



Preliminary Plan for
Implementing Plain Language
(HB 2702)
in Executive Department Agencies

Nov. 1, 2007



House Bill (HB) 2702 requires the Governor to assign an agency to develop a plan to ensure that written documents produced by executive department agencies conform to plain language standards. A copy of the bill is in appendix A. The Department of Consumer and Business Services (DCBS) is the agency designated to develop the plan and provide status reports to the Legislature in February 2008 and January 2009 (see appendix B).

This preliminary plan provides an outline of the timelines and activities to begin the plain language implementation. As the activities in this plan are completed, DCBS will update the plan and provide it to agencies. By the spring of 2008, agencies will receive more specific direction about where and how to apply the plain language standard, including any staff training requirements.

What is the plain language standard?

Oregon law requires all state agencies to prepare public communications in language that is as clear and simple as possible (ORS 183.750). This includes publications, forms and instructions, licenses, agency notices, and administrative rules. HB 2702 specifies an additional standard for written documents. A document meets the plain language standard if it, whenever possible:

- Uses everyday words that convey meanings clearly and directly
- Uses the present tense and the active voice
- Uses short, simple sentences
- Defines only those words that cannot be properly explained or qualified in the text
- Uses type of a readable size
- Uses layout and spacing that separate the paragraphs and sections of the document from each other

Which agencies must use the plain language standard?

The plain language standard applies to all executive department agencies, including state agencies, boards, commissions, and offices of statewide elected officials. The standard does not apply to judges or the judicial branch, legislative branch, special districts, or local governments.

What are written documents?

Although the bill does not define “written document,” agencies should assume it covers all written materials, including those presented on agency Web pages. To prioritize resources, this plan recommends that agencies first work on external communications directed at the public or the agency’s major constituents. Examples include documents, letters, or brochures that:

- Explain the agency’s work
- Generally describe how to comply with laws enforced by the agency
- Request information from a license applicant
- Provide instructions to fill out forms

Some agency documents have specific legal meaning, such as administrative rules, administrative orders, inter-agency agreements, and public contracts. It is not always possible to convert these documents to the plain language standard without affecting their legal meaning. If agencies have legal resources to apply the plain language standard in these areas, they are encouraged to do so. Later stages of the plan will need to evaluate how the plain language standard could best fit in these areas.

Why use plain language?

The focus of plain language is on the audience and not the writer. When material is in plain language, the audience finds what it needs, understands what it finds, and uses what it finds to meet its needs.

Plain language benefits state agencies and the public they serve. An agency using plain language gets its message across in the shortest time possible and more people can understand the message. Documents in plain language reduce misunderstandings and agencies save time responding to questions. If instructions are clear, readers are more likely to understand and follow them correctly.

Implementation plan

To ensure long-term success and make the best use of existing resources, this plan has two phases. Phase one develops training, builds capacity, and tests these resources using pilot projects. Phase two will recommend how the standard should apply broadly to all agencies based on experience from phase one.

1 Phase One – **Build capacity, develop resources, conduct pilot projects**

Phase one will help state agencies apply the plain language standard, develop and provide guidelines and training, and establish pilot projects to test and refine these items in preparation for application to all agencies.

Phase one focuses on written documents with the broadest general public audience. Depending on the agency, this could mean informational brochures, form letters, correspondence with license applicants, or forms and instructions. These are documents that an average Oregonian is most likely to receive from a state agency.

The first phase will help agencies start to apply the plain language standard, even if they do not participate in a specific pilot project. Each agency will designate a plain language contact to share information about how to improve written communications and meet the plain language standard. In addition, a style guide and Web-based resources will help agencies apply the plain language standard. As agencies revise or create new general public documents, they should incorporate elements of the plain language standard.

Following are the steps for phase one:

Designate plain language contact for each agency

By Dec. 1, 2007, each agency will name a plain language contact person. This contact could be the regulatory streamlining coordinator, public information officer, communications manager, or executive director. This contact will provide information to agency staff about the plain language standard, pilot projects, and training opportunities. These contacts may also attend the early training opportunities developed during phase one. The Department of Consumer and Business Services, through the Office of Regulatory Streamlining, will coordinate and maintain the list of plain language contacts.

Develop style guide and online resources and provide to all agencies

To provide agencies guidance in applying the plain language standard to their written documents, the state will develop a style guide and online resources. These resources will be provided before Jan. 1, 2008, to help all agencies start applying the plain language standard. The Department of Consumer and Business Services, in conjunction with Department of Administrative Services and the pilot project agencies, will develop the style guide. The Oregon State Library will develop and maintain the online resources.

Conduct pilot projects on written documents targeted at the public

The pilot projects selected for phase one will focus on written documents with the broadest general public audience, such as informational brochures, form letters, correspondence with license applicants, or instructions to fill out forms. The pilots will include projects for which agencies can measure their effectiveness. Agencies will conduct pilot projects November 2007 through March 2008. The Department of Consumer and Business Services, through the Office of Regulatory Streamlining, will coordinate the plain language pilot projects.

Pilot agencies for phase one initially include: Department of Administrative Services, Department of Consumer and Business Services, Employment Department, Department of Environmental Quality, Department of Revenue, and the Office of Private Health Partnerships. Additional agencies may participate in the pilot phase.

Develop targeted training plan

Along with the style guide and online resources, the Department of Administrative Services will coordinate development of a targeted training plan by Dec. 1, 2008. The plan will include delivery of training to pilot project agencies and the plain language contacts during January and February 2008. The plan also will identify resources available to state agencies through contracted services and recommend expanded training opportunities for all agencies.

Document agency activities and collect and identify best practices and research

The Department of Consumer and Business Services, through the Office of Regulatory Streamlining, will develop a reporting system to allow agencies to provide feedback and examples of plain language improvements. The online resources will host examples of updated documents. In addition, the Department of Consumer and Business Services will collect research about best practices related to plain language.

Provide status report to Legislature by Feb. 1, 2008

The Department of Consumer and Business Services will provide the required status report by Feb. 1, 2008. The status report will include a summary of activities to implement the plan, including training and resources, and will explain any measured impacts resulting from implementation of the plan.

2 Phase Two – Assess pilot phase, recommend areas for expansion

In spring 2008, the Department of Consumer and Business Services and the pilot agencies will analyze the training, guidelines, and pilot projects to determine their effectiveness and identify the next steps in applying the plain language standard more broadly.

The specific steps for phase two are:

Assess training, resources, and pilot projects and communicate recommendations

Based on the results reported by the pilot project agencies, including feedback on training efforts and resources, Department of Consumer and Business Services and the pilot agencies will conduct an analysis to determine lessons learned during the pilot phase. The analysis will include best practices identified from research about other states' efforts related to plain language.

A report based on the analysis will:

- Recommend how all agencies will apply the plain language standard to public documents
- Include a plan for additional training opportunities
- Identify ways to measure the effectiveness of plain language communications
- Describe how to expand the effort to other types of documents

The Department of Consumer and Business Services will coordinate the assessment, compile the report, and share the recommendations with all agencies by mid-2008.

Provide status report to Legislature by Jan. 1, 2009

The Department of Consumer and Business Services will provide the Jan. 1, 2009 status update to the Legislature. The report will include an update of activities conducted after February 2008 and include recommendations for further legislation regarding plain language standards.

	2007		2008												2009
	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J
Phase 1 - Build capacity, develop resources, conduct pilot projects															
All agencies designate plain language contact for each agency.	■														
DCBS, DAS, State Library, and pilot agencies develop guidelines, style guide, and online resources and provide to all agencies.	■	■													
Pilot agencies conduct pilot projects on written documents targeted at the general public.	■	■	■	■	■										
DAS develops targeted training plan.	■	■	■	■	■										
DCBS documents agency activities and collects and identifies best practices and research.	■	■	■	■	■										
DCBS provides status report to Legislature.				■											
Phase 2 – Assess pilot phase, recommend areas for expansion															
DCBS and pilot agencies conduct assessment of pilot projects and evaluate best practices. DCBS communicates recommendations to all agencies.					■	■	■	■	■						
Expand project based on Phase 1 assessment.									■	■	■	■	■	■	■
DCBS provides status report to Legislature.															■

Contact information

General questions:

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Training plan development:

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Department of Administrative Services
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Online resources:

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Government Research and Electronic Services
Oregon State Library
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Pilot projects (how to participate, reporting results):

Cara Filsinger

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Enrolled
House Bill 2702

Sponsored by Representative RILEY; Representatives BARNHART, BONAMICI, BOQUIST, BUCKLEY, CANNON, DALLUM, C EDWARDS, D EDWARDS, GALIZIO, GELSER, GIROD, GREENLICK, NATHANSON, READ, ROSENBAUM, SHIELDS, THATCHER, TOMEI, WITT, Senators GORDLY, WALKER

CHAPTER

AN ACT

Relating to written documents produced by agencies of state government; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) **The Governor shall assign a state agency in the executive department responsibility for developing a plan to ensure that written documents produced by executive department agencies conform to plain language standards.**

(2) **For purposes of the plan developed in accordance with subsection (1) of this section, a written document conforms to plain language standards if the document, whenever possible:**

- (a) **Uses everyday words that convey meanings clearly and directly;**
- (b) **Uses the present tense and the active voice;**
- (c) **Uses short, simple sentences;**
- (d) **Defines only those words that cannot be properly explained or qualified in the text;**
- (e) **Uses type of a readable size; and**
- (f) **Uses layout and spacing that separate the paragraphs and sections of the document from each other.**

(3) **The agency assigned responsibility for developing the plan shall adopt the plan by November 1, 2007.**

(4) **The agency that develops the plan shall report to the Legislative Assembly in the manner provided by ORS 192.245 not later than February 1, 2008, and not later than January 1, 2009. The reports must include:**

- (a) **A summary of activities by executive department agencies to implement the plan;**
- (b) **A summary of training and resources provided to agencies;**
- (c) **An explanation of any measured impacts resulting from implementation of the plan;**

and

(d) **Any recommendation the agency has for further legislation regarding plain language standards.**

(5) **As used in this section, "executive department" has the meaning given that term in ORS 174.112.**

SECTION 2. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by House April 9, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 7, 2007

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President of Senate

Received by Governor:

.....M.,....., 2007

Approved:

.....M.,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2007

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Secretary of State

Appendix B



THEODORE R. KULONGOSKI
Governor

August 14, 2007

Cory Streisinger, Director
Department of Consumer & Business Services
350 Winter Street NE
PO Box 14480
Salem, OR 97309-0405

Re: House Bill 2702 - Plain Language

Dear Ms. Streisinger:

House Bill 2702 directs me to assign to an executive branch agency the responsibility for developing a plan to ensure that written documents produced by agencies conform to plain language standards. The plan is to be adopted by November 1, 2007, and reports on implementation are to be provided to the Legislative Assembly not later than February 1, 2008, and January 1, 2009.

I am assigning this responsibility to the Department of Consumer and Business Services. I understand that your Office of Regulatory Streamlining will be taking the lead on this project, and that you will consult with and obtain assistance from other agencies as needed and appropriate. I believe that our move to plain language will make it easier for Oregonians to interact with and understand their state government, as well as promoting efficiency and accountability. I look forward to seeing your progress on moving this initiative forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore R. Kulongoski", written over a large, stylized flourish.

THEODORE R. KULONGOSKI
Governor

TRK:cs:tb:jyk