
Checklist for Reviewing Draft Documents about Ballot Measures.....	29
Attorney General Letter (10/5/93): Statutory Restrictions	
Public Employer Notice Form	

RESTRICTIONS ON POLITICAL CAMPAIGNING BY PUBLIC EMPLOYEES, ORS 260.432

(updated February 1, 2006)

INTRODUCTION:

The purpose of this document is to provide the reader with guidance on how the provisions of ORS 260.432 (1) and (2) apply to public employees, public employers and elected officials. The information should be viewed as a reference or starting point rather than a comprehensive list of all activities that could fall under these statutes. It is our intent to give the reader a framework upon which to base decisions regarding election-related activities. Further, we also extend the services of our office to provide prior review and advice to public agencies and individuals on allowable actions. *NOTE: Federal employees must also follow the requirements of the Federal Hatch Act - including persons principally employed by state or local executive agencies in connection with programs financed in whole or in part by federal loans or grants - check with your employer if you have questions on applicability. See page 24 of this memorandum for contact information on the Federal Hatch Act.*

ORS 260.432 STATUTORY PROVISIONS:

ORS 260.432(1) states that a person - including public employers and elected officials - may not require a public employee to promote or oppose any political committee or any initiative, referendum or recall petition, ballot measure or candidate.

ORS 260.432(2) states that public employees (including school administrators, city managers, police chiefs, etc.) may not be involved in promoting or opposing any political committee or any initiative, referendum or recall petition, measure or candidate "while on the job during working hours."

NOTE: This subsection does not apply to elected public officials but does apply to all other public employees including the staff of elected public officials. Public officials who are not elected - whether paid for their service or not - such as members of appointed boards and commissions, are considered to be "public employees" for purposes of this statute.

ORS 260.432(3) states that each public employer must have posted - in all appropriate places where public employees work - a notice about the prohibitions of ORS 260.432. See page 23 of this memorandum for more information about this requirement.

Note: ORS 260.432 is in effect as follows: for initiative, referendum and recall petition efforts as soon as a prospective petition is filed with the appropriate elections filing officer; for a ballot measure referred to the ballot by a governing body (district, city, county, state) as soon as the measure is certified to the ballot; for candidate issues, as soon as the person becomes a candidate under the definition in ORS 260.005(1)(a); and for actions related to a political committee, whenever the political committee is active.

OVERVIEW OF RESTRICTIONS AND ALLOWABLE ACTIVITIES

The overriding principle is that public employees may not use their work time to support or oppose measures, candidates, political committees or petitions. Oregon election law does not specify any amount of work time that may be used before a violation occurs. The fact that the work time used may have been minimal is not a mitigating circumstance.

Moreover, an elected official or any other employer of a public employee may not require or direct public employees to prepare or distribute such materials. A work assignment made by a supervisor to a subordinate public employee is a command or requirement within the meaning of ORS 260.432(1).

In fact, elected officials or other employers of public employees should be aware that when they - in the role of a supervisor - request a

public employee to perform any campaign activity (such as typing and mailing a campaign related document) that the request is considered to be an attempt to require the public employee to perform those tasks. The Elections Division has consistently found that in the work place, a superior's request to a subordinate is considered to be a command.

The following examples of restrictions and allowable activities are not all inclusive; however they do address a list of common concerns and issues.

EXAMPLES OF RESTRICTIONS ON PUBLIC EMPLOYEES

- ◆ Public employees **may not** be involved while on their work time in activities such as collection of funds, receipt and distribution of advocacy materials, or preparation of correspondence on behalf of political action committees or candidates.
- ◆ Public employees **may not** assist with candidate filing forms, voters' pamphlet filings, contribution and expenditure (C&E) report forms or related correspondence during their work time.
- ◆ Public employees' work time **may not** be used to produce or distribute political documents advocating a vote for or against a measure, or news releases or letters announcing the elected official's support or opposition to a political committee, measure, candidate, or petition.
- ◆ Public employees' work time **may not** be used to post website information, transmit emails or make a presentation that advocates a political position.
- ◆ A public employee **may not** be involved on work time in producing or distributing a news release announcing a candidate's filing which includes reasons for support of the candidate, the candidate's goals if elected, or other supportive information.
- ◆ A public employee **may not** on work time make outgoing calls to schedule or organize campaign events or other political activity on behalf of an elected official or political committee.

- ◆ A public employee **may not** grant unequal access to public facilities to candidates or political committees.
- ◆ A public employee **may not** on work time draft, type, format, edit, sign or promote a governing body's resolution (vote) that advocates a political position. Additionally, they may not take other related actions. (See specific information on page 9).
- ◆ A public employee who provides voter registration assistance and services under the National Voter Registration Act (NVRA), is subject to additional restrictions under ORS 247.208(3). While performing these functions, a public employee **may not** influence the political choices of a client. See page 8 of this memo for more details.

EXAMPLES OF ALLOWABLE ACTIVITIES FOR PUBLIC EMPLOYEES

- ◆ Public employees **may** use personal time, lunch hours, breaks, days off - when the employee is considered to be off duty - for political activity, dependent on other employer lunch/break policies. However, any such activity must be of a voluntary nature on the part of the employee. In other words, employees who elect to use this time for political activity must not feel obligated or coerced to do so by co-workers or supervisors.
- ◆ Public employees (except those performing voter registration duties under the National Voter Registration Act, NVRA – see page 8) **may** wear political buttons at any time subject to applicable employer policies. This is because the statute expressly permits the expression of personal political views. However, other activities such as displaying campaign signs or distributing campaign materials are not allowed during public employee work time.
- ◆ Public employees **may** participate in the planning stage of a governing body's proposed issue, before it is certified as a measure to the ballot, as this stage is not subject to ORS 260.432. Research, public meetings, surveys and other actions by a

governing body to aid in the decision making process of whether to refer a measure to the ballot are not covered by the statute.

(Note: ORS 260.432 applies to an initiative, referendum or recall petition as soon as it is filed with the elections filing officer, even before it is approved for the gathering of signatures.)

- ◆ A public employee **may** use work time to perform their standard job duties, such as maintaining public records, opening mail and taking the minutes of a public meeting, including recording elected officials' discussion and reasoning for adopting a resolution or voting to support or oppose a measure (see page 9 for further discussion of such resolutions by a governing body).
- ◆ A public employee **may** perform the follow-up maintenance of public records and making copies available upon request from the public, in the same manner as staff would process any other similar citizen request.
- ◆ A public employee **may** participate in an elected official's campaign activity - on a voluntary basis - during working hours using lunch hours or any leave time, but they should document the dates and times spent in a personal journal or log book. The employee must accurately record the use of the leave time on their payroll worksheets.

- ◆ A public employee **may**, as staff of an elected official, handle incoming calls about the official's availability for political events.
- ◆ A public employee (or other person) **may** impartially advise employees about possible effects of a ballot measure, but **may not** threaten them with financial loss to vote a particular way.
- ◆ A public employee **may** address election-related issues while on the job, in a factual and impartial manner, if such activity is legitimately within scope of employee's normal duties.
- ◆ A public employee **may**, at any time, express personal political views (with the exception of employees performing voter registration duties under the National Voter Registration Act – see page 8). ORS 260.432 is not intended to grant unconditional permission to "express personal political views" in any way at any time.

Conversely, a public employer must be cautious to not infringe on the public employee's right to express personal political views. For further discussion on personal expression allowances, see page 9.

SOME SPECIFIC SITUATIONS

1. Candidate Forums and Measure Debates held by Public Jurisdictions

It is not an election law violation for a government jurisdiction to sponsor a candidate forum if it is open to all candidates. All candidates filed for the same office must be invited to participate (the candidate forum is still acceptable even if a candidate chooses not to attend). There must not be any intent to promote or oppose specific political views, candidates or issues.

Similarly, a forum to allow political proponents and opponents to debate ballot measures may be held using public employee work time if equal access is granted. (For a discussion about other visits by candidates or their representatives, see page 12.)

Under these circumstances, the public employee work time used in arranging such a forum would not be in violation of election law. The public employees may perform normal job duties in conjunction with the forum and may attend on work time as long as they do not take any actions while on the job to promote or

oppose the candidates or measures, beyond facilitating the event. Further, it is not a violation of election law for a candidate at such a forum to discuss issues that may be a part of their campaign.

It is helpful if the public jurisdiction has in place and follows a policy on these types of situations. Such a policy must be reasonable and impartial.

2. Distribution of Political Material within a Government Agency, including Schools

We routinely discourage the distribution of campaign advocacy materials to public employees through a government mail or distribution system, regardless of the source of the materials. (*NOTE: Unions can distribute such materials to their members pursuant to their contract.*)

It is not a violation for a public employee, as part of their regular job duties, to process incoming mail that may include political material addressed to employees. However, it is a violation of election law for a public employee to distribute political advocacy materials to other employees or constituents (such as students) while on the job during working hours.

If a public agency is given any election-related material to distribute to employees or constituents by any outside entity, the agency must vigilantly screen the information prior to distribution to assure it is not political advocacy.

If an outside source provides any publication that advocates a political position to a school district employee, that material must not be distributed by teachers or other public employees to students to take home and share with their family or others in their household. Even if the political campaign material is given to students to take home by a private person (such as a classroom volunteer) and no public employee work time is used, there is still a possible election law violation by the public employee allowing such an action (such as a teacher or principal in charge of the school's activities), unless specific policies allow any other outside group to distribute political

campaign material on either side of the issue in the same manner.

However, this practice is still not advisable in that it is difficult to keep the situation evenhanded and complaints are often made when students are used to transmit any political communications.

3. Facilities and Property, Use of

ORS 260.432(2) prohibits only the use of a public employee's work time for campaign activities while on the public payroll, and does not regulate the use of public facilities or property for election purposes. If the governing body allows one political group to use public facilities, all groups should have the same opportunity. The same building policy should be used for everyone, including charging the same fee or requiring the same permit.

If unequal access is granted, a public employee who facilitates such services may have committed an election law violation. It is not an election law violation for a public facility to have policies exceeding the requirements of election law.

A public official may have access to information such as employee lists of names and addresses that are not available in any way to a private individual. This could result in a perception that unequal access to public facilities was granted (including a candidate for public office). One person should not be allowed to purchase a list if the general public would not be given the same opportunity to purchase such a list.

ORS 294.100 provides a limited remedy for complaints and concerns about possible inappropriate use of public resources, which may involve a civil suit by the District Attorney or taxpayer. ORS 294.100 is not under the Elections Division's jurisdiction.

Questions sometimes arise about **campaign signs**. Oregon election law does not address the size, location or timing of political campaign signs (except that ORS 260.695(2) prohibits campaign signs inside or within 100 feet of any entrance to a building that is a polling place, which is the county elections office after the date ballots are mailed through the end of an election day). Many local jurisdictions (cities and counties) have

ordinances that address campaign signs. In addition, the Oregon Department of Transportation has policies regarding political signs on public highways (see contact information on page 24). Although this office cannot generally offer advice as to the applicability of these provisions to particular locations, there is a concern that public employees enforce such regulations in an equitable manner so as not to indicate any support or opposition to political candidates or issues.

Campaign signs on or in public buildings or property may be against the public facilities building policy, which is not under this office's jurisdiction. To indicate an election law violation there would have to be evidence of public employee involvement while on the job during working hours in the placement of the sign, and/or allowing unequal access to the placement of such signs to all sides of an issue or to any candidate.

Most public jurisdictions wish to avoid the public perception of the jurisdiction's endorsement and so have a policy of not allowing campaign signs on or in the public building, property or on public equipment.

Similarly, placement of **campaign signs on public vehicles** is inadvisable, although again not necessarily an indication of election law violation. Campaign signs on private vehicles located at a public building are not within the purview of election law (except under ORS 260.695(2), if located within 100 feet of a polling place entrance during the time after the date ballots are mailed through the end of an election day). Public employees should take caution in this area - there may be circumstances in which an election law violation occurs.

Another related question is about the **use of public vehicles** during campaign activities. An elected official is not in violation of election law to use a public vehicle for campaign purposes - but may be subject to the jurisdiction's policies and may violate Government Standards and Practices laws. Similar to the above advice, it is not an election law violation for public employees on off-duty time to use a public

vehicle for campaign activities - but again, they would be subject to the jurisdiction's policies and these activities may also violate Oregon Government Standards and Practices laws in ORS Chapter 244 (OGSPC contact information is on page 24).

Another issue that arises about public property is the use of **official government letterhead** for political purposes. For the reasons explained above about the limits of ORS 260.432, such usage is not in and of itself a violation of election law. In order for a violation of ORS 260.432 to be found with regard to a campaign publication on official government letterhead, public employee work time would have to have been used in its production and/or distribution.

Connected to this issue is use of the **Oregon State Seal**. ORS 186.023 governs the use of the Oregon State Seal. Elected officials are entitled to use the state seal in their official capacity, but **not** in their capacity as candidates for public office. The state seal may **not** be used in connection with an individual or organization if its use implies endorsement or sponsorship of the State of Oregon.

4. Governing Body Actions Before Issue Certified as Measure

ORS 260.432 does **not** apply to measures referred to the ballot by a governing body until the governing body has certified the proposed issue to the ballot as a measure. "Measure" is defined in ORS 260.005(12), as something that has been "*submitted to the people for their approval or rejection at an election.*" The actions taken by a governing body and its public employees in the planning stages of a proposed measure, before it is certified to the ballot, are not subject to ORS 260.432.

Research, public meetings, surveys and other actions by a governing body to aid in the decision making process of whether to put an issue on the ballot are not within the purview of the statute. Once the issue is certified to the ballot however, no public employee work time may be used to redistribute any material that advocates a political position on the measure.

For initiative, referendum or recall petitions, ORS 260.432 does apply during the signature gathering phase even before the proposed measure or recall is certified to the ballot. ORS 260.432 applies to these petition efforts as soon as the prospective petition is filed with the elections filing officer, even before it is approved for circulation of signatures. This is because any communications made by public employees at this time could also affect the petition circulation once it is approved.

While ORS 260.432 does not prohibit public employees from any discussion of the subject of an initiative or referendum petition or ballot measure, a distinction must be made between an act that supports or opposes a petition or measure and the performance of duties normally expected or required of a public employee as part of his or her job. For instance, a spokesperson for an agency, if interviewed by the news media as part of the employee's normal duties, may respond with factual information on possible effects of a petition or measure. In this case, the public employee must be cautious not to imply to listeners that the employee or public employer support or oppose the petition or measure.

Public agencies and employees may provide information on an issue that is also the subject of an election petition or measure as long as the information is factual, unbiased and appropriate to the conduct of the agency's usual business. The fact that information is an analysis of a petition or ballot measure is not, in and of itself, unlawful advocacy. However, any analysis must be fairly presented to include only factual information, not speculation. Further, the analysis cannot be one-sided, but must provide a balance of information.

Additionally, ORS 260.432 does not prohibit the expression of personal political views. However, such expression may not be a part of an official public agency communication, done while the employee is on the job or in an official capacity. If the employee chooses to express personal political views, the employer needs to make it clear that he is not speaking on behalf of the public employer.

5. Information about Election Matters Provided by Public Employees

A public employee may provide only impartial, factual information related to an initiative, referendum or recall petition, measure or candidate as a part of the employee's job on work time. For detailed information on determining whether information is impartial, see pages 14-20 of this memorandum.

If any public employee makes public presentations or speeches regarding an initiative or referendum petition, or ballot measure while on the job during working hours ("official duty") they must make sure the speech is only factual and neutral in its presentation. The criteria for written material discussed later on pages 14-20 of this memorandum apply.

A public employer may tell employees about the possible effects of a measure, such as possible layoffs; but the public employer must not threaten employees with financial loss if they vote one way or another.

A public employee may address election-related issues while on the job, in a factual and unbiased manner, if such activity is legitimately within the scope of the employee's normal duties. Nevertheless, ORS 260.432 does limit governmental participation in election-related speech, and the statutory prohibition overrides any general statutory authority to educate the public on specific issues – they may do so but it must be impartial.

For instance, the political process is a subject that might reasonably be discussed in a middle or high school social studies class. In this context, the focus on a specific election for illustrative purposes is not inappropriate as long as the employee's presentation of the material does not support or oppose any political committee or any particular candidate, petition or ballot measure. Instructional material must provide a balanced review of both sides of an issue.

However, a student's work may express political advocacy. If credit is offered to students who voluntarily participate in a political campaign (must be voluntary), this

would not be in violation of election law unless students were instructed or urged by the public employee to support or oppose a political committee or specific candidate, petition or ballot measure.

6. Legal Challenges by Public Jurisdictions

In general, public employee's work involvement in legal court challenges such as challenging the underlying legality of placing a measure on the ballot are not in violation of ORS 260.432 - it is not the same as opposing the measure itself. Examples of such legal challenges include whether an initiative petition meets constitutional requirements and whether a ballot title complies with statutory standards. However, this does not mean that this type of action would be viewed as an allowable use of public funds by the public jurisdiction, which is an issue not under the Secretary of State's authority.

7. Legislation and Lobbying: Support or Opposition of Legislative Bills

ORS 260.432 does not address the activity related to support or opposition to legislative bills before Oregon's state legislature, unless the bill is one that results in a referral to an election (usually a House or Senate Joint Resolution). If a bill results in a referral to an election, at the time the issue is certified to be included on the ballot for an election as a ballot measure, ORS 260.432 would take effect and any public employee would be restricted from using their work time to support or oppose the measure, and this office would investigate complaints of alleged violation. This however would not prohibit a public entity and its public employees from continuing work that might be related to the same subject as the measure, as long as the activity does not constitute support or opposition to the ballot measure.

Additionally, a public agency's activities supporting or opposing legislation do not make the agency a "political committee" within the meaning of ORS Chapter 260. A political committee involves the purpose of supporting a candidate, measure or political party. Supporting or opposing bills before the state legislature does not fit into the definition of a

political committee and therefore no campaign finance reports are required.

For questions regarding enforcement of Oregon's government ethics and lobbyist registration laws, which are under the jurisdiction of the Oregon Government Standards and Practices Commission (OGSPC), contact information is listed on page 24. Public employees may support or oppose legislative bills, within the guidelines enforced by the OGSPC.

8. Meetings and Presentations at which a Ballot Measure is Discussed

It is possible that a public employee may be present at a meeting (for candidate or measure forums see page 3), along with a mixture of people, some of whom are not public employees and so are not bound by the same rules as public employees. A question may occur when a public employee attends a meeting and discussions or presentations arise concerning campaigning for or against passage of a measure. A similar question is whether a public employee may participate as a speaker in presentations to service organizations (such as the Rotary, Lions, Chamber of Commerce) if one of the other presenters (who is not a public employee) expresses political advocacy in their part of the presentation.

In the first instance, if discussions concerning campaigning for or against a measure (or petition, candidate etc.) are part of the pre-planned agenda, then the public employees should not participate in those activities, which could involve the need to leave the room. It is advisable that, if possible, an agenda be developed in which that part of the activities could be done at a separate time before or after public employees attend, to allow efficiency in use of work time. For more ad hoc discussions that may arise when a non-public employee decides to advocate for the measure, unless it becomes extensive, the public employee is not required to leave the room, but they should not join in those activities or discussions, other than to offer impartial information if needed.

Merely being in an audience when another person is campaigning for a measure is not in and of itself evidence that the public employee is promoting or opposing the measure. In any

case, it is advisable that the facilitator make a statement at the beginning of the meeting that the public employees in attendance are only available to provide impartial, unbiased information.

This same advice extends to the question about public employees participating in presentations to Rotary, Lions, Chamber of Commerce and other service organizations if one of the other presenters, who is not a public employee, campaigns in their part of the presentation. For instance, if the public employee is to be a part of a panel of speakers, at the beginning of the presentation, the facilitator should announce that the public employee involved may not advocate on work time and is only there to provide impartial information.

A public employee presenting impartial information about a ballot measure on their work time or official capacity must follow similar standards for impartiality as outlined for written materials (see page 14-20 of this memo). Furthermore, if the employee is a salaried employee (management type position) rather than hourly, see additional cautions in this memo, page 10.

If the public employee is not attending on their work time or in their official capacity, they may themselves announce that they are on their own time and so not be under the same restrictions. In this case, the employee must be able to document that they were not on the job should a complaint be filed against them alleging a possible election law violation.

Again, although the best way may be to have the public employee, if they are on work time, attend only for the information portion, it is not an election law violation should the employee sit at a speakers table with other participants and merely listen while another non-public employee speaker makes an advocacy presentation.

Complying with the restrictions of ORS 260.432 does require making judgment calls by public employees and there are sometimes no hard and fast rules regulating every circumstance. Public employees should exercise caution and pay careful attention to the guidelines discussed here.

9. National Voter Registration Act (NVRA) and ORS 247.208(3)

While the restrictions imposed under ORS 260.432 apply generally to all public employees, ORS 247.208(3) imposes a separate, rigorous set of restrictions that apply **only** to public employees and other persons who provide voter registration services required under the National Voter Registration Act (NVRA). NVRA is a federal Act enacted by Congress in 1993. For employees covered by ORS 247.208(3), the restrictions imposed by this statute apply *in addition* to the restrictions imposed by ORS 260.432.

ORS 247.208(3) restricts public employees or other persons providing NVRA-required voter registration services on behalf of a designated public agency from engaging in political activity when they are providing such services. The employee or other person **may not** seek to influence the political preference or party registration of a person registering to vote; **may not** attempt to discourage a customer from registering to vote; **may not** display any indications of political preference or party allegiance (including the choice of candidates for partisan political office); **may not** make any statement or take any action towards a person registering to vote that would lead the person to believe the voter registration has any bearing on the availability of services or benefits; and **may not** seek to induce any person to register to vote or to vote in any particular manner. (Note: this restriction does not apply to private voter registration drive efforts.)

So, for example, these restrictions prohibit public employees from wearing political buttons while performing NVRA services, which is more restrictive than the general rule explained on page 9.

OAR 165-005-0070 provides more detailed guidelines. This Administrative Rule specifies the items that personnel **may not** wear or display in the presence of clients while offering the opportunity to register to vote. These prohibited items include materials that identify past, present, or future holders or seekers of partisan elective office. The items

must not contain logos or other graphics that may be identified with or reasonably be understood to be associated with a political party or other party preference and must not be reasonably understood to be advocating support or opposition to a ballot measure or candidate for elective office.

10. Personal Expression by Public Employees, Wearing Political Buttons

ORS 260.432 “does not restrict the right of a public employee to express personal political views.” ORS 260.432(2). However, as explained previously, ORS 260.432 is not intended to grant unconditional permission to “express personal political views” in any way at any time. Conversely, a public employer must be cautious to not infringe on the public employee’s right to express personal political views. Further, public employees may participate in campaigns of their choice during non-work hours.

This does not mean a public employee is authorized to engage in a political lecture while at work to other employees or members of the public, even if the employee continues to perform their duties. A public employer may establish equitable policies restricting expression of personal political views by employees where such expression reasonably may be interpreted by others as officially endorsed by the public employer. Further an employer may restrict political conduct that causes workplace disruption or impairs the efficiency of other employees. Different work places give rise to different concerns.

Public employees who are not subject to ORS 247.208 may therefore generally wear political buttons on their work time, with some restrictions. While employees may exercise their right to free speech while on the job, the governing body may regulate the time, place and manner of that speech, if necessary, to ensure efficient and effective operations.

For instance, employees required to wear uniforms and who work with the public could be restricted from wearing political buttons while on duty. This is because the wearing of such buttons might cause members of the

public to perceive the agency the employee represents holds a political position or that the employee may act in a biased manner towards some members of the public due to political considerations.

A question that arises about allowable personal expression is whether or not political material (posters, signs and other paraphernalia) may be posted by a public employee in a public agency work area, such as an individual public employee’s workspace and whether it matters if the political material is visible to the public or not.

Even though a public employee may have personal property at his or her workspace, these work areas are in fact public property. Therefore, it is a reasonable position for a public employer to restrict the display of political posters, signs and other items (besides campaign buttons worn by the public employee) in work areas that can be viewed by the public (even if they are only visible when clients are routinely asked back to the work area for official purposes). This restriction also protects the employer from allegations that the agency is taking a political position. In work areas that are not at all visible to the public, the employer could permit political items in an employee’s workspace in the same manner as other personal matters.

11. Resolutions (Vote taken) by an Elected Governing Body, Advocating a Political Position

A public employee, in regards to an elected governing body’s resolution that advocates a political position:

- **May not** draft, type, format or edit the resolution. (Edits to insert the appropriate jurisdiction’s name and board member names are allowed, to conform it to the standards for a resolution.) Such a resolution should be drafted and prepared by a member of the elected board or someone who is not a public employee;
- **May not** prepare or recommend to the governing body which way to vote on such a resolution;

- **May not** sign such a resolution, unless the employee's signature is only ministerial and clearly included to attest that the board took the vote. Language labeling the signature as such must be included;
- **May not** use work time to prepare a news release or other announcement of the resolution;
- **May not** announce the governing body's position on such a vote to the media in an advocating manner (employee may respond to direct questions from media about the resolution by impartially stating the board's vote); and
- **May not** include the position or vote on such a resolution in a jurisdiction's newsletter or other publication. In very limited circumstances, there may be an exception: if the jurisdiction has a history of listing all resolutions and action items at a board meeting in a regularly published format and the advocating resolution is listed in an impartial manner. In any case, it is not advisable to include any text from the resolution that advocates for or against a ballot measure.

Note: A board or commission consisting of appointed members are considered to be public employees for purposes of ORS 260.432. Therefore, they may not act in official capacity to pass a resolution advocating a political position.

A public employee, in regards to an elected governing body's resolution that advocates a political position:

- **May** use work time in an incidental way to record the vote if that is part of the employee's normal work duties. For example, a public employee may take the board's minutes and, in a clerical manner, incorporate amendments into a finalized version of a governing body's resolution on an issue;
- **May** prepare strictly neutral, factual information for a board to use in taking a position on a measure, such as financial impacts of a ballot measure;
- **May** be available at the board meeting to offer neutral information about a ballot

measure to the board upon the board's request;

- **May** make copies of the proposed resolution and include the drafted resolution in the board packet to be distributed as usual before the board meeting;
- **May** prepare impartial information that indicates the impact that a ballot measure would have on the jurisdiction;
- **May**, following passage of a resolution, retype the resolution to conform to the jurisdiction's usual resolution format and place the resolution and related documents into the official public record of the meeting; and
- **May** fill public record requests as usual.

Activities, beyond these, related to the elected official's vote, or that are intended to help in implementing a campaign strategy in some way, are not allowed on the public employee's work time.

Elected officials may not request public employees to perform prohibited activities as outlined above. They may not compel public employee staff to become involved in a ballot measure campaign.

12. Salaried (Management) vs. Hourly Staff

Salaried employees' work time is not as easily measured as that of hourly workers. If the work performed falls generally within the job duties of the public employee, then it is assumed that the work is performed in an official capacity, regardless of the time of day or location. Salaried employees must be careful during all appearances both after normal work day hours as well as during working hours. They must not advocate on behalf of, or against a petition, measure or candidate if they are considered to be in their "official capacity."

For example, if the salaried employee applies for expense reimbursement for the function, it would indicate that they were "on duty."

Note: If the Elections Division receives complaints of this nature, an investigation will be done to determine whether or not the activity was undertaken in the employee's official capacity.

Personal note-keeping by salaried employees is suggested. Recording when the employee is on or off duty can determine whether they are acting in their "official capacity." Also, during public appearances, the employee should specifically announce to the audience in what capacity they are speaking.

It is important to recognize that "regular workday" may not be definable for a position, or may not have a specific time period but is based on the activities and whether the person is acting, or appears to be acting, in an official capacity. The employee may need to define this with their employer. It would be up to the appointing authority or employer to determine what is considered the "regular workday" and what time would be considered his or her own time, when the person would be able to support or oppose a candidate, measure or political party.

For instance, in the case of a school superintendent, at all school board meetings and school functions, he or she would be considered acting in official capacity based on their administrative and management position.

Another instance where the public employee is considered "on the job during working hours" is when a salaried, executive or management level public employee (or other level) uses what they consider personal time and personal equipment to prepare an official public agency publication that is to be distributed using public agency resources. Since in this case the public employee is conducting official agency business, the publication must be impartial or a violation would occur.

Nevertheless, salaried employee's have the right to participate in political activity on their own time and an employee would not be "on the job" solely because they may be subject to a call back to duty at any time.

13. Telephone Calls

The handling of incoming calls about the elected official's availability for political events is permitted because the elected official's scheduler must be aware of the elected official's schedule.

Elected official's staff should not make outgoing calls while on the job during working hours to solicit political scheduling opportunities for the

elected official, organize campaign events, communicate on political matters with the press or constituents, or initiate any other political activity on behalf of the official.

Additionally, incoming calls about measures must be answered in a strictly factual manner.

14. Title of Public Employee, Use of

It is not an election law violation in and of itself for a public employee's working title to be included in a campaign publication or in an editorial letter if either was written or produced on the employee's personal time (with no on-the-job assistance of other public employees).

If someone else (such as the media) refers to a public employee by the employee's title on the media representative's own initiative and without consulting the public employee, that in itself would not suggest a violation of election law by the public employee.

15. Uniform Worn by Public Employee

A question often arises as to whether it is an election law violation for a public employee to wear an official uniform (such as that of a law enforcement officer) outside of the employee's work hours and not at work - in the context of political activity of some kind. Obviously, the public would identify the uniform with the position. (See also page 9.)

ORS 260.432 does not address the use of public funds or facilities and so it would not be a violation of ORS 260.432 for a public employee to wear their uniform on personal time during political activities. However, it would likely be against the employer's policies and in many cases inadvisable. Our office does not arbitrate disputes between such policy and procedures and employees over matters not related to state election law.

As stated in this memorandum, if the employee is salaried, they must be careful not to advocate a political position if they are considered in their "official capacity" and must be able to provide such documentation if a complaint were filed.

Notwithstanding this advice, it is important to understand why the public may perceive that an election law violation has occurred in such a situation. The public perception that an employee is on duty because they are in uniform

is understandable. When a member of the public views a public employee participating in an otherwise prohibited activity while they appear to be in their official capacity, it raises questions.

Contributing factors to this perception, even though they may not in and of themselves be a violation of election law, include:

- The public employee is photographed in a work setting;
- Whether the public employee is wearing a uniform;
- The literature identifies the public employee by their work title; and
- The content of the literature in which a photo of the public employee appears may imply a personalization or support of the candidate by the employee or employer, which could contribute to the public perception of a possible violation.

16. Union Bulletin Boards

Public employee unions are allowed to have a designated bulletin board to post information regarding union business. The governing body's policies, contract language and district practices typically allow employee unions to have a designated bulletin board to post information regarding "union business." The contents of those bulletin boards are regulated only by collective bargaining agreements.

17. Visits by Candidate or Candidate Representative

A political candidate, or candidate representative, may request a visit to a government agency work site (often times a school). (Note: This discussion is not about an elected official's official visits to their jurisdiction's public agency worksites, which in general are not be prohibited by ORS 260.432.) On page 3 of this memo, there is a discussion of candidate forums and measure debates and advice that these are allowable for a government jurisdiction to sponsor if they are open to all candidates for the same office or all political proponents and opponents of a measure are allowed to debate. Along these same lines, if a candidate is allowed to visit the government agency work site, then all candidates for the

same office must also be allowed similar access, if requested.

For example, a school district may allow candidate visits (most often of a nationally or state recognized political figure) as an educational experience for its students, as long as candidates for the same office could request equal time. Further, it is not a violation of election law for a candidate at such an appearance to discuss issues that may be a part of their campaign. When a nationally or state recognized political figure, such as a presidential candidate, arranges a visit to a government agency site, such as a school, special arrangements may be required for security purposes. Public employees involved with the arrangements are not considered promoting or opposing the candidate when performing normal job duties.

It is advisable for a government agency such as a school district to have a policy in place for handling such candidate visits. To avoid even the appearance of prohibited political advocacy by public employees at a government agency, the policy about candidate visits should include:

- In most cases, the government agency should not initiate the visit (normally these visits are requested by the candidate), unless it is to be a candidate forum as discussed on page 3;
- Any other candidate for the same office shall be allowed similar access if they request it (if the visit occurs as the result of one candidate's request for the visit and it involves more than just a tour of facilities, such as a speech to a student body, the agency is not required to proactively invite all other candidates, although some type of notification to the other candidates would be appropriate);
- The government agency's purpose for allowing the candidate visit is not to advocate a political position to constituents, but rather to, for example, provide an educational experience, discuss policy, etc.;
- Public employees may perform normal job duties to assist in any special arrangements needed for security or other purposes;
- No public employee may take any actions to proactively promote or oppose the candidate before or during the visit, such as taking a political position when announcing the event, holding a campaign sign during the

event, or assisting the candidate in distributing campaign advocacy materials; and

- Overall, great caution should be taken by all public employees involved in such a candidate visit to ensure their activities in regard to the visit, while on work time or in official capacity, do not in some way promote or oppose the candidate. All involved public employees should be reminded of the election law ORS 260.432 and its restrictions on political campaigning by public employees prior to such a visit and the notice required by ORS 260.432 (3) must continue to be posted in conspicuous places in the work site.

18. Voters' Pamphlet

A question is whether it is a violation for a public employee to work on an official state or local Voters' Pamphlet which contains candidate statements and measure arguments, as allowed by statute, both in support or opposition to ballot measures. Because

preparation of Voters' Pamphlets is authorized and governed by statute, it is not an election law violation for a public employee to work on an official Voters' Pamphlet. A public employee of an elections office processing voters' pamphlet statements and arguments, as allowed by statute, for an official state or local voters' pamphlet, is not considered to support or oppose candidates or ballot measures.

With regard to preparing arguments or statements for inclusion in a Voters' Pamphlet, an elected official may singly or together with other elected officials (such as a city council), submit signed arguments in support or opposition to a ballot measure for an official state or county Voters' Pamphlet. However, no public employee staff work time may be used in preparing or submitting the arguments. A payment for the filing fee for a Voters' Pamphlet argument must not involve public employee work time or public funds.

ELECTED OFFICIALS

An elected official may personally advocate for or against candidates or measures on the official's work time. Elected officials are not considered public employees for purposes of ORS 260.432. ORS 260.432(4)(a).

NOTE: A person appointed to fill a vacancy in an elective public office is considered an elected official for purposes of this statute.

Oregon election law does not prohibit elected officials from communicating with their constituents about election issues. However, caution must be taken by elected officials to not involve public employee's work time in any activities that could be construed to be supporting or aiding an advocacy campaign effort, such as preparing advocacy material on behalf of an elected official (i.e. speeches, letters, advertising pieces).

An elected official's opinion piece or letter advocating a political position may not be published in a jurisdiction's newsletter or other

publication produced or distributed by public employees.

For instance, public employee support staff may not prepare press releases or constituent mail that advocates a vote, candidate filing forms, voters' pamphlet filing forms, contribution and expenditure (C&E) report forms or related correspondence during their work time.

Elected officials, as part of a governing body, may vote with other elected officials (such as a school board, city council or county commission) to support or oppose a measure, and publicly discuss such a vote - but must not use the public employee staff time to assist in this, except for ministerial functions. Furthermore, care must also be taken in soliciting "volunteer help" during employee breaks, or other personal time, as the employee may feel required to participate. A request made by a person in a position of supervisor or superior is viewed as a command for purposes of this election law.

Oregon election law does not require an elected official, during the time when the official runs for re-election or for another public office, to discontinue activities that are a regular part of the elected official's duties - such as updates on official business. This office does not find that all communication from an elected official, based only on the timing of the

communication in relation to an election, necessarily means that the communication is campaign advocacy for their candidacy. In such cases, the public employees participating in the publication would not be in violation of ORS 260.432.

WRITTEN MATERIAL RELATING TO MEASURES

THE ROLE OF THE ELECTIONS DIVISION IN REVIEWING DOCUMENTS

This office may need to review individual documents to determine if they must be considered advocacy material. In our review of such materials, we do not know whether all of the information presented in such a publication is accurate, but it is presumed accurate for purposes of the review. However, there would be a possible violation of ORS 260.432, if an elector filed a complaint with us that a public body presented inaccurate information that caused material to be considered advocacy.

This office offers to review draft documents prior to publication and issue an advisory letter with suggested changes with the goal of assuring the publication is impartial. However, we must offer a general caution that if a written complaint is filed with this office alleging violations of election law about a publication by a governing body, we will take all factors into consideration when examining the publication and surrounding circumstances. The complaint may bring forth surrounding facts, circumstances and information that are not within the purview of this office to know prior to a complaint.

For instance, we cannot advise an agency on whether any critical piece of information is missing in the drafted information about the measure that a reader may perceive as affecting their position on the measures, and thus could be deemed to reflect on the information's neutrality.

Therefore, we must caution that compliance with the suggestions does not preclude further

review of the publication by this office in the event such a complaint is filed.

Once this office has reviewed a draft publication and all suggested changes have been made, the public agency may want to include a disclaimer on the document about that review. However, because as discussed above such reviews are issued with the understanding that this office does not know whether the information presented about a measure is accurate or sufficiently comprehensive or whether there are other unknown circumstances, it is not appropriate to imply the information is "approved by the Secretary of State." Rather, an acceptable disclaimer that may be used (only if all changes were made as suggested) is, "This information was reviewed by the Oregon Secretary of State's Office."

If a complaint is filed alleging that a public employee violated ORS 260.432 with regard to written materials the complainant believes advocates a political position, this office considers several factors in assessing a civil penalty. One factor is whether the governing body's legal counsel reviewed the document before its distribution and advised the governing body in writing that the publication as distributed was impartial information that the governing body could legally produce and distribute, and was not in violation of election law.

Another consideration is whether the material was submitted to and reviewed by the Secretary of State's office, Elections Division, in consultation with legal counsel from the Attorney General's office, before its publication. The Secretary of State must have advised the governing body in writing that the publication

as drafted was impartial information that the governing could legally produce and distribute or with regard to which the Secretary provided suggestions towards the goal of assuring the publication was impartial information regarding the ballot measure.

If the Secretary of State issued an advice letter with suggested changes, the governing body must have substantially followed the advice provided. However, even if such an advice letter was issued, a violation may be found if a complaint and investigation discloses circumstances or facts not brought to this office's attention before publication, which reveal that the publication had the effect of promoting or opposing the adoption of the measure.

FACTUAL VERSUS PROMOTIONAL MATERIAL PREPARED BY PUBLIC EMPLOYEES

Written material prepared or distributed by public employees must be impartial. "**Impartial**" means equitable, fair, unbiased and dispassionate. The material needs to contain a balance of factual information. This means that the material may not lead the voters to support or oppose the measure by selective use of factual material, even if the material does not expressly urge a yes or no vote.

The material may be determined to be advocacy if, when read in its entirety, it appears to be intended to generate votes for or against the measure. A reader should finish reading the information and think, "I have learned something about the measure," not, "Now I know why I should support (or oppose) the measure."

The distinction between strictly factual information about ballot measures and material that is considered to be promoting or opposing a measure must be made by reviewing the entire material, in the context of the presentation. We note that a publication that purports to contain only factual information may not necessarily be impartial, if the "facts" are presented in a persuasive manner.

According to the Attorney General in a letter dated October 5, 1993, "public bodies may use public funds to inform voters of facts pertinent to a measure, if the information is not used to lead

voters to support or oppose a particular position in the election." It goes on to state, "However, we also have pointed out that 'informational' material may be found to 'promote or oppose' a measure even if it does not do so in so many words if the information presented to the public clearly favors or opposes the measure and, taken as a whole, clearly is intended to generate votes for or against a measure."

DETERMINING WHETHER MATERIAL IS CAMPAIGN ADVOCACY:

Some factors that will be considered in making the determination of whether the material is advocacy include, but are not limited to, the following: *NOTE: Any of the factors listed below, viewed in isolation, may not be sufficient to reach this conclusion. However, taken as a whole, the combination of factors may indicate that the material is campaign advocacy.*

- a) The **timing of the publication** relative to the election may, in some situations, be a factor if material is not typically published except at the time of an election and the information can be construed as advocacy.

Example: A special district produces a newsletter published shortly before a May election at which incumbent board members are candidates and the newsletter prominently features photographs of all of the current board members. Whether or not this newsletter is considered advocacy for the candidates must be made based on a review of the entire newsletter. At a minimum, the newsletter should not address the fact that some of these board members are also candidates at an election and should not include any information that could be perceived as advocacy for a candidate.

- b) **The contents of the document must not explicitly urge a yes or no vote for the measure.** There should be no "vote yes" or "vote no" type language. For example, the document should not include phrases such as:

- "Vote Yes on Measure 99,"
- "Support for Measure 99 is encouraged,"

- “Measure 99 asks ABC County voters to authorize a temporary fee increase,”
- “The County is asking voters to approve funding that will maintain,”
- “Why Should I Vote for Measure 99?”
- “The District seeks funds to improve equipment and buildings,”
- “Voters are asked to consider support for Measure 99,”
- “At election time, please support the Home Rule Charter,” and
- “On May 18, 2004, Anytown voters are being asked to continue their support of the community youth by renewing the Youth Action Levy, Measure 57.”

The remaining text of the publication does not cancel out such a statement. That is, a document that is otherwise totally factual, balanced and neutral, yet includes a sentence such as the ones above, would most likely result in our determination of a violation of state law.

Another caution is to not include wording such as, “a Yes vote means...” unless “a No vote means...” is also included and both are balanced and impartial.

- c) **The balance of factual information** and whether any negative (or positive) facts are mentioned at all. This does not necessarily mean an equal number of facts on either “side” must be mentioned. Documents about ballot measures published by public governing bodies should not be one-sided, but should fairly and impartially set out known advantages and disadvantages of a proposal. The information should reasonably explain the full scope of the measure and not concentrate only on certain aspects of the measure.

When the information is specific as to what the funds would be used for, it is then appropriate to leave it up to the voters to decide if they want to obtain the benefits by authorizing the additional tax increases to pay for them. This type of explanation of costs involved and how funds would be used is considered factual information and adds a balance to the information.

Impartial ballot measure information should be a comprehensive description of what the measure would do, and not only select some aspects that may be viewed as more advantageous to discuss.

If a measure proposes to affect taxes or fees the following types of information should be included:

- The specific cost of the measure to an individual taxpayer or consumer;
- If appropriate, the amount of yearly taxes based on the average price of a home in that community. (The “average price” should be a realistic figure for that community - too low a figure could result in a misleading estimate biased in favor of the measure.);
- Clarification on whether it is an increase in current taxes;
- Clarification on whether the amount is an estimate;
- If appropriate, the number of years of the bond;
- Reference for bond levy calculations and whether the calculations are fixed or may have future increases; and
- In cases where there is an overall cost, the total amount should be included (for instance the total amount of a bond). Ideally, this should include principal and interest for the total cost.

Additionally, the cost should not be worded in a way to minimize it (such as “less than or only \$5.00 per month” or “It’s merely the cost of a paperback a month”).

An example of advisable language explaining a measure’s effect on taxes is, *“Measure 37-88 proposes a 3.5 million dollar twenty year bond and passage of this measure would result in an increase in property taxes of \$1.25 per year per \$1,000 of assessed value. For the average homeowner in Everyday City with a home assessed at \$150,000, the annual property tax increase would be \$200.”*

Another way to achieve balance in impartial measure information is to include any other known, feasible options, even those that may be considered unfavorable to the public agency. However, these

options must be impartially presented and not described in a way to imply they are totally unacceptable. These options should not be presented solely in order to be criticized. Source information should be included for the reader to verify the information and to learn more if desired.

Another method sometimes used to present various sides of an issue is a side-by-side comparison. In this case, the reader must not be led to feel they have been persuaded that one way is the right way to go and the "other side" is not acceptable. There is a potential problem in lining up two plans and comparing them when one is already adopted and is better understood. The level of detail for the unimplemented plan would then be less and could look less considered.

- d) **The overall impression** a reader gets after reading the material should be an impression that neutral facts have been presented. The impression should be that the material is being presented to inform the voter rather than persuade them. Information that is only **speculative** should not be included, as it tends to be persuasive. We advise steering away from theoretical, subjective and opinionated content. Rather, the material should be specific, descriptive and objective.

For example, the following speculative statements are inadvisable, *"Having modern computer software available will result in greatly enhanced test scores, improved attendance, faster learning of new skills, a lower drop-out rate, and an increase in college and training school attendance."* Unless the document provides some sources and substantiation for these speculative statements, we advise they lend too much enthusiasm and persuasiveness to the information.

Whenever appropriate, we advise the **inclusion of citations to source information**, such as specific case studies. Statements such as *"District Schools are overcrowded,"* need a basis either included or referred to. Do not include such sweeping statements such as, *"Many cities*

drink from rivers that are in much worse shape than the Crystal River, using treatment technology far less comprehensive and modern than what is proposed for Everyday City by Measure 37-29," without providing some substantiating information or citation to authority to which a voter might refer to confirm the statements.

Additionally, we advise caution when including **comparisons** (listing pro and cons for a measure) and purporting to speak on both support and opposition sides. Any such formatted information should be impartial and as inclusive as possible.

- e) **The tone of the publication** should be dispassionate rather than enthusiastic for one side of the measure. The material should not include only statements regarding the possible favorable (or unfavorable) effects that passage of the measure would have. The public may perceive information as persuasive or threatening if it presents dire consequences that are bound to elicit strong public response. For example, information that a *"levy would allow a program to continue"* is a more neutral statement than saying *"failure of the measure will destroy the program."*

The information should be a description of what the measure does, an unbiased statement of objective fact, not a justification of why the measure is needed. Additionally, we advise avoiding glowing commentary on the jurisdiction that would benefit from a measure's passage, as this lends a tone of "We are great so you should support this measure..." to the information.

- f) **Documents should not be personalized or use personalizing pronouns.** We advise against providing information about a measure in a personalized format, such as a letter format addressed to "Dear Parents," customized for each area, and then signed by a public official. Rather, to ensure the neutrality of information about a ballot measure offered by a governing body, the information should be generic. A signed letter from a public official, who may be

personally known by most constituents receiving the information, may evoke more empathy, enthusiasm and emotion than a generic fact sheet on a ballot measure. Additionally, such information should be made available to all voters in the jurisdiction, not just to certain constituents.

Along these lines, we advise that the use of personal pronouns, such as "our," "we," "I," "us," etc., lend a tone of "we are in this together" to a document and personalizes it, rather than the neutrality needed in an impartial informational document about a ballot measure. Therefore, we suggest that such words be changed to less personal words, such as "the," "it," "the district," "the board," "voters," "taxpayers," "citizens" or "constituents."

Finally, rather than terms such as "neighbors," "friends," or "patrons," we advise more using neutral terms such as "voters," "taxpayers" or "constituents."

- g) **Documents should not, in most contexts, use the word "will"** in describing the results of passage of the measure. The word "would" is a better alternative, as it suggests that voters have a choice and the issue is not yet decided. The use of the word "will" suggests a desired outcome of passage of the measure and that it is set to happen. There may be other wording that should be changed for the same reason, such as "The measure provides a new source of income." In this case, a suggested alternative is, "The measure would provide a new source of income."

We note that in some cases, the use of the word "will" is appropriate based on the context - if it is not dependent on the measure's passage (such as "*The election will be held on May 16, 2006.*")

- h) **Documents should not, in most contexts, use the word "need"** in describing the purpose of the measure. Often times the word "need(s)" is more emotionally charged and can be interpreted to be a favorable statement about the measure. It has an element of urgency that is not appropriate in a factual, neutral piece. Basic

facts about a measure should be offered, so that the voters may make their own assessment of what is "needed."

- i) **Headings, lead lines and other words or phrases should not lend a positive (or negative) tone** to the material, in favor or opposition to the ballot measure. This also applies to the usage of positive or negative connotations given by words or phrases. An informational publication should not be emotional, enthusiastic or persuasive. Adjectives should not be value laden or add a persuasive tone, such as "urgent, critical, important, dire," Another inadvisable word is "cut(s). This word has a more raw and emotional tone to it and should be replaced by a more neutral word such as reduction, eliminate, etc..

Repeated use of a word such as "approved" and emotional phrases such as "we'd be proud to serve," "we pledge to you," and "can be assured" may be problematic.

The cumulative effect of individual word choices must be considered in the context of the entire publication.

NOTE: Some other examples of inappropriate words and phrases in publications about ballot measures produced by governing bodies and the reasons they are inappropriate are listed in an attachment to this memorandum.

- j) **Quotes about the measure should not be included.** Likewise, lists of members of a political committee or others supporting or opposing the measure should not be included. This holds true even if a quote is from a government body's elected official. The use of such quotes and lists indicate an endorsement similar to campaign advocacy material and is, therefore, inappropriate.

Additionally, it is not allowable for a public agency to incorporate political advocacy material just because it has been previously published by a private entity, such as a newspaper. Again, it is imperative that publications produced and distributed by public employees be impartial, informational documents, regardless of who prepared the material.

- k) **The use of graphics, checkmarks, formatting and photographs.** Checkmarks are often used as an indicator of what someone should do, and have a very positive implication. Checkmarks are also used in informal ballots and surveys that people complete by checking to indicate their choices. Therefore, we advise against the use of checkmarks in material about ballot measures produced by a government entity because the use of checkmarks significantly contributes to an effect of advocacy. For the same reasons, we advise against the use of positive graphics (such as a hand placing a ballot in a ballot box or a pencil marking an X in a box) in material about ballot measures produced by a government entity.

Additionally, caution should be used in formatting. Extensive formatting methods that serve to emphasize or de-emphasize certain information may result in a persuasive tone (such as the use of all caps, underlining, bolding, making some information (such as cost) in much smaller print, stars around wording, etc.)

Along the same lines, photographs used in a document should not be overly emotional. In an informational document it is important that photographs do not add to a tone of advocacy. Plain text without pictures lessens the likelihood that readers feel they are being persuaded to empathize with the depicted situation and thus to support or oppose the measure.

- l) **The use of phrases similar to campaign slogans.** Informational documents should not contain phrases that do not serve to present any factual information, but rather are a sort of motto, logo or catch phrase; in a way a "rallying cry." Some examples might be, "Help plan for the future," "Preserve Our Heritage, Guide Our Future," "Planning for our Future, Improving the Community," or "Our schools are an intelligent investment." These phrases are not impartial and informational, but are advocacy.

The use of such a motto or logo outside the context of an election would not result in an election law violation. However, used in the context of an election, they are, in effect, a campaign slogan promoting passage of the measure. Such "campaign slogans" are appropriately used by private political committees, but not by government agencies in publications about ballot measures.

- m) **Information about how to contact the supporting or opposing political committee (PAC),** such as listing the PAC's phone number, may imply a connection between the governing body and the petitioners or supporters of the measure. However, if all PAC's are listed, for both sides, it may lend to the balance of the document.
- n) **Reporting of an elected official's position on a ballot measure or an elected official's article advocating a position on a measure** should not be included in a publication using public employee work time. A publication produced using public employee time may only include facts about a ballot measure, not who supports or opposes the measure. Such inclusion would lend an implication of "I/we support/oppose this measure and so should you..."

For example, do not include, "*The Anywhere School Board position on Measure 46-89: Oppose*" or the text from the resolution that advocates for or against a measure." In very limited circumstances, there may be an exception: if the jurisdiction has a history of listing all resolutions and action items at a board meeting in a regularly published format and the advocating resolution is listed in an impartial manner. In any case, it is not advisable to include any text from the resolution that advocates for or against a ballot measure.

Even in this case, the reporting must be done in a neutral manner. This also pertains to articles by elected officials advocating a political position. Even though an elected official may use their own work time to

advocate a political position, such an article may not be included in a document produced and/or distributed by public employees on their work time.

- o) **Information about the “50% voter turnout requirement.”** In 1997, Ballot Measure 50 was passed, amending the state constitution. The Constitution (Article XI, Sec. 11) now requires that the passage of a measure to approve new or additional ad valorem property tax levies be obtained at an election where the number of electors casting a ballot is not less than 50% “of the registered voters eligible to vote on the question.” This is the case for every election except for the general election during an even numbered year.

It has become common for governing bodies to include some information about this requirement in their publications about ballot measures. It is not considered advocacy to include strictly neutral, factual information about this requirement. Encouraging people to vote is an accepted practice of election officials and other public officials; however, that is different than encouraging passage of a measure.

The concern here is that this information should not be worded in such a way that it persuades voters that they must vote for the measure “now.”

For example, we suggest that publications not include the phrases “double majority” or “super majority.” These phrases have strong political connotations, so may lend themselves to the implication that the district is suggesting that a voter must pass the measure now.

Merely stating, *“If fewer than 50% vote, this election will not count,”* misleads the reader and implies people must vote. If the measure does not pass, the turnout requirement does not apply and the election still “counts.” Only passage of the measure would not be in effect if the turnout is less than 50% of eligible voters, even if a majority of affirmative votes for the measure. Either way, the elections results would still be “valid.” Language characterizing the turnout

requirement as necessary to make the election “valid,” is inappropriate, because it implies that passage of the measure is the only “valid” result.

Some suggested, acceptable language for this requirement is:

- “For this local option tax levy measure to be enacted, it must receive a majority of the votes cast and voter turnout must be at least 50% of the registered voters in the district (*or county, city...*) (or 50% of the eligible voters.”
- “Passage of the local option tax levy measure requires that it receive a majority approval of those voting on the issue. In addition, voter turnout at the election must be at least 50% of eligible electors.”

BALLOT TITLES AND EXPLANATORY STATEMENTS

Ballot titles:

This office has been requested in some instances to review **ballot titles** pertaining to local governing body measures. For local measures, ORS 250.035 (1) (c) states that the ballot title summary must be, “A concise and impartial statement of not more than 175 words summarizing the measure and its major effect.” (Emphasis added.)

This office’s review of a governing body’s ballot title for a measure (caption, question and summary) is limited to whether the content is sufficiently impartial in accordance with the standards used in reviewing for possible violations of the election law ORS 260.432. The other standards a ballot statement must meet as stated in ORS 250.035 (which are that the statement must be concise, not more than 175 words for local measures and 125 words for state measures and summarize the measure and its major effects) are not within the purview of this office.

Additionally, this office does not determine whether the ballot title must include the three percent language or other required language for local option tax measures, general obligation bonds or other local measures under

ORS 280.070 and ORS 280.075, or the language required by ORS 250.036, ORS 250.037 or ORS 250.038. Further, this office does not evaluate the substance of proposed measures. The governing body's legal counsel is responsible for such advice.

Explanatory statements:

ORS 251.345 states that the governing body for any electoral district that has referred a measure to the voters shall submit "an impartial, simple and understandable statement explaining the measure and its effect." (Emphasis added.)

It is noted that the Secretary of State's review of any draft explanatory statement intended for a voters' pamphlet is limited to whether the contents are sufficiently impartial in accordance with the standards used in reviewing for possible violations of the election law ORS 260.432. The Secretary of State does not provide a service of reviewing local governing body's draft explanatory statements for the other standards they must meet as stated in ORS 251.345 - that the statement must be simple and understandable and explain the measure's effect. The local governing body and its legal counsel are responsible for meeting these standards, because they require a comprehensive knowledge of the measure and its surrounding facts and circumstances not available to this office.

POSTCARDS AND SEPARATE INFORMATION PIECES

Another method government agencies may use to provide election information is the use of postcards. Postcards usually allow for fewer words to be included, and often include graphics, so there is a need for discretion.

A concern that may arise is when a series of postcards are distributed for this purpose. There are general concerns about an information effort done in separate pieces, because whenever such information is separated, there is always the chance that a reader may miss part of the information in the midst of the amount of mail they may receive. Therefore, the optimum advice is that any ballot measure information document that is published (for a measure imposing taxes or fees) and that includes any discussion of what the measure would do, needs

to be balanced with the amount of the tax or fees.

If the postcard is only a "don't forget to vote," type of notice, then detailed measure information including the cost is not required. Overall, while postcards may not be the best method for presenting important information about a ballot measure, they are appropriate for a "don't forget to vote" type of notice, as that does not need to contain much information.

PREVIOUSLY PUBLISHED MATERIALS

If material (whether complete articles or excerpts) has been previously published (such as in a private newspaper, for legislative analysis or other legislative purposes, a survey before an issue is referred by a governing body, etc.) it may not be included in a government agency publication about a petition or ballot measure or re-distributed by a government agency unless it is impartial on election matters. The public employee work time spent distributing any previously published documents that are not impartial at the time when ORS 260.432 is in effect would still be in violation of ORS 260.432.

Note: ORS 260.432 is in effect whenever the actions taken by a public employee apply to any of the following: for initiative, referendum and recall petition efforts as soon as a prospective petition is filed with the appropriate elections filing officer; for a ballot measure referred to the ballot by a governing body (district, city, county, state) as soon as the measure is certified to the ballot; for candidate issues, as soon as the person becomes a candidate under the definition in ORS 260.005(1)(a); and for actions related to a political committee, whenever the political committee is active.

It is recognized that such documents are historical documents and can be retained in government agency files. However, the fact that these earlier documents that are not neutral are "part of the public record," does not mean that the government agency may use current public employee work time to proactively distribute them for a different purpose. If someone asks for a copy of the record from public record files, the public employee may provide it under the same procedures as any other public record. Caution must also be exercised in excerpting any

portions of such a document to include in any material distributed – to ensure any such excerpts are worded and used in a neutral manner.

SIGNS OR BANNERS

Signs and banners allow for only a few words to be read quickly at a distance, and often include graphics, so there is a need for discretion. There is not much opportunity to balance the document because of the few words used, and the few words have a lot of impact and focus. For signs and banners, we advise special caution about using checkmarks or graphics, or “campaign slogans” as discussed above.

VIDEO AND AUDIO PRODUCTIONS

This office offers to review draft video and audio productions produced by a government agency about a ballot measure, which must maintain the same standards of impartiality as discussed in this memorandum. A written transcript needs to be provided, as well as the actual draft video or audiotape. If a video or audiotape is not available at the time the review request is made, then a detailed description of the planned broadcast would need to be provided.

In any case, if the actual visual or audio part is not pre-reviewed, this office can only offer suggestions on the written words. This is because the presentation of the text in video or audio may include other factors, such as tone and pictures, which may make a difference in the overall message. The same standards of being informational and neutral must be maintained in all aspects of the final publication.

WEBSITES AND E-MAIL

Websites and e-mail are now another common method for communication by governing bodies. Each agency must make it a priority to ensure that all personnel are apprised of the restrictions on political campaigning by public employees. Public agencies should advise their employees of the proper and improper use of

websites and e-mail in regards to political activity.

E-mail

An e-mail that supports or opposes a political committee, election petition, candidate or measure and that is sent or forwarded on a public employee’s work time to a group of other employees of an agency or others would be a violation of election law by the public employee who wrote and sends it or who forwarded it. It is not necessarily a violation of election law ORS 260.432 by a public employee to *receive* a political advocacy e-mail, even if the employee receives it on a work computer.

The mere act of opening and reading a political e-mail sent to them by someone else, not at their request, does not constitute promoting or opposing a candidate, political committee, election petition or measure on public employee work time. If, however, the public employee takes further actions with the political e-mail on their work time, such as making copies of the political email and distributing it or forwarding it to others in order to communicate the political advocacy, there would be a violation.

Websites

A public agency must have proper safeguards and oversight necessary to maintain the integrity of an official website to ensure the contents do not reflect political advocacy. Any public employee who uses work time to produce a website that is political advocacy would be in violation of election law. Whoever is ultimately responsible for the website would also be responsible for its content.

The agency must also be cautious about the links that are included in the website. On page 4 it is noted that if a public agency allows one political group to use public facilities, all groups should have the same opportunity. Along the same lines, if a link is provided to any political group on one side of the issue, links should also be provided to any other known political group of the opposite view.

PUBLIC NOTICE REQUIRED BY ORS 260.432(3)

Each public employer must have posted - in all appropriate places where public employees work - a notice about the prohibitions of ORS 260.432. A copy of this notice is enclosed. You may make copies of this notice to distribute and post if you have not already done so. It is the same language as the notice distributed in 2004.

ORS 260.432(3) states, *“Each public employer shall have posted in a conspicuous place likely to be seen by its employees the following notice in printed or typewritten form:*

ATTENTION ALL PUBLIC EMPLOYEES:

The restrictions imposed by the law of the State of Oregon on your political activities are that “No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.”

It is therefore the policy of the state and of your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours.

CONCLUSION

We caution all government entities, elected officials and public employers to be vigilant in ensuring that no public employee work time is used in any activity that could be construed as support of or opposition to a candidate, political committee, initiative, referendum or recall petition, or ballot measure, apart from the expression of personal political views. While it is understood that a government entity may have much at stake in matters relating to an election, it has a responsibility to ensure that its activities and those of its employees comply with election laws.

One additional statute, that all public bodies should be aware of, is ORS 294.100. It is “unlawful for any public official to expend any moneys in excess of the amounts provided by law, or for any other or different purpose than provided by law.” However, since this is not an election law, these complaints are to be filed with/by the District Attorney or by taxpayer

suit. The suit would have to prove the expenditure constitutes malfeasance in office or willful or wanton neglect of duty.

Lastly, we want to extend an offer to governing bodies to review any draft material about a ballot measure prior to its publication. We hope the advice we offer will be helpful and prevent concerns or complaints by the public. If you have questions about ORS 260.432 or other election laws, please contact the Secretary of State, Elections Division or your local elections office. Election officials are dedicated to helping citizens, public officials, candidates and political committees comply with Oregon law. Contact these offices to assist you with any questions.

Secretary of State, Elections Division
141 State Capitol
Salem, OR 97310-0722
tel: 503-986-1518, fax: 503-373-7414
web: www.sos.state.or.us

OTHER INFORMATION SOURCES

For questions regarding federal candidates or federal election regulations, contact:

Federal Elections Commission
999 E. Street NW
Washington DC 20463
Phone: (800) 424-9530, Fax: (202) 219-8500
Website: www.fec.gov

For questions regarding enforcement of Oregon's government ethics, lobbyist registration laws and executive session provisions of public meeting laws, contact:

Oregon Government Standards and Practices Commission
100 High Street SE, Suite 220
Salem, OR 97310-3607
Phone: (503) 378-5105
Website: www.gspc.state.or.us

For questions regarding political signs that are visible from state highways contact:

Oregon Department of Transportation
355 Capitol St. NE
Salem, OR 97301-3871
Phone: (888) 275-6368, Fax: (503) 986-3432
An administrative rule:
http://arcweb.sos.state.or.us/rules/OARS_700/OAR_734/734_060.html

For questions regarding the Federal Hatch Act, applicable to federal employees, (including persons principally employed by state or local executive agencies in connection with programs financed in whole or in part by federal loans or grants - check with your employer if questions on applicability).

U.S. Office of Special Counsel
1730 M St. NW, Suite 201
Washington, D.C. 20036-4505
Phone: (800) 854-2824
Website: www.osc.gov

For questions about county elections, contact information is available at:

Go to Website: www.sos.state.or.us - select link to "Elections," then select link to "Federal, State & County Officials."

ATTACHMENTS

Examples of Inadvisable Language

Statutes

Checklist For Reviewing Draft Documents About Ballot Measures

**Attorney General Letter (10/5/93):
Statutory Restrictions**

Public Employer Notice Form

EXAMPLES OF INADVISABLE LANGUAGE

Following are some examples of inappropriate words and phrases, along with the reasons they are inappropriate, in publications about ballot measures produced by governing bodies. This list is not all-inclusive but will help provide additional guidance in assuring impartiality. (Emphasis added in each example.)

- “With this measure you will pay the same low amount,” “You will still get the same great service,” and “Passage of this measure is critical as the needs of our district are urgent.” Adjectives that qualify such as “low” and “great” included in these sentences are not necessary to relay the factual information, rather they serve to add a persuasive tone. Informational documents produced by governing bodies should be as dispassionate as possible, even if the adjectives used are accurate. Other adjectives that may be inappropriate are “serious,” “critical need” and “important.” In an informational document the reader should be left on their own to come to the conclusion that the issues are important, rather than the information including impassioned descriptions.
- “Maintenance of library funding is requested,” or “Measure 99-72 is a request for voter approval of a revenue bond to pay for construction of the first phase.” The word “requested” and the phrase “request for voter approval” are suggestive of appeals in favor of the measure. Suggested alternatives are, “The purpose of the levy is to maintain library funding” and “Passage of Measure 99-72 would authorize a revenue bond to pay for construction of the first phase.”
- “This measure will renew the support for public libraries.” Use of the phrase “support for” lends a positive tone in favor of the measure. A suggested alternative is, “The levy is being proposed to maintain library funding for three more years...”
- “The county is asking (or seeks authorization from) voters to approve funding that will maintain the current level of services.” This wording is persuasive as it implies that the county is asking voters to approve the measure. A suggested alternative is, “Measure 99-84 is proposed to maintain the current level of services.”
- “We can’t afford to wait,” and “Why is the school bond so important?” These sentences are overly emotional, a matter of opinion, and therefore persuasive. The voters, upon a presentation of impartial factual information, should make this judgment themselves.
- “The District Board believes this solution would receive public support.” This may be a true statement, however it lends itself to a persuasive tone, because of the implication that the District is suggesting this solution is worthy of public support. The inclusion of the term “public support” in and of itself lends a positive tone.
- “The best way to relieve overcrowding is to build a new high school.” This sentence inappropriately uses the word “best” to qualify and describe the proposal. A suggested alternative is, “This measure proposes to address overcrowding in our schools by building a new high school.”
- “City of Anytown Public Schools are FULL.” The words of this sentence are not necessarily advocacy, however this sentence illustrates how the formatting and emphasis of words can contribute the tone of a document being persuasive.

EXAMPLES OF INADVISABLE LANGUAGE (continued)

- “Partners like you ... assure that our community.... can rely on quality of life we live here...” (Emphasis added.) We would advise omission of this sentence, as it is persuasive: personalized and emotional.
- “Preserve, Protect and Maintain.” This heading, which seems to be the slogan for what this bond is about, is almost too short and so doesn’t convey neutrally what the measure does – it just seems to promise that this bond would do these positive things.
- “Just as it is important to protect our personal investment in our cars and our homes, it is important that our community protect its investment in _____.” This sentence includes reasoning that is presented in a personalized, persuasive manner.
- “Prosecuting Offenders for Better Public Safety.” This is an example of a phrase that sounds like a campaign slogan, which is not impartial.
- “The cost each month is only about the cost of two hardbound books!” This sentence is persuasive, as the message it implies is that the measure should be supported, since the cost “isn’t so much.”
- “We strongly recommend everyone register to vote and do what you can to keep our schools intact.” Urging voter participation is not in itself an election law violation. However, linking it with the “do what you can,” impliedly urges a yes vote in order to “keep our schools intact.”

STATUTE

ORS 260.432

ORS 260.432(1) states:

“No person shall attempt to, or actually, coerce, command or require a public employee to influence or give money, service or other thing of value to promote or oppose any political committee or to promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder.”

ORS 260.432(2) states:

“No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.”

ORS 260.432(3) states:

“Each public employer shall have posted in a conspicuous place likely to be seen by its employees the following notice in printed or typewritten form:”

(see attached notice)

ORS 260.432(4) states:

“As used in this section:

(a) ‘Public employee’ does not include an elected official.

(b) ‘Public employer’ includes any board, commission, committee, department, division or institution in the executive, administrative, legislative or judicial branch of state government, and any county, city, district or other municipal corporation or public corporation organized for a public purpose, including a cooperative body formed between municipal or public corporations.”

BILL BRADBURY
SECRETARY OF STATE



ELECTIONS DIVISION
JOHN LINDBACK
DIRECTOR
141 STATE CAPITOL
SALEM, OREGON 97310-0722
ELECTIONS — (503) 986-1518

**Checklist Recommended For Reviewing Draft Documents About Ballot Measures
Produced By Government Agencies (ORS 260.432) (updated 1/2006)**

Note: this is a summary of factors to review for. Review the memorandum, "2006 Restrictions on Political Campaigning by Public Employees," for detailed advice in each category.

Check your draft document about a ballot measure for the following factors:	
a.	Timing of the publication.
b.	Must not contain any explicit language urging a yes or no vote for the measure. Some examples are provided in the detailed memorandum referenced above.
c.	Balance of factual information - include cost to taxpayer with specific examples, address all aspects of a measure rather than just selected aspects, include other options in an impartial manner.
d.	Overall impression of neutrality, not persuasive or speculative, and backed up as appropriate by citations of source of information or some substantiating information or citation to authority to which a voter might refer to confirm the statements.
e.	Tone of the publication, dispassionate rather than enthusiastic.
f.	Should not be personalized or use personalizing pronouns, advise against personalized letter format. Do not use personal words like, "our," "we," "I," "us," etc.
g.	Should not use the word "will," in describing the results of passage of the measure - the word "would" is a better alternative.
h.	Should not, in most contexts, use the word "need," in describing the purpose of the measure. Offer basic facts and let readers make own assessment of what is "needed."
i.	Should not lend a positive (or negative) tone by use of headings, lead lines, words or phrases.
j.	Should not include quotes, even from elected official.
k.	Graphics, checkmarks and photographs - graphics and photographs used must not express advocacy and checkmarks should not be used at all.
l.	Should not include phrases similar to campaign slogans, if expresses advocacy.
m.	Information about how to contact supporting or opposing political committees, should not be included unless both sides are listed.
n.	Reporting of an elected official's position on a ballot measure or an elected official's article advocating a position on a measure should not be included.
o.	Information about the "50% voter turnout requirement," needs to be correct and impartially worded.

We want to extend an offer to governing bodies to review any draft material about ballot measures prior to its publication. We hope the advice we offer will be helpful and prevent concerns or complaints by the public.



photo: Kip Evans

Call for Nominations

Faculty Distinguished Teaching Awards

Nominations due by Wednesday, MARCH 1, 2006

Faculty, staff, students, and alumni are invited to nominate any current faculty members appointed at .50 FTE or greater, tenure or non-tenure related, who have taught at the University of Oregon for a minimum of two (2) years for distinguished teaching awards. The Ersted Award and Thomas F. Herman Awards for distinguished teaching are presented annually to award winners at Spring Commencement. Each award is accompanied by a recurring monetary reward for the recipients. (Please note: Graduate Teaching Fellows have their own teaching awards and are not eligible for these teaching awards.)

Eligibility for Awards

Ersted Award for Distinguished Teaching

The late Mr. A.J. Ersted established the Ersted Award for Distinguished Teaching so the University of Oregon could annually honor faculty members "who have taught comparatively short periods and have demonstrated exceptional abilities to induce students to reason and not merely memorize." The Ersted Award is presented only to faculty who are early in their teaching careers (and who have taught at the UO at least two years). This teaching may occur at the undergraduate or graduate level.

Thomas F. Herman Faculty Achievement Award for Distinguished Teaching

This award honors senior faculty members who have achieved outstanding records as teachers. The Thomas F. Herman Award is presented only to faculty members who have had academic rank at the University of Oregon for at least seven years, and who have demonstrated long-standing excellence in teaching and have contributed significantly to student learning at the undergraduate or graduate level.

Fill out the form below and click on **SUBMIT NOMINATION**. Names of nominees and the eventual award winners are kept confidential until announced by President Frohnmayer in mid-May. For a list of previous award winners see [Teaching Award Winners](#). For questions, contact [Gwen Steigelman](#) at Academic Affairs.

I nominate _____ Dept. _____ for the
(please check one) Ersted Award Thomas F. Herman Award

My reason(s) for nomination are:

Your Name

Email address

Please check your status: Faculty Student Alumni Staff







[Home](#) | [Contact IRS](#) | [About IRS](#) |

[Site Map](#) | [Español](#) | [Help](#)

[Advanced Search](#) [Search Tips](#)

- [INDIVIDUALS](#)
- [BUSINESSES](#)
- [CHARITIES & NON-PROFITS](#)
- [GOVERNMENT ENTITIES](#)
- [TAX PROFESSIONALS](#)
- [RETIREMENT PLANS COMMUNITY](#)
- [TAX EXEMPT BOND COMMUNITY](#)

[Employees](#) | [Farmers](#) | [International Taxpayers](#) | [Military](#) | [Parents](#) | [Self-Employed](#) | [Seniors & Retirees](#) | [Students](#)

Individuals Topics

- [Abusive Tax Shelters](#)
- [Earned Income Credit](#)
- [Understanding Your Notice](#)
- [Tax Exempt Bond Community](#)
- [Taxpayer Rights](#)
- [Appeals](#)
- [More Topics . .](#)

IRS Resources

- [Compliance & Enforcement](#)

- [Contact My Local Office](#)
- [e-file](#)
- [Forms and Publications](#)
- [Frequently Asked Questions](#)
- [News](#)
- [Taxpayer Advocacy](#)
- [Where To File](#)

Tax Information for Individuals



[1040 Central](#)

What's new for this filing season.

[Do You Need to File a Federal Income Tax Return?](#)

Every year millions of people file Federal Income Tax returns even though they are not required to. Find out if your income is below the filing requirement.

[Filing your taxes was never easier!](#)

A quick, easy, smart way to get your taxes where you want them to be --- Done!

[Free File Home - Your Link to Free Online Filing](#)

Your link to Online Filing -- Free!

[It's easier than ever to find out if you qualify for EITC](#)

EITC is a tax credit for people who work(ed) and didn't make much money. If you meet the requirements for EITC, and the EITC exceeds the amount of taxes owed, it results in a tax refund to those who claim and qualify for the credit.

[Free Tax Return Preparation For You by Volunteers](#)

Free Tax Preparation For You by Volunteers

[Tax Counseling for the Elderly \(TCE\)](#)

The Tax Counseling for the Elderly Cooperative Agreement Program helps organizations provide FREE tax counseling and assistance to elderly individuals in the preparation of their Federal income tax returns.

[Tax Relief in Disaster Situations](#)

Tax relief provisions for disaster situations.

[Tax Information for Members of the U.S. Armed Forces](#)

Members of the U.S. Armed Forces, especially those serving in combat zones, face some special tax situations and are entitled to some special tax benefits.

[The Electronic IRS: File, Pay...and More](#)

The IRS is making it easier than ever for you to conduct business with us electronically. Almost all IRS forms can now be filed and paid electronically for both individuals and businesses. But there's more to the electronic IRS than just filing.

[Alternative Minimum Tax \(AMT\) Assistant for Individuals](#)

Could you be subject to the Alternative Minimum Tax? Find out by using this simple program.

[Where's My Refund?](#)

Get the lowdown on your refund now. Secure access anytime from anywhere. What a deal!

[What's Hot In Tax Forms, Publications, and Other Tax Products](#)

Check out the latest changes on our published tax forms and publications and get a heads up on tax law changes that will be reflected in future revisions of tax products.

[Tax Tips for 2006](#)

Tax Tips offer concise, easy-to-understand information about a wide range of topics.

[IRS Withholding Calculator](#)

This easy-to-use calculator can help you figure your Federal income tax withholding so your employer can withhold the correct amount from your pay. This is particularly helpful if you've had too much or too little withheld in the past, your situation has changed, or you are starting a new job.

[Tax Scams - How to Recognize and Avoid Them](#)

To help the public recognize and avoid abusive tax schemes, the IRS offers an abundance of educational materials. Participating in an illegal scheme to avoid paying taxes can result in imprisonment and fines, as well as the repayment of taxes owed with penalties and interest. Education is the best way to avoid the pitfalls of these “too good to be true” tax scams.

[Publication 17](#)

Directions for personal tax filing for individuals.

[Mortgage Interest Credit](#)

Avoid errors in claiming this important credit by completing the proper tax form.

[Individual Taxpayer Identification Number \(ITIN\)](#)

ITIN is a tax processing number that became available July 1, 1996, for certain nonresident and resident aliens, their spouse and dependents. The ITIN is only available to individuals who cannot get a social security number (SSN).

[Tax Incentives for Higher Education Expenses](#)

Notice 97-60, the Taxpayer Relief Act of 1997, established tax incentives for certain higher education expenses. This Notice contains questions and answers on the Hope Scholarship Credit and Lifetime Learning Credit, a deduction for student loan interest, and creating Education Individual Retirement Accounts.

[Did you know that there are events in life that may have a significant tax impact?](#)

Many times we experience significant life events that have a tax impact too! This page is designed to help you while explaining to taxpayers the tax impact of these events.

[State and Local Sales Tax Calculator](#)

The Sales Tax Deduction Calculator is currently not available. We apologize for any inconvenience.

[HCTC: Individuals - Overview](#)

Overview for Individuals

[Identity Theft and Your Tax Records](#)

Identity Theft is a serious crime. A stolen Social Security Number can cause you trouble at tax time.

[Paying a Balance Due \(Lockbox\) for Individuals](#)

The IRS uses lockboxes which are a collection and processing service provided by a network of financial institutions. Use your Form 1040-V, Payment Voucher.

[Extension of Time to File Your Tax Return](#)

Need more time to prepare your federal income tax return? This page will direct you to information on how to apply for an extension.

[Filing Late and/or Paying Late: Information You Should Know](#)

Before you decide not to file your tax return on time or not pay all of your taxes when they are due, consider this.

[Need a Copy of Your Tax Return Information?](#)

You have two easy and convenient options for getting copies of your federal tax return information -- tax return transcripts and tax account transcripts -- by phone or by mail.

[Understanding Your IRS Notice](#)

We realize that receiving a notice from the IRS can be unnerving, but if you follow these simple steps, the process to resolving the discrepancy should be straight forward.

[Tax Information for Innocent Spouses](#)

Tax Information for Innocent Spouses

[Collection Financial Standards](#)

Collection Financial Standards are used by the IRS to help determine a taxpayer's ability to pay a delinquent tax liability.

[Check Carefully Before Applying for Offers in Compromise](#)

IR-2004-17 — Beware of promoters' claims that tax debts can be settled for "pennies on the dollar."

[Federal Payment Levy Program](#)

Certain federal payments (OPM, SSA, federal employee salaries, and federal employee travel) disbursed by the Department of the Treasury, Financial Management Service (FMS) may be subject to a 15 percent levy through the Federal Payment Levy Program (FPLP) to pay your delinquent tax debt. Find out your appeal rights and how to resolve any dispute.

[Tax Information for Appeals](#)

If you disagree with the results of an audit or IRS Collection actions, you may have the right to an appeal.

[Estate and Gift Taxes](#)

The Estate and Gift Tax web site contains information that will give you a better understanding of how much money or property you can give away during your lifetime or leave to your heirs at your death before any tax will be owed.

[Partnering Opportunities & Resources For National and Local Organizations](#)

Thousands of organizations nationwide are partnering with IRS to make a difference in their communities. We invite you to join our partner network to provide your employees, organization or community members tax information and assistance they need, want and value.

[Contact My Local Office](#)

IRS Taxpayer Assistance Centers-when you need to talk with IRS face-to-face.

[Contact Us](#)

Not sure where to turn? Find the right contact, based on what you need.

[Accessibility](#) | [FirstGov.gov](#) | [Freedom of Information Act](#) | [Important Links](#) | [IRS Privacy Policy](#) | [U.](#)

[S. Treasury](#)



[Home](#) | [Contact IRS](#) | [About IRS](#) |

[Site Map](#) | [Español](#) | [Help](#)

[Advanced Search](#) [Search Tips](#)

- [INDIVIDUALS](#)
- [BUSINESSES](#)
- [CHARITIES & NON-PROFITS](#)
- [GOVERNMENT ENTITIES](#)
- [TAX PROFESSIONALS](#)
- [RETIREMENT PLANS COMMUNITY](#)
- [TAX EXEMPT BOND COMMUNITY](#)

IRS Resources

- [Compliance & Enforcement](#)
- [Contact My Local Office](#)
- [e-file](#)
- [Forms and Publications](#)
- [Frequently Asked Questions](#)
- [News](#)
- [Taxpayer Advocacy](#)
- [Where To File](#)

Free File Home - Your Link to Free Online Filing



Whoever said there is no such thing as a free lunch may have been right. But for millions of eligible taxpayers, with an Adjusted Gross Income of \$50,000 or less, there is Free File. Free File is online tax preparation and electronic filing through a partnership agreement between the IRS and the Free File Alliance, LLC. In other words, you can e-file... free.

Need additional time to file your tax return? Several companies offer free e-filing of Form 4868, Automatic Extension of Time to File. All taxpayers qualify. No restrictions.

[Before Getting Started...](#)

A few points are worth noting. For instance:

- Free File is a free service offered by companies for taxpayers with an Adjusted Gross Income (AGI) of \$50,000 or less.
 - Carefully review the free offer descriptions before starting your return. Individual company offers may be limited to specific states and income levels.
 - Each company has a description of their eligibility criteria for preparing and e-filing your federal tax return for free.
 - When choosing a company, be sure to link to the company's web site through IRS.gov. By going directly to a company's web site, you may not get the free service.
 - You are under no obligation to buy any products or services.
 - Telephone filing (Telefile) is no longer available. Many taxpayers who used this telephone service in the past may qualify to use Free File.
-

Start Now!

[Step by Step Instructions](#)

Easy instructions for selecting a company or service.

[Help Center and FAQs](#)

Frequently Asked Questions (FAQs) and how taxpayers benefit.

[Accessibility](#) | [FirstGov.gov](#) | [Freedom of Information Act](#) | [Important Links](#) | [IRS Privacy Policy](#) | [U. S. Treasury](#)