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Document 2 - based on individual IRST member written review

Independent Research and Science Team Charter

WORKING DRAFT (18 Jan 2024)

NOTE ABOUT THE DRAFT: black font = accepted text and minor editing; blue font = suggested wording based on individual IRST member suggested edits and comments.

This charter is the operating procedures of the Independent Research and Science Team, approved on _____.

ARTICLE I. GENERAL PROVISIONS

Section 1: Name.

The Independent Research and Science Team (IRST)

Section 2: Purpose.

The purpose of the Oregon Department of Forestry's Adaptive Management Program rules ([OAR 629-603-0000](#)) is to provide science-based recommendations and technical information to assist the Board of Forestry in determining when it is necessary or advisable to adjust rules, guidance, and training programs to achieve the biological goals and objectives. Within the framework of legislation providing for the Oregon Department of Forestry Adaptive Management Program, the Independent Research and Science Team (IRST) is a group, appointed by the Board of Forestry, who have the qualifications to provide science-based recommendations. IRST member qualifications include, but are not limited to, demonstrated subject matter expertise in a relevant field and a graduate-level degree in a relevant natural resources-related field such as forestry, silviculture, ecology, hydrology, wildlife, fisheries, and geology ([Senate Bill 1501](#)).

To foster independence, the Housing Agency for the IRST was chosen to be an [organization](#) without regulatory authority. Initially, the Institute for Natural Resources (INR) was selected to fulfill this purpose.

Section 3: Value Statement.

The IRST values collaboration among its members, continuous improvement, scientific excellence, [independence](#), and inclusion of diverse ideas and perspectives in support of the Adaptive Management Program.

Section 4: Ground Rules.

IRST members [and IRST meeting participants](#) will engage in actions that promote productive meetings and will encourage the active participation of each individual member. Examples of these actions are:

1. Coming to meetings fully prepared and conducting one's self in a professional manner.
2. Stating positions clearly.

3. Ensuring other members have opportunities to engage.
4. Adhering to agenda topics and creating space for additional topics to address at a later date.
5. Embracing public meetings and public records laws and full transparency.
6. Minimizing outside distractions and staying engaged.
7. Being an active listener that values diverse perspectives.
8. Striving to differentiate facts from opinions and hypotheses.

Section 5: Continuous Improvement and Long-term Effectiveness of the IRST.

Longevity: The longevity of the IRST is dependent on succession management, onboarding of new IRST members, consistent review and updating of the IRST charter, and the ability to efficiently collaborate to produce deliverables. For more detailed information about these strategies, refer to the designated charter articles and sections noted below.

Long-term Effectiveness: The long-term effectiveness of the IRST depends upon the quality and timeliness of scientific products, including basic and actionable science, in support of decision making.

ARTICLE II. MEMBERS, RESPONSIBILITIES, AND STRUCTURE

Section 1: Members.

The IRST must consist of a minimum of five members and have an odd number of members, per ORS 629, Section 38. No maximum number of IRST members has been set. The initial members of the IRST were nominated by the Adaptive Management Program Committee (AMPC) and appointed by the Oregon Board of Forestry. Subsequent changes in membership will be initiated by the IRST and appointed by the Oregon Board of Forestry, as described in the AMP statute and rules and further refined in the sections below. Proxies for IRST members are not allowed for conducting IRST business, including attending meetings and voting.

Section 2: Responsibilities and Expectations.

The IRST and the Housing Agency is responsible for working with the Adaptive Management Program Committee to refine research questions, draft requests for proposals to address research questions, recommend proposals for funding, administer proposals selected, prepare summaries of the results of funded research, and draft and maintain the IRST charter. It is expected that IRST members prepare for and attend all scheduled meetings, be timely and responsive with communications, actively participate in productive exchanges, work collegially to produce quality deliverables in a timely manner, and ensure the fairness and transparency of the process, including openly acknowledging any potential conflicts of interest. The members of the IRST are not expected to represent their organizations, rather members make decisions and vote on matters according to their professional expertise and reasoned judgments.

Section 3: Chairperson.

The chairperson has the usual duties and powers of a presiding officer, including but not limited to setting meeting agendas, leading meetings, maintaining order at the meeting, ensuring the conventions of the meeting are being followed, ensuring fairness and equality at the meeting, and represent the group to the public. Meeting responsibilities may be shared with or delegated to the Housing Agency staff and/or a hired facilitator. The chair serves for 12 months.

Section 4: Chair-elect.

The chair-elect has duties and powers of the chair during the chair's absence, disability, or disqualification, or during any vacancy in the position of chair, and such other powers or duties assigned by the chair or the members

of the IRST. The chair-elect is [voted in](#) at the election of a new chair and participates in meetings with the chair as appropriate for fulfilling these duties. The chair-elect serves for 12 months then assumes the chair position.

Section 5: Subcommittees.

Ad hoc subcommittees may be formed by the IRST to help fulfill its mission. The IRST will define a clear purpose, desired outcome and focus, size, composition, and estimated tenure of each ad hoc subcommittee. The IRST will identify the types of expertise required and select the members of the subcommittee. Ad hoc subcommittee participants will be scientists and practitioners qualified in the scientific discipline and/or the issue or question that the IRST needs to address. [As per](#) Senate Bill 1501, any subcommittees formed by the IRST will include a representative employed or contracted by one of each of the following: a public institution, a public interest non-governmental organization that promotes conservation of freshwater aquatic habitat, and the timber industry. At least one IRST member will serve as a liaison with each subcommittee. Ad hoc subcommittees will disband upon IRST determination.

ARTICLE III. MEMBER NOMINATIONS, ELECTIONS, AND EXTERNAL EXPERTISE

Section 1: Term of Office.

Each member serves a four-year term upon completion of the onboarding process [in Article II Section 4](#). A member's term may be renewed upon a two-thirds vote of the rest of the IRST and then ratification by the Board of Forestry. [There are no limits to the number of terms that can be served.](#)

Section 2: Representation.

As per Senate Bill 1501, representation on the IRST must include, at all times, at least one voting member that the IRST determines represents the following: a public institution, the timber industry, and a nongovernmental organization that promotes the conservation of freshwater aquatic habitat.

Section 3: Nomination and Election Procedure.

As per Oregon Laws 2022, Chapter 33, Section 38(6), new IRST members may be nominated if there is a vacancy on the IRST, or if the IRST determines that a new scientific or technical discipline must be represented on the IRST in order for the IRST to perform its research duties. [The](#) IRST must consist of a minimum of five members and have an odd number of members.

Any IRST member may propose adding members to the IRST at any meeting or by email to the Housing Agency between meetings. The member should describe the rationale for the addition. The topic will then be added to the agenda of a subsequent meeting, allowing members to consider the rationale and identify possible candidates. Members should consult possible candidates and obtain their permission before nominating them. The Housing Agency will compile a list of candidates and their background information and share this with the IRST as part of the pre-meeting materials. The IRST will then vote on whether to add a new member, and if affirmed, vote on whether to include each candidate on the list to be sent to the Board of Forestry. As per rule:

- (a) The IRST shall submit a list of candidates to the Board of Forestry;
- (b) The Board of Forestry may appoint one or more of the candidates as voting members of the IRST; and,
- (c) If the Board of Forestry does not select one or more voting members from the list of candidates, the IRST shall submit a new list of candidates to the Board of Forestry until such time as the Board of Forestry appoints one or more candidates as voting members of the IRST.

Section 4: Onboarding Process.

Onboarding new IRST members will consist of:

- Reviewing the IRST charter;
- Meeting with the Housing Agency staff and IRST chair and chair-elect for orientation to the IRST, including discussing the IRST value statement, ground rules, and charter to gain a clear understanding of IRST principles and processes; and providing and discussing up-to-date background materials;
- Connecting with Adaptive Management Program Coordinator for information related to participation grants;
- Taking the State of Oregon board and commission training;
- Meeting the members of the IRST; and,
- Giving a presentation about oneself at an IRST meeting.

Section 5: Resignation and Removal.

Resignation: Any IRST member may resign by delivering a written resignation to the IRST chair, the Housing Agency, and the Board of Forestry. The resignation shall be effective upon receipt unless it is specified to be effective at some later time.

Removal: An IRST member may be removed by a two-thirds vote of the IRST or by a majority vote of the Board of Forestry. The removal would occur after the vote is taken. The bar for removal may include significant and/or repeated violation(s) of IRST ground rules or value statement, violation of one or more elements of the IRST charter, or disruption of IRST processes.

Section 6: Vacancies.

If an IRST member resigns or is removed, the remaining IRST members may vote on whether to fill the position to achieve the minimum number of people and representation on the IRST. The position will be filled following the nomination procedure described in Article III Section 3 of this charter.

Section 7: Succession.

At the direction of the IRST, and to ensure the ongoing commitment of the IRST, the Housing Agency will assist in succession planning by identifying key areas and positions critical to the success of the IRST; identifying and/or forecasting the capabilities (skills, knowledge, and experience require) needed for the areas and positions; conducting an inventory of current expertise and gap analysis; and, identifying and assessing interested candidates against the capabilities.

Section 8: External Expertise.

IRST members can consult, consistent with Oregon Public Records and Public Meeting Laws, external subject matter expertise to inform the IRST about a particular subject area. Obtaining external expertise may also use the subcommittee procedures described in Article II Section 5 of this charter. External experts may be eligible to receive an honorarium to support their service to the IRST.

Section 9: Conflict of Interest.

IRST members will promptly and openly disclose any conflicts of interest to the IRST membership when dealing with the work and responsibilities of the IRST. A conflict of interest exists when an IRST member's outside or private interests affect, or can be perceived to affect, their professional responsibilities and judgment as a member of the IRST. A conflict of interest increases the potential for bias; however, the mere existence of a conflict of interest

does not necessarily indicate that an outside or private interest is unduly influencing IRST activities. The prompt disclosure of a conflict of interest will help to protect the integrity of the IRST and the respective IRST member, allow the IRST and the IRST member to appropriately manage the conflict of interest for as long as the conflict(s) exists, and avoid unnecessary or unmanageable conflicts.

ARTICLE IV. MEETINGS

Section 1: Oregon Public Meetings Law.

All IRST meetings shall be conducted as public meetings consistent with Oregon Public Meetings Law.

Section 2: Meeting Management.

The majority of the voting IRST members must be present in order to have a quorum for a meeting. Meetings are managed by the IRST chair. The IRST chair, [or a representative from the Housing Agency as previously described](#), starts and adjourns the meeting, ensures that the meeting follows the agenda, introduces the agenda topic presenters, and guides the discussions. When many members want to speak on the same topic, the chair recognizes the speakers in order and prevents interruptions. The chair ensures that everyone present has an equal opportunity to participate in the conversation. The IRST will provide time for public testimony at meetings unless the chairperson determines that doing so would be detrimental to the conduct of the IRST's business.

Action items, issues, and proposals are presented or reviewed consistent with the [agenda](#) distributed before the meeting (unless a change in the agenda is agreed to at the start of the meeting). The presenters elaborate on the facts as necessary and answer any clarification questions that members ask. The group then discusses issues and identifies concerns. Individuals expressing concerns are responsible for working productively with the group to resolve them. The chair formally calls for [vote] on the decision/action being discussed and reads the specific language that will record the decision/action. The chair may delegate all or part of the management of the meeting to a facilitator, the chair-elect, or the Housing Agency.

Section 3: Voting.

SB 1501 Section 38(8)(b) provides that the IRST "shall make substantial decisions by a vote of at least two-thirds of the IRST members." Because the IRST statutes do not establish how many members make a quorum, the general rule in ORS 174.130 requires that any actions of the IRST can only be exercised if a majority of the members are in agreement on the issue. This is a "majority of members" and not a "majority of quorum." This position is supported by the language in Section 38(8)(b) which requires a vote of "at least two-thirds of the IRST members" (not "two-thirds of the quorum").

Section 3: Substantial Decision.

Substantial Decisions. Substantial decisions are generally those described in statutes and rules, IRST deliverables, issues with financial implications, and other matters that the IRST deems substantive to warrant official votes.

Examples of substantial decisions include:

- Adopting and amending the IRST charter;
- Approving timeframe(s) to complete research question scoping;
- Conducting research question scoping (e.g., literature review, need, budget, scope of work);
- Approving final IRST products;
- Finalizing Request for Proposal awardee selection;
- Finalizing research summary reports for the AMPC or Board of Forestry;
- Electing chair and chair-elect;

- Removing IRST members;
- Nominating new IRST members; and
- Engaging external expertise that include receipt of funding.

The above list is not exclusive. If an IRST member makes a motion for a vote and it is seconded, the decision is a substantial decision. Results of substantial decisions will be maintained in a database on the IRST website and communicated to IRST members via email.

Non-substantial Decisions. Examples of non-substantial decisions include setting the agenda for an IRST meeting and engaging external expertise to participate in an IRST meeting.

Section 4: Cancelling Meetings.

IRST meetings may be cancelled by the IRST chair with 24-hour notice, and an immediate rescheduling of the meeting will be announced. Cancellations will be posted on the IRST website and via email to IRST members.

ARTICLE VI. REVIEW AND UPDATING THE CHARTER

Section 1: Review and Update.

The charter shall be reviewed annually and as suggested by an IRST member at any time.

Section 2. Amendments.

The charter may be amended, in whole or in part, by at least two-thirds vote of the members, provided that the substance of any proposed change must be stated in the notice of the meeting at which such action is to be taken. No amendment to this charter shall be enacted that results in a conflict with rule or statute.