

Operating Policies

as of 12/30/19

The Objectives of the Pesticide Educational Resources Collaborative (PERC) are:

- 1. To manage or implement the development, revision and update of pesticide safety materials to advance the protection of humans, communities, and ecosystems from the risk of pesticide poisonings, illness, and injury.*
- 2. To enhance the capabilities of partners and stakeholders to develop and implement programs/activities that prevent and reduce pesticide risks to humans, communities, and ecosystems.*
- 3. To protect humans, communities and ecosystems from illness and injury caused by exposure to pesticides through education and outreach targeted toward agricultural workers, pesticide applicators, handlers, and others.*

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1. Administration

- a. PERC is administered at the University of California Davis Extension (UCDE) by Principal Investigator and PERC Director Suzanne Forsyth. Kaci Buhl serves as the Deputy Director of PERC, and Principal Investigator of a subaward from UCDE to Oregon State University (OSU). All of the above are co-investigators on the project, in addition to Dr. Craig Marcus (OSU).
- b. OSU operates under a subaward from UCDE, with approximately 1.0 - 1.4 FTE allocated to the project. Their activities include, but are not limited to: producing publications/documents, ensuring plain language, writing publications/documents that fall within existing areas of expertise, building and maintaining the PERC website, building a collection/clearinghouse of pesticide-related educational materials, creating any mobile applications that are prioritized through needs assessment, and reviewing all draft PERC publications and periodic activity reports.
- c. The U.S. EPA Project Officer, Jeanne Kasai, is responsible for oversight of the project, including its budget and work-plans. In administering the cooperative agreement, Jeanne Kasai also serves as a liaison between PERC and EPA. All communications between PERC staff and/or its project teams and EPA shall include Jeanne Kasai by copy and/or by prior arrangement. See also 4d.

2. Advisory Board

The PERC Advisory Board is charged with steering PERC activities to achieve its objectives in the most efficient and effective way possible. Their advisory role is essential to ensure that PERC resources are used where and when they are most needed to prevent pesticide impacts on human health and the environment.

- a. **Co-Chairs:** The Co-Chairs are responsible for the administration of PERC and its Advisory Board. The Co-Chairs are Suzanne Forsyth (UC Davis Extension) and Kaci Buhl (Oregon State University). They will only be invited to vote when needed to breach an impasse, however, every effort will be made to achieve broader consensus. Co-Chairs may call, cancel, facilitate, and adjourn Advisory Board meetings. Alternates from each institution may be invited to attend or facilitate Advisory Board meetings when one or more Co-Chairs is not able to attend/facilitate.

b. Advisory Board Member Selection

Annually, and as needed, applications will be solicited for Advisory Board members with the goal of adequate representation from key stakeholder groups in pesticide safety education. These groups include, but are not limited to:

- Representatives from each EPA Region
- Representation from the PSEP community (Specifically, this includes Pesticide Safety Education Program Coordinators and their staff, charged with developing and delivering educational programming for certified/professional pesticide applicators.)
- Representation from the SLA community (Specifically, this includes state employees representing State Lead Agencies that hold cooperative agreements with EPA to administer and enforce FIFRA at the state level.)
- Representation from the Tribal community (Specifically, this includes tribal employees charged with coordinating FIFRA-related activities on tribal land, including pesticide applicator relations.)

- Representation from professional associations such as AAPCO, AAPSE, and/or ASPCRO, who serve coordination roles in pesticide safety education delivery.
- Representation from the Certification & Training Assessment Group (CTAG), which serves a coordination role between EPA and state lead agencies in relation to applicators of restricted use pesticides.
- Representation from one or more interested advocacy organizations, who work closely with affected communities such as farm workers, soil & water conservation districts, agricultural producers/employers, pesticide manufacturers, union members, etc.

The Co-Chairs will select Advisory Board members using a published set of criteria.

Those criteria may include, but are not limited to:

- Availability to work on PERC business 5-25 hours per month
- Availability to attend most Advisory Board meetings, which are mainly convened by remote teleconferencing
- Applicability of knowledge, skills, and abilities
- Capacity to serve as a liaison with target constituencies

Advisory Board members will be offered compensation commensurate with their experience and capacity for involvement, within limits set by federal regulations and the PERC budget.

c. Terms of service

Advisory Board members will serve 12-month terms of service, unless otherwise negotiated with the Co-Chairs, or unless they are dismissed.

d. Resignation or Dismissal

Advisory Board Members may resign at any time during their term of service. He or she will not be replaced until the next annual solicitation for Advisory Board Applications.

Advisory Board Members may be dismissed from the Advisory Board at any time by the Co-Chairs. If conduct or communications by an Advisory Board member raise concern, the Co-Chairs shall identify their concerns to the Advisory Board member in writing with a description of possible remedies and/or dismissal. Concerning conduct may include misrepresenting PERC or its projects, divulging draft materials without authorization, undermining the collaborative approach that is emphasized in PERC's name, and/or entering into agreements or relationships that present a real or perceived conflict of interest with PERC projects or objectives.

e. Meetings

- Advisory Board meetings will be facilitated by one or both Co-Chairs with the goal of completing agenda items within the allotted time. In addition, Co-Chairs will facilitate Advisory Board meetings in a way that invites or ensures widespread participation in the decision-making process.
- Advisory Board meetings will be scheduled at least two weeks in advance, and announced using the PERC Advisory Board list-serve (percab@lists.oregonstate.edu).
- Advisory Board members may select alternates to attend Advisory Board meetings by phone, up to three times annually. Alternates should be pre-announced in writing

to the Co-Chairs. Travel funding will not be available for alternates wishing to attend in-person Advisory Board meetings.

f. Roles and Responsibilities

- **Advisory Board members:** The activities of Advisory Board members include, but are not limited to:
 1. Assisting with identification of educational resource needs in his or her constituency(ies),
 2. Ensuring that the PERC publications/outputs are optimized for the intended audience(s),
 3. Field-testing new pesticide educational resources/materials with appropriate audiences by way of delivering training,
 4. Attending Board meetings and making contributions that represent his or her constituency(ies), and
 5. Publicizing the availability of PERC resources in the course of routine travel, presentations, and/or newsletter-type venues, relaying any constructive feedback to the Advisory Board, its Co-Chairs, and/or Project-specific Subject Matter Experts (SMEs), as appropriate.

PERC Advisory Board members have unique access to draft documents, work plans, and other material(s). Drafts shall be held confidential until they are released for public consumption. Those announcements will be made via email to percupdates@lists.oregonstate.edu and percab@lists.oregonstate.edu, at a minimum.

Communications with EPA personnel related to PERC documents or business should involve the Project Officer and PERC Director, at a minimum. If detailed conversations ensue after the Project Officer and PERC Director have been briefed on the general topic(s) of concern, it would not be necessary to copy them on every message/communication.

3. Project Evaluation/Approval Process - New materials to be produced by PERC

- a. **Source of Ideas/proposals:** Anyone may submit ideas. In order to be considered by the PERC Advisory Board, new ideas for materials must be proposed in writing using the web-based submission form provided on the PERC website (www.pesticideresources.org). This is the case for time-sensitive materials and longer-term needs.
- b. **Evaluating Ideas/proposals:** The Advisory Board is asked to consider the following questions in setting priorities for development of pesticide safety materials:
 - 1) *Is the need new or increasing in importance?*
 - 2) *Does the proposed material address documented, recent pesticide impacts on humans, communities, and/or ecosystems?*
 - 3) *Is the medium (e.g. video, brochure, etc.) appropriate to reach the largest number of target users?*
 - 4) *Do the materials require special accommodations and/or specific knowledge to be used?*
 - 5) *Will the proposed material be designed to initiate specific behaviors that will reduce risk?*

- 6) *Are any other entities more qualified, capable, and suited to produce the material instead?*
- 7) *How much off-target movement or misuse, and how many incidents or illnesses could be prevented by investing in specific materials for the specified user group/sector?*

- c. **Approving Ideas/proposals:** There are two mechanisms by which materials may be approved for production/revision using PERC resources: annual waves and fast-track approvals.
- d. **Annual waves:** Each year, the Advisory Board will assemble a master list of proposed projects/new materials/needs. One Advisory Board member will coordinate compilation of the list and provide it to the PERC Director by July 21 (Year 1) or May 15 (Years 2-5). Substantively similar proposals should be combined. Smaller projects that fall within the scope of a larger project (both on the list of proposals) should be combined.

The PERC Director will evaluate the proposed projects, identify 1-2 preliminary approaches for each one (including potential methods of production/distribution), and estimate the resources that may be needed to complete the proposed project(s). About six weeks will be needed to complete this work.

The list of proposed projects will be provided to Advisory Board members by August 17 (Year 1) or June 15 (Years 2-5). The Advisory Board will review the list of proposed projects and confer with key stakeholders, as needed to confidently reflect the needs of his or her constituency(ies).

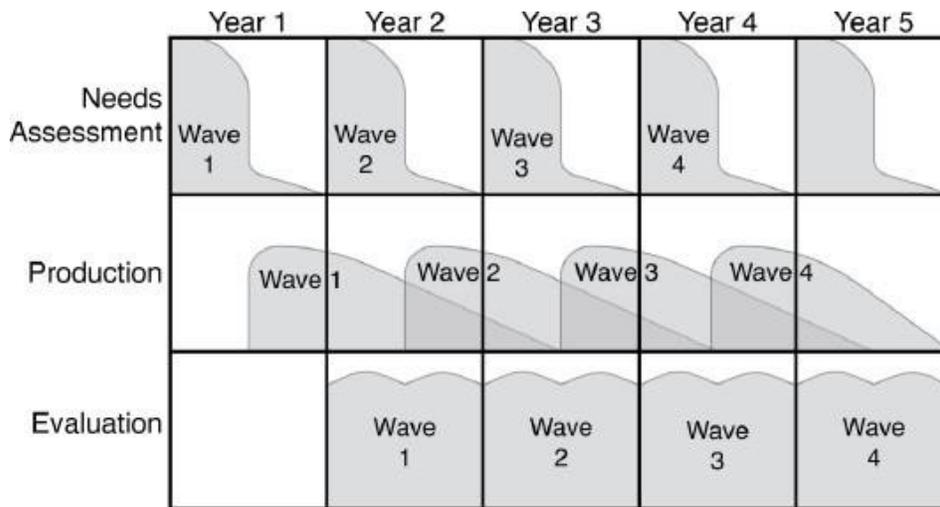
The Advisory Board will provide quantitative feedback about the priority level of each proposed project electronically using a web-based form. This may include scores on a scale of 1-10 to express the proposed material's importance, time-sensitivity, potential impact, and/or other metrics. The numbers will be discussed with qualitative feedback at an official Advisory Board meeting, where some projects will be rejected (**the red-light list**) and the remainder will be generally ordered by priority level.

The PERC Director will evaluate how many of the prioritized projects can be produced within the PERC budget and time constraints. She will identify a **green-light list**: those projects that PERC will pursue as top priorities and a **yellow-light list**: those projects that PERC may pursue if resources are available after the green light projects have been initiated and projections are made based on SME compensation needs, anticipated distribution mechanisms, and other factors.

Distribution of proposals for each annual wave of PERC production:

1. **Red-light list of proposed PERC projects:** Submitters will be notified that their proposal was not selected, and reasons provided.
2. **Yellow-light list of proposed PERC projects:** Submitters will be notified that the Advisory Board saw the need for the new material/project, but other items were prioritized at this time. The project may be initiated if/when resources are available. If it is not initiated by April 15th of the following year, the submitter is invited to re-submit the proposal using the web-based form.

3. **Green-light list of proposed PERC projects:** Submitters will be notified that PERC will initiate production. They may also be invited to participate in the scoping phase of the project (see 4a).



- e. **Fast-track approvals:** As time-sensitive needs are identified, PERC must be agile in responding within its resource capacity. When web-based submissions are flagged by the submitter as ‘time-sensitive’, the PERC Director and Deputy Director will evaluate the proposal within two weeks. They will apply the same criteria listed above (3b) in the national context, using the best information available at the time. They will also consider the resources necessary to execute the project.

Proposals may be rejected by the PERC Director and Deputy Director if, for example, the need is not so time-sensitive that the annual wave process would not be adequate, the material is already being produced, or the project falls outside the scope of PERC activities.

Submitters may be encouraged to use the web-based submission form and rely on the annual evaluation process, which is more robust and representative of national needs. Submitters may be asked for clarification, connected with an Advisory Board member with relevant expertise in order to problem-solve the short-term need outside the PERC umbrella, and/or referred to EPA.

When the PERC Director and Deputy Director agree that the proposal is time-sensitive and congruent with needs expressed in other settings by the Advisory Board and/or key stakeholder groups, they will work with the submitter to define the scope of the project and potential methods.

The fast-track proposal will be described to the Advisory Board via email (percab@lists.oregonstate.edu) by the PERC Director and/or Deputy Director. They will include an estimate of resources needed and resources available, in general terms. They will invite any feedback with a seven-day deadline. **Barring any objections**, the fast-track approval will be announced to the Advisory Board and Project Officer after seven days, and the project will be added to the PERC web page (project status).

4. Project Management

- a. **Scoping Phase:** The PERC Director and Deputy Director will collect information in order to inform the solicitation. They might confer with the Project Officer, one or more Advisory Board members, or other experts in order to narrow the possible outcomes and bring focus to the project.

If the item is something OSU can produce within its production budget and internal expertise, the project will be assigned to OSU. A production coordinator at OSU will develop a project plan and coordinate its development. Progress will be indicated on the PERC status web page.

Before the next phase, the following estimates should be made: 1) What will the project outcomes be? 2) How many, and what type of SMEs will be needed? 3) How many, and what type of production professionals may be needed? 4) Will some production elements be handled by UCDE or OSU staff? 5) Will the project scope include dissemination, and if so, what might that look like? 6) What is an appropriate goal date for completion? A draft project plan may or may not be created/necessary in the scoping phase.

- b. **Solicitation for Subject Matter Experts (SMEs):** PERC staff will prepare a draft solicitation describing the project and the desired qualifications. That document will be made available to the Advisory Board and Project Officer before dissemination, with three business days available to provide comments/suggestions.

Advisory Board members who are considering participation in the project should recuse themselves from the written solicitation's review stage. They should let the PERC Director know, in writing, that they wish to see the solicitation only when it's final (published) for all potential applicants. In this way, no unfair advantage can be conferred or perceived. PERC Co-Chairs may reject any application(s) if they perceive a conflict of interest.

SMEs will be selected using a flexible scoring mechanism by the PERC Director and Deputy Director. No additional points will be awarded for membership on the PERC Advisory Board or previous participation in PERC projects.

- c. **Solicitation for production professionals:** Production professionals may include photographers, videographers, programmers, copyeditors, printing services, etc. If the skills or capacity to produce materials are not available within the PERC staff (UCDE and OSU), PERC staff will prepare a draft solicitation describing the project and desired qualifications. Production professionals will be selected by the PERC Director, consistent with competitive selection policies at the Federal and University levels.
- d. **Project Plan and Coordination:** A coordinator will be identified for each project. That coordinator may be one of the selected SMEs, a PERC staff member, or a member of the PERC Advisory Board. That coordinator will work with the PERC Director and Deputy Director to develop a formal project plan for delivery to EPA. Dates, milestones, and personnel will be identified in the project plan. The project's coordinator will be

responsible for ensuring good communication between project team members and PERC staff (as needed), ensuring that deliverable items are completed according to the project plan, and serving as a liaison between the project team (SMEs and production professionals) and the PERC Director and Deputy Director.

The coordinators for individual projects should channel their communications with EPA through the PERC Director and/or Deputy Director. They are charged with using/maintaining communication channels in a specific way, as prescribed in PERC work plans.

e. Delivery and Final report: Projects will be considered complete when the final products, as described in the project plan, are delivered. If dissemination was part of the project plan, the project’s coordinator should ensure that dissemination has begun (items posted online, items delivered to printing services, etc.) before the project is closed. The project’s coordinator should prepare a summary/conclusion document to describe any deviations from the project plan and any lessons learned. That summary/conclusion will be kept confidential by the PERC Director and Deputy Director.

f. Post-publication changes to PERC documents/materials:
Recognizing the costs (monetary, confusion, version control, etc.) of making changes to previously published materials, they will typically be considered only when the revision will certainly impact human health, environmental protection, and/or regulatory compliance. The PERC Director and Deputy Director will seek input from Advisory Board members and others, as needed, before making a decision about whether or not to embark on post-publication changes to PERC documents/materials.

5. Acceptable Use of PERC Publications

a. Linking to PERC website and PERC publications

Anyone is welcome to post accurate information about PERC and links to PERC resources on websites, with appropriate attribution. No advanced permission is needed.

b. Modifying PERC publications

PERC resources are intended to be used by others, and modification is acceptable within limits explained in 1-3 below.

- 1) Some resources are required to be EPA-approved, and they carry an EPA Approval number that looks like this: EPA Worker PST 00017. Such resources may lose EPA approval if modifications are made. See the text box on page 10 to learn more.
- 2) The PERC logo must be maintained on the modified material, and attribution given. For example, “This document/material is based on a publication that was developed by the Pesticide Educational Resources Collaborative (PERC), through cooperative agreement #X8-83616301 with the US EPA.”
- 3) Credits for photographs and illustrations must be maintained in their entirety.
- 4) If the material is distributed, it must carry the same license that is described below.

c. Selling PERC publications

PERC publications carry the following copyright/license.



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It allows *non-profit* entities to charge a fee for use/distribution.
It does **not** allow *for-profit* entities to charge for PERC products, even if they add value.

**Preliminary Guidance from EPA – Office of Pesticide Programs
Re: EPA-approved training materials for workers, handlers, and trainers under
the Worker Protection Standard (WPS)**

“Users of training materials MUST use the EPA-approved materials in their entirety and as they are provided, except as provided in the next paragraph. Changes to the content, the order of the information, or images in the presentation by a user may negate the approval for that specific use. However, users may present exercises, handouts, and additional images in their sessions to illustrate the points in the presentation (without adding these to the approved material). It is not necessary for EPA to review these additional materials, as EPA expects that they will not conflict with the original EPA- approved materials.

If a user determines that state- or region-specific information (such as crop specific images and information, or information about state/local regulations that modify those of the WPS) will enhance the presentation for their audiences, EPA prefers for those to be included separately, as described above. If it will be disruptive or impractical from a presentation standpoint (for example, to switch from one presentation to another), EPA agrees that slides – preferably as few as possible - may be added to the presentation. The added slides MUST have a statement that identifies the source, and the slide must look distinct from the EPA-approved materials. It is not necessary for EPA to review these slides, as EPA expects that they will not conflict with the original EPA- approved materials.”

d. Special considerations for manuals with associated exams (added July 2018)

When PERC develops materials to prepare/train people who will/did take an exam to be certified/licensed as an applicator of restricted-use pesticides, the following procedures will be observed.

- 1) Such items will be considered “complete” when a manual/exam set are complete and ready for distribution. Manuals and/or exams will not be distributed before the companion piece is also available.
- 2) PERC will announce the availability of the set via email/website, stating:
 - PERC will send a hard copy of the complete manual to each state/tribal entity with a Certification & Training (C&T) program approved by the US EPA

- To request a modifiable version, contact PERCSupport@ucdavis.edu. Requests will be honored for state/tribal entities with a Certification & Training (C&T) program approved by the US EPA. Recipients **must agree** not to distribute electronic versions via email, file-sharing tools, or website(s).
 - To request printed copies “as is” – contact NPSEC.
 - To request exam items (questions/answers), contact Jeanne Kasai at kasai.jeanne@epa.gov
- 3) PERC will cover the costs of the first batch of copies through NPSEC (number to be determined by PERC administrators, pending budget),
 - This will make copies available to states that need more copies to fully consider their decision to a) adopt the manual/exam “as is”, b) modify/supplement the manual/exam, or c) rely on local materials/exams to meet the need.
 - States, tribes, and other entities will be able to negotiate with NPSEC for bulk pricing and/or special orders.
 - 4) PERC will post a short excerpt of the manual on its website, to include the table of contents and 3-5 pages of introductory text.

6. PERC Policy to Accommodate Translation Requests for the WPS Central Posting Poster and other Selected Resources

Background: From time to time, PERC receives inquiries from various stakeholders to provide translations of the central posting posters and AFOP’s worker flipchart into non-English languages. PERC administrators would like the Advisory Board to consider a policy that allows PERC to take on such projects without Board review for each new request.

PERC will consider requests to translate and produce selected PERC materials if all of the following conditions are met:

- 1) There is broad-based need for the resource that will serve an adequate population, preferably Limited English Proficient speakers in more than one geographic region or the translation will benefit more than a few agricultural establishments.
- 2) The requester is willing to provide a qualified reviewer to evaluate the professional translation. A qualified reviewer is considered to be a bilingual field practitioner who has a familiarity with agricultural terms used in the original and translated material including proper pronunciation. An ideal reviewer will have a familiarity with worker protection, WPS-related concepts and other technical terms that may be present.
- 3) The requester will provide to PERC a written explanation of the qualifications of the selected reviewer.
- 4) PERC is willing to compensate the qualified reviewer with a competitive hourly rate of pay. The reviewer would agree to be hired as an employee by the University of California-Davis. The reviewer may also offer their services in-kind and accept payment in the way of printed materials.

Once the above conditions are met, PERC will seek the services of a professional translation company or other qualified organization or individual. The translator does not necessarily need to be [ATA-certified](#) but should bear comparable fluency in the language.

Review Process

- 1) The qualified reviewer must present, in writing, any conflicts, concerns and edits of the translation to the requester and to PERC.
- 2) The reviewer will follow PERC's editing and formatting template to aid the graphic artist in the eventual layout.
- 3) PERC, the requester and reviewer will come to an agreement on suggested edits to the professional translation.
- 4) PERC will manage the layout and design of the translated item.
- 5) The reviewer will review the final layout and sign off on the final draft.
- 6) PERC will manage the distribution on the PERC and NPSEC websites.
- 7) All translated works will bear the following text: ***Disclaimer on resource translations: All non-English versions of resources are translations of the original in English and are for informational purposes only. In case of a discrepancy, the English original will prevail.***

Alternate Translation / Review Process

If an interested group or organization pays for the services of a professional translator as well as engaging the qualified reviewer, the following conditions must be met in order for PERC to consider adoption and distribution:

1. The requester will provide qualifying information on the professional translator to PERC.
2. The requester will provide to PERC, an explanation, in writing, of the qualifications of the qualified reviewer.
3. A qualified reviewer (see explanation above) will review the translated material to verify agricultural terminology, WPS-related concepts and other technical terms.
4. The qualified reviewer must present in writing, any conflicts or edits to the requester and PERC.
5. The reviewer will follow PERC's editing and formatting template to aid the graphic artist in the eventual layout.
6. PERC, the requester and reviewer will come to an agreement on suggested edits to the professional translation.
7. The reviewer will review the final layout and sign off on the final draft.
8. PERC is willing to compensate the qualified reviewer with a competitive hourly rate of pay. The reviewer would agree to be hired as an employee by the University of California-Davis. The reviewer may also offer their services in-kind and accept payment in the way of printed materials.
9. PERC will manage the layout and design of the translated item as well as distribution on the PERC and NPSEC websites.
10. All translated works will bear the following text: ***Disclaimer on resource translations: All non-English versions of resources are translations of the original in English and are for informational purposes only. In case of a discrepancy, the English original will prevail.***