

Senate Bill 589

Sponsored by Senator SCHRADER, Representative HUNT; Senators DEVLIN, MORRISETTE, STARR, Representatives SCHAUFLEER, TOMEI

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Education to conduct study on career and technical education. Appropriates moneys from General Fund to Department of Education for study.

Directs department to identify common name, consistent practices and fee structure for two-plus-two programs.

Requires development of applied baccalaureate degree for selected occupations.

Changes "professional technical education" to "career and technical education."

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

1
2 Relating to education; creating new provisions; amending ORS 107.108, 107.412, 326.051, 327.023,
3 327.485, 329.035, 329.475, 329.850, 329.855, 329.905, 329.915, 332.075, 332.155, 334.175, 336.135,
4 339.865, 340.005, 341.005, 341.009, 341.485, 341.535, 341.655, 344.055, 344.058, 344.070, 344.120,
5 344.130, 344.257, 344.259, 344.745, 344.840, 345.010, 345.320, 345.330, 348.070, 411.120, 414.025,
6 418.035, 421.081, 423.085, 657.335, 657.337, 657.340, 657.345 and 657.350; appropriating money; and
7 declaring an emergency.

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

9 **SECTION 1. (1) During the 2007-2009 biennium, the Department of Education shall con-**
10 **duct a study on career and technical education.**

11 **(2) The department shall:**

12 **(a) Review the best practices in other states and Oregon for career and technical edu-**
13 **cation at all education levels;**

14 **(b) Recommend the best funding mechanism to support:**

15 **(A) Sustainable career and technical education statewide; and**

16 **(B) Regular equipment upgrades for career and technical education programs;**

17 **(c) Identify a performance metric for all Oregon career and technical education programs**
18 **and students after conducting a pilot program to test performance metrics on different ca-**
19 **reer and technical education model programs in Oregon;**

20 **(d) Study different career and technical education models of instruction including:**

21 **(A) Researching how other states offer career and technical education programs and how**
22 **those programs are funded;**

23 **(B) Identifying how transportation is funded for student travel to skill centers; and**

24 **(C) Identifying how employment trends may assist in the formation of career and tech-**
25 **nical education programs; and**

26 **(e) Study the governance structure of career and technical education in other states.**

27 **(3) The department shall seek advice on the study from members of the Workforce 2005**
28 **Task Force and from legislators.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (4) The department shall report to the State Board of Education on the results of the
2 study.

3 **SECTION 2.** There is appropriated to the Department of Education, for the biennium
4 beginning July 1, 2007, out of the General Fund, the amount of \$250,000 for the purpose of
5 conducting a study on career and technical education as provided in section 1 of this 2007
6 Act.

7 **SECTION 3.** During the 2007-2009 biennium, the Department of Education, in consultation
8 with the Department of Community Colleges and Workforce Development and presidents of
9 community colleges, shall identify a common name, consistent practices and fee structures
10 for all two-plus-two programs to be used by all school districts and community colleges.

11 **SECTION 4.** During the 2007-2009 biennium, the Oregon University System, Department
12 of Community Colleges and Workforce Development, Department of Education, community
13 colleges and representatives of business and industry shall collaborate to develop an applied
14 baccalaureate degree for selected high growth and high demand occupations.

15 **SECTION 5.** ORS 107.108 is amended to read:

16 107.108. (1) As used in this section:

17 (a) "Child attending school" means a child of the parties who:

18 (A) Is unmarried;

19 (B) Is 18 years of age or older and under 21 years of age;

20 (C) Is making satisfactory academic progress as defined by the school that the child attends; and

21 (D) Has a course load that is no less than one-half of the load that is determined by the school
22 to constitute full-time enrollment.

23 (b) "Regularly scheduled break" means:

24 (A) A summer semester or term;

25 (B) A period of time not exceeding four months between graduation from or completion of school
26 and the beginning of the next regularly scheduled term, semester or course of study at school;

27 (C) A period of time between the end and beginning of regularly scheduled consecutive school
28 semesters, terms or courses of study; or

29 (D) Any other scheduled break between courses of study that is defined by the school as a reg-
30 ularly scheduled break.

31 (c) "School" means:

32 (A) An educational facility such as a high school, community college, four-year college or uni-
33 versity;

34 (B) A course of [*professional, vocational or*] **career and technical education** training, including
35 the Job Corps, designed to fit the child for gainful employment; or

36 (C) A high school equivalency course, including but not limited to a General Educational De-
37 velopment (GED) program, an educational program for grade 12 or below and home schooling.

38 (2) A support order entered or modified under this chapter or under ORS chapter 25, 108, 109,
39 110, 125, 416, 419B or 419C may require either parent, or both of them, to provide for the support
40 or maintenance of a child attending school.

41 (3) Notwithstanding ORS 416.407, a child attending school is a party to any legal proceeding
42 related to the support order. A child attending school may:

43 (a) Apply for services under ORS 25.080:

44 (A) If a support order provides for the support or maintenance of the child attending school; or

45 (B) In accordance with rules adopted by the Department of Justice;

1 (b) Request a judicial or administrative modification of the child support amount or may receive
 2 notice of and participate in any modification proceeding; and

3 (c) Agree, in the same manner as an obligee under ORS 25.020 (12), that payments not made to
 4 the Department of Justice should be credited for amounts that would have been paid to the child
 5 attending school if the payments had been made to the department.

6 (4) Regardless of whether the child is a child attending school, an unmarried child who is 18
 7 years of age or older and under 21 years of age:

8 (a) Is a necessary party to a judicial proceeding under ORS 107.085, 107.135, 107.431, 108.110,
 9 109.103 or 109.165 in which the child's parents are parties and the court has authority to order or
 10 modify support for a child attending school; and

11 (b) May request notice of any proceeding initiated by the administrator to modify a support or-
 12 der that may affect the child's rights as a child attending school. To receive notice, the child shall
 13 provide an address to the administrator, and the administrator shall notify the child of any modifi-
 14 cation proceeding by first class mail. To be a party to a proceeding, the child must send a written
 15 request to the administrator within 30 days after the date of the notice of the proceeding.

16 (5)(a) If a support order provides for the support or maintenance of a child attending school and
 17 the child qualifies as a child attending school, unless good cause is found for the distribution of the
 18 payment to be made in some other manner, support shall be distributed to the child if services are
 19 being provided under ORS 25.080 or shall be paid directly to the child if those services are not being
 20 provided.

21 (b) Unless otherwise ordered by the court, administrator or administrative law judge, when there
 22 are multiple children for whom support is ordered, the amount distributed or paid directly to a child
 23 attending school is a prorated share based on the number of children for whom support is ordered.
 24 However, if, due to a parenting time or split custody arrangement, support was not paid to the
 25 parent having primary physical custody of the child before the child turned 18 years of age, support
 26 may not be distributed or paid directly to the child attending school unless the support order is
 27 modified.

28 (c) The Department of Justice shall adopt rules to define good cause and circumstances under
 29 which the administrator or administrative law judge may allocate support by other than a prorated
 30 share and to determine how support is to be allocated in those circumstances.

31 (6)(a) For support payments to continue to be distributed or paid directly to the child attending
 32 school, the child shall provide to each parent ordered to pay support and, if services are being
 33 provided under ORS 25.080, to the department:

34 (A) Written notice of the child's intent to attend or continue to attend school. The child shall
 35 provide the notice before reaching 18 years of age. The notice must include the name of the school
 36 and the expected graduation date or date when the child will stop attending classes. If the child
 37 changes schools, the child shall provide the information required by this subsection concerning the
 38 subsequent school before the expected graduation date or date when the child will stop attending
 39 classes at the previous school.

40 (B) Written consent that:

41 (i) Is directed to the child's school and is in a form consistent with state and federal require-
 42 ments that restrict disclosure of student records;

43 (ii) Gives the school authority to disclose to each parent ordered to pay support the child's en-
 44 rollment status, whether the child is maintaining satisfactory academic progress, a list of courses
 45 in which the child is enrolled and the child's grades; and

1 (iii) States that the disclosure is for the purpose of permitting each parent to verify the child's
2 compliance with the requirements of this section.

3 (b) The child shall provide the written consent form described in paragraph (a)(B) of this sub-
4 section within 30 days after the beginning of the first term or semester after the child reaches 18
5 years of age, at the beginning of each academic year thereafter and as otherwise required by the
6 school to disclose the information under this section.

7 (c) If an order of nondisclosure of information has been entered concerning the child under ORS
8 25.020, the child may provide the information described in paragraph (a)(B) of this subsection in the
9 manner established by the department by rule.

10 (7) Each parent ordered to pay support shall continue to make support payments, to be distrib-
11 uted or paid directly, to the child during regularly scheduled breaks as long as the child intends to
12 continue attending school the next scheduled term or semester.

13 (8) A parent's obligation to pay support to a child attending school is suspended when:

14 (a) The child has reached 18 years of age and has not provided written notice of the child's in-
15 tent to attend or continue to attend school, or the child has graduated or reached the date to stop
16 attending classes, as provided under subsection (6)(a)(A) of this section;

17 (b)(A) Services are not being provided under ORS 25.080;

18 (B) The parent has provided the child with a written notice of the parent's intent to stop paying
19 support directly to the child because the child is no longer a child attending school or the child has
20 not provided the written consent required by subsection (6)(a)(B) of this section; and

21 (C) Thirty days have passed since the parent provided the notice to the child and the parent
22 has not received:

23 (i) Written confirmation from the school that the child is enrolled in the school and is a child
24 attending school; or

25 (ii) The written consent from the child as required by subsection (6)(a)(B) of this section;

26 (c)(A) Services are being provided under ORS 25.080;

27 (B) A parent ordered to pay support has provided the department with written notice that the
28 child is no longer a child attending school or that the child has not provided the written consent
29 required by subsection (6)(a)(B) of this section;

30 (C) The department has provided written notice to the child requiring:

31 (i) Written confirmation, on a form developed by the department, from the school that the child
32 is enrolled in the school and is a child attending school; and

33 (ii) Proof that the written consent required by subsection (6)(a)(B) of this section has been pro-
34 vided to the parent ordered to pay support; and

35 (D) Thirty days have passed since the department provided the notice to the child and the de-
36 partment has not received:

37 (i) Written confirmation from the school that the child is enrolled in the school and is a child
38 attending school; or

39 (ii) Proof that the written consent required by subsection (6)(a)(B) of this section has been pro-
40 vided to the parent ordered to pay support.

41 (9) When a parent's support obligation has been suspended under subsection (8) of this section,
42 the obligation is reinstated:

43 (a) If services are not being provided under ORS 25.080, effective on the date the parent receives
44 written confirmation from the school that the child is enrolled in the school and is a child attending
45 school and receives the written consent from the child as required by subsection (6)(a)(B) of this

1 section; or

2 (b) If services are being provided under ORS 25.080, effective on the date the department re-
3 ceives written confirmation from the school that the child is enrolled in the school and is a child
4 attending school and receives proof that the written consent required by subsection (6)(a)(B) of this
5 section has been provided to the parent ordered to pay support.

6 (10) If a parent ordered to pay support is paying a prorated share under subsection (5) of this
7 section and that obligation is suspended under subsection (8) of this section, the parent shall pay
8 to the obligee the amount previously paid to the child attending school until such time as the sup-
9 port order is modified. The suspension of a parent's obligation to pay support to a child attending
10 school is a substantial change of circumstances for purposes of modifying a support order. In a
11 proceeding to modify a support order, the court, administrator or administrative law judge may or-
12 der a modified amount of support and may order an amount of support to be paid in the event that
13 a support obligation is reinstated under subsection (9) of this section.

14 (11)(a) If services are being provided under ORS 25.080 and the department has suspended a
15 support obligation under subsection (8) of this section or reinstated a support obligation under sub-
16 section (9) of this section, a party may request administrative review of the action within 30 days
17 after the date of the notice that the department has suspended or reinstated the support obligation.

18 (b) The department may adopt rules specifying the issues that may be considered on review.

19 (c) A party may appeal the department's decision on review under ORS 183.484.

20 (12)(a) Notwithstanding any other provision of this section, if a parent who is required to pro-
21 vide for the support or maintenance of a child attending school has established a higher education
22 savings plan for the child's continued education, the court may order payment in accordance with
23 the plan instead of ordering support that would otherwise be distributed or paid directly to the child
24 under this section.

25 (b) If the court orders payment in accordance with the plan, the court may not order compliance
26 with or payment of that provision of the order through the department.

27 (c) As used in this subsection, "higher education savings plan" means a tax-advantaged account
28 established by a parent on behalf of a child for the purpose of paying qualified higher education
29 expenses of the child at eligible educational institutions.

30 (13) A support order that provides for the support or maintenance of a child attending school
31 is subject to this section regardless of when the support order was entered.

32 (14) A support order that provides for the support or maintenance of a child attending school
33 is intended to recognize the importance of continuing education for a child over 18 years of age who
34 does not benefit from an intact family or who has been removed from the household. While support
35 may serve to supplement the resources available to the child attending school, it is not intended to
36 replace other resources or meet all of the financial needs of a child attending school.

37 **SECTION 6.** ORS 107.412 is amended to read:

38 107.412. (1) Upon petition of an individual and after service of notice on the other party in the
39 manner provided by law for service of a summons, the court shall conduct a proceeding to determine
40 whether so much of its judgment as provides for the support of a party shall be set aside.

41 (2) Except as provided in subsections (3) and (4) of this section, if the court finds that the party
42 receiving support has not made a reasonable effort during the previous 10 years to become finan-
43 cially self-supporting and independent of the support provided under the judgment, the court shall
44 order that support terminated. In making its finding under this subsection, the court shall consider
45 the following matters:

- 1 (a) The age of the party receiving support;
- 2 (b) The health, work experience and earning capacity of the party;
- 3 (c) The ages, health and dependency conditions of the minor children of the party; and
- 4 (d) Efforts made by the party during the previous 10 years to improve opportunities for gainful

5 or improved employment including, but not limited to, attendance at any school, community college
6 or university or attendance at courses of [*professional or*] **career and technical education** training.

7 (3) A court does not have power under ORS 107.407 and this section to set aside any payment
8 of money for the support of a party that has accrued prior to the filing of the petition under sub-
9 section (1) of this section.

10 (4) ORS 107.407 and this section do not affect a judgment, or any portion of it, that provides for
11 the payment of money for the support of minor children or for the support of a party who is 60 years
12 of age or older when the proceeding under subsection (1) of this section is held.

13 (5) In a proceeding held under subsection (1) of this section, the court may assess against either
14 party a reasonable attorney fee for the benefit of the other party.

15 **SECTION 7.** ORS 326.051 is amended to read:

16 326.051. Subject to ORS 417.300 and 417.305:

17 (1) In addition to such other duties as are prescribed by law and pursuant to the requirement
18 of ORS chapter 183, the State Board of Education shall:

19 (a) Establish state standards for public kindergartens and public elementary and secondary
20 schools consistent with the policies stated in ORS 326.011.

21 (b) Adopt rules for the general governance of public kindergartens and public elementary and
22 secondary schools and public community colleges.

23 (c) Prescribe required or minimum courses of study.

24 (d) Adopt rules regarding school and interscholastic activities in accordance with standards es-
25 tablished pursuant to paragraph (f) of this subsection.

26 (e) Adopt rules that provide that no public elementary or secondary school shall discriminate
27 in determining participation in interscholastic activities. As used in this paragraph,
28 “discrimination” has the meaning given that term in ORS 659.850.

29 (f) Adopt standards applicable to voluntary organizations that administer interscholastic activ-
30 ities as provided in ORS 339.430.

31 (g) Adopt rules that will eliminate the use and purchase of elemental mercury, mercury com-
32 pounds and mercury-added instructional materials by public elementary and secondary schools.

33 (2) The State Board of Education may:

34 (a) Consistent with the laws of this state, accept money or property not otherwise provided for
35 under paragraph (b) of this subsection, which is donated for the use or benefit of the public
36 kindergartens and public elementary and secondary schools and public community colleges and use
37 such money or property for the purpose for which it was donated. Until it is used, the board shall
38 deposit any money received under this paragraph in a special fund with the State Treasurer as
39 provided in ORS 293.265 to 293.275.

40 (b) Apply for federal funds and accept and enter into any contracts or agreements in behalf of
41 the state for the receipt of such funds from the federal government or its agencies for educational
42 purposes, including but not limited to any funds available for the school lunch program, for [*career*
43 *education purposes, for professional technical educational*] **career and technical education** purposes,
44 for adult education, for manpower programs and any grants available to the state or its political
45 subdivisions for general federal aid for public kindergartens and public elementary and secondary

1 schools and public community colleges and their auxiliary services, improvement of teacher prepa-
 2 ration, teacher salaries, construction of school buildings, administration of the Department of Edu-
 3 cation and any other educational activities under the jurisdiction of the State Board of Education.

4 (c) Adopt rules to administer the United States Department of Agriculture's National School
 5 Lunch Program and School Breakfast Program for public and private prekindergarten through grade
 6 12 schools and residential child care facilities.

7 (3) The State Board of Education shall provide a separate, identifiable place on its agenda six
 8 times a year for community college issues. The state board may also consider matters affecting
 9 community colleges at any regular or special meeting.

10 **SECTION 8.** ORS 327.023 is amended to read:

11 327.023. In addition to those moneys distributed through the State School Fund, the Department
 12 of Education shall provide from state funds appropriated therefor, grants in aid or support for spe-
 13 cial and compensatory education programs including:

14 (1) Special schools for children who are deaf or blind as defined in ORS 346.010.

15 (2) Medicaid match for administration efforts to secure Medicaid funds for services provided to
 16 children with disabilities.

17 (3) Hospital programs for education services to children who are hospitalized for extended pe-
 18 riods of time or who require hospitalization due to severe disability as described in ORS 343.261.

19 (4) Private agency programs for education services to children who are placed by the state in
 20 long term care or treatment facilities as described in ORS 343.961.

21 (5) Regional services provided to children with low-incidence disabling conditions as described
 22 in ORS 343.236.

23 (6) Early childhood special education provided to preschool children with disabilities from age
 24 three until age of eligibility for kindergarten as described in ORS 339.185, 343.035, 343.041, 343.055,
 25 343.065, 343.157 and 343.455 to 343.534.

26 (7) Early intervention services for preschool children from birth until age three as described in
 27 ORS 339.185, 343.035, 343.041, 343.055, 343.065, 343.157 and 343.455 to 343.534.

28 (8) Evaluation services for children with disabilities to determine program eligibility and needs
 29 as described in ORS 343.146.

30 (9) Education services to children residing at state hospitals.

31 (10) Disadvantaged children program under ORS 343.680.

32 (11) Early childhood education under ORS 329.215 to 329.235.

33 (12) Child development specialist under ORS 329.255.

34 (13) Youth care centers under ORS 420.885.

35 (14) Staff development and mentoring.

36 (15) [*Professional*] **Career and** technical education grants.

37 (16) Special science education programs.

38 (17) Talented and Gifted children program under ORS 343.391 to 343.413.

39 **SECTION 9.** ORS 327.485 is amended to read:

40 327.485. (1) The Education Cash Account of the General Fund consists of all moneys made
 41 available to the Department of Education by:

42 (a) Charitable and philanthropic foundations, organizations and agencies if the moneys have not
 43 been dedicated for specific use by requirements of other sections of Oregon Revised Statutes;

44 (b) Miscellaneous receipts;

45 (c) Collection of fees from sale of supplies and publications compiled and furnished by the De-

1 partment of Education and distributed or sold to other persons or groups;

2 (d) Funds received as gifts, contributions and bequests for *[professional]* **career and** technical
3 education and moneys received as reimbursements for funds theretofore expended;

4 (e) Moneys received through charges to grants, contracts and other funds for indirect costs; and

5 (f) Any other nondedicated moneys received by the Department of Education for which the
6 Legislative Assembly has established an administrative funds limitation.

7 (2) The provisions of this section do not relieve the department of its responsibilities to sepa-
8 rately account for moneys received as trust funds.

9 (3) Disbursements from the Education Cash Account shall be made as directed by the Depart-
10 ment of Education. The department shall keep a record of all moneys deposited in such account. The
11 record shall indicate by separate cumulative accounts the source from which the moneys are derived
12 and the individual activity against which each withdrawal is charged.

13 **SECTION 10.** ORS 329.035 is amended to read:

14 329.035. The Legislative Assembly declares that:

15 (1) The State of Oregon believes that all students can learn and should be held to rigorous ac-
16 ademic content standards and expected to succeed.

17 (2) Access to a quality education must be provided for all of Oregon's youth regardless of lin-
18 guistic background, culture, race, gender, capability or geographic location.

19 (3) A restructured educational system is necessary to achieve the state's goals of the best edu-
20 cated citizens in the nation and the world.

21 (4) The specific objectives of this chapter and ORS 329.905 to 329.975 are:

22 (a) To achieve the highest standards of academic content and performance;

23 (b) In addition to a diploma, to establish the Certificates of Initial Mastery and Advanced Mas-
24 tery as evidence of new high academic standards of performance for all students;

25 (c) To establish alternative learning environments and services for students who experience
26 difficulties in achieving state or local academic standards;

27 (d) To establish early childhood programs and academic *[professional]* **career and** technical
28 **education** programs as part of a comprehensive educational system; and

29 (e) To establish partnerships among business, labor and the educational community in the de-
30 velopment of standards for academic *[professional]* **career and** technical endorsements and provide
31 work-related learning experiences necessary to achieve those standards.

32 **SECTION 11.** ORS 329.475 is amended to read:

33 329.475. (1) After the State Board of Education adopts standards and rules for the Certificate
34 of Advanced Mastery, each school district shall institute programs that allow students to qualify for
35 a Certificate of Advanced Mastery with career endorsements that prepare students for post-
36 secondary academic pursuits and *[professional]* **career and** technical *[careers]* **training**.

37 (2) School districts may implement the programs in a public education institution such as a
38 public school, education service district, community college, public *[professional]* **career and** tech-
39 nical school or institution of higher education, or any combination thereof, that enrolls the student
40 and meets the requirements of the State Board of Education.

41 (3) The programs must provide a combination of work-related learning experiences and study in
42 accordance with ORS 329.855. The program shall include a comprehensive educational component
43 that meets rigorous academic standards.

44 (4) All courses necessary for a Certificate of Advanced Mastery shall be available to all stu-
45 dents.

1 (5) The State Board of Education shall adopt a framework for the Certificate of Advanced
2 Mastery programs and timelines for implementation of the programs for the school districts to follow
3 as resources become available to the school districts. The Department of Education may provide
4 technical assistance to assist school districts in the implementation of the Certificate of Advanced
5 Mastery programs.

6 (6) In establishing the requirements for Certificates of Advanced Mastery with career endorse-
7 ments, the State Board of Education shall adopt rules that facilitate movement among the endorse-
8 ments and shall encourage public school choice and mobility so as to enhance a student's
9 opportunities for a full range of educational experiences.

10 (7) The public education institution shall be reimbursed for the student's tuition by the district
11 in which the student resides pursuant to ORS 339.115 and rules of the State Board of Education, in
12 an amount not to exceed the student's tuition or the amount the district receives for the student
13 from state funds, whichever is less. A school district shall not receive state funds for the student in
14 an amount that exceeds the student's tuition. Any adult who wishes to pursue an endorsement, or
15 any student having earned the Certificate of Advanced Mastery or a diploma or who has attained
16 19 years of age and who wishes to continue a program, may do so by paying tuition. As used in this
17 section, "public education institution" does not include a public school to which a student has
18 transferred under ORS 329.485.

19 (8) Programs developed under this section shall meet the highest academic standards possible
20 and provide students with opportunities for a broad range of quality work-related learning experi-
21 ences.

22 (9) A high school diploma issued by a private or out-of-state secondary school as signifying
23 successful completion of grade 12 shall be considered equivalent to a high school diploma issued by
24 an Oregon public school.

25 **SECTION 12.** ORS 329.850 is amended to read:

26 329.850. (1) The Education and Workforce Policy Advisor, in consultation with the Department
27 of Education, the Department of Community Colleges and Workforce Development, the Bureau of
28 Labor and Industries, the Economic and Community Development Department and the Department
29 of Human Services, shall propose policies and strategies consistent with this chapter.

30 (2) The Education and Workforce Policy Advisor's policies and strategies must take into account
31 that:

32 (a) The state must promote innovative thinking with respect to the curriculum and educational
33 delivery system of Oregon public schools;

34 (b) The state must require of all youth a level of achievement that prepares them to pursue
35 college, [*professional*] **career and** technical **education** programs, apprenticeships, work-based train-
36 ing and school-to-work programs;

37 (c) Greater employer investment is essential in the ongoing training of all workers to meet
38 workforce needs;

39 (d) The state must encourage Oregon businesses to improve productivity by creating high per-
40 formance work organizations that provide high skills and high wage opportunities for youth and
41 adults; and

42 (e) All employment-related training, education and job placement services and sources of funds
43 must be coordinated among state agencies and boards and must complement the state's overall ef-
44 forts on behalf of youth and adults.

45 **SECTION 13.** ORS 329.855 is amended to read:

1 329.855. (1) The Department of Education, the Department of Community Colleges and
 2 Workforce Development and the Oregon University System in consultation with the Education and
 3 Workforce Policy Advisor shall develop comprehensive education and training programs in accord-
 4 ance with ORS 329.475 for two-year to six-year academic [*professional*] **career and** technical
 5 endorsements, associate degrees and baccalaureate degrees.

6 (2) There may be established a process for industrial certification and a sequence of advanced
 7 certification that could be obtained throughout a person's career.

8 (3) Work groups, including teachers, community members and representatives of business and
 9 labor, may be appointed to offer specialized information concerning knowledge and skill require-
 10 ments for occupations.

11 (4) No fewer than six broad career categories shall be identified, with additional categories
 12 added in future years. The education and training curriculum and achievement standards for each
 13 occupation and trade selected for students to achieve endorsements, associate degrees or
 14 baccalaureate degrees in the occupational categories selected shall be developed and available for
 15 school districts, community colleges and other training sites.

16 (5) In addition to academic content, the curriculum developed for endorsements, associate de-
 17 grees and baccalaureate degrees shall ensure that every student has the option of a high quality
 18 career related course of study that provides the student with experience in and understanding of
 19 future career choices. Career related studies shall include a structured series of real or simulated
 20 activities that in combination with rigorous academic studies shall simultaneously prepare students
 21 for further education, lifelong learning and employment. These activities shall include but not be
 22 limited to:

- 23 (a) Job shadowing;
- 24 (b) Workplace mentoring;
- 25 (c) Workplace simulations;
- 26 (d) School based enterprises;
- 27 (e) Structured work experiences;
- 28 (f) Cooperative work and study programs;
- 29 (g) On-the-job training;
- 30 (h) Apprenticeship programs; or
- 31 (i) Other school-to-work opportunities.

32 (6) In considering where a student can most effectively and economically obtain the knowledge
 33 and skills required for the endorsement or post-secondary study, the Education and Workforce Pol-
 34 icy Advisor may recommend integrating two-plus-two programs, apprenticeship programs and any
 35 other state or federal job training program.

36 (7) Until full statewide implementation, school districts are encouraged to use Certificate of
 37 Advanced Mastery programs that are currently being developed, but modified, if necessary, to best
 38 fit their students' and community's needs.

39 **SECTION 14.** ORS 329.905 is amended to read:

40 329.905. (1) The Legislative Assembly finds that a highly skilled, well-educated workforce is
 41 critical to the present and future competitiveness of Oregon's economy. Curricular and institutional
 42 change throughout the educational process is imperative to achieve Oregon's economic and educa-
 43 tion reform goals. To accomplish fully education reform at the elementary and secondary levels, it
 44 is essential that Oregon's citizens gain a thorough understanding of the significant value of [*profes-*
 45 *sional*] **career and** technical education and the vital role it plays in preparing Oregon's citizens for

1 entry into the workforce, further training or entry into higher education. The Legislative Assembly,
 2 therefore, declares that it is the economic development policy of the state to support and promote
 3 literacy, education and [*professional*] **career and** technical job training for Oregon's citizens. Fur-
 4 ther, the Legislative Assembly declares that it is the goal of the state to achieve the following:

5 (a) Measurably increase the knowledge and improve the skills of Oregon workers;

6 (b) Promote and sponsor effective and responsive training programs for employed and unem-
 7 ployed Oregonians who need literacy and other job-related training;

8 (c) Promote and increase youth enrollment in secondary, post-secondary and apprenticeship
 9 programs that lead to family wage jobs;

10 (d) Secure the active participation and full cooperation of Oregon industry leaders and business
 11 owners in developing programs to increase and improve worker education and performance;

12 (e) Promote and increase the coordination of Oregon's education and job training systems to
 13 more fully respond to the increasingly complex training needs of workers; and

14 (f) Promote and increase access to education and job training programs for all Oregonians re-
 15 gardless of their economic status or geographic location within the state.

16 (2) The Legislative Assembly declares that it is the policy of this state to integrate employment,
 17 training and development programs into its economic development efforts.

18 (3) The Legislative Assembly further declares that the employment development and training
 19 activities provided for in ORS 329.905 to 329.975 are job creation and economic development activ-
 20 ities within the meaning of subsection (3), section 4, Article XV of the Oregon Constitution.

21 (4) The Legislative Assembly further declares that the State of Oregon must dedicate the talents,
 22 resources and energies of its people to having the best trained workforce in the United States and
 23 a workforce equal to any in the world. When this workforce exists, Oregon will have a highly skilled
 24 workforce that is:

25 (a) Engaged by competitive, diversified industries;

26 (b) Supported by education and training;

27 (c) Supported by employment systems that are responsive to the needs of people and the labor
 28 market; and

29 (d) Reflective of the diversity of Oregon's population.

30 (5) The Legislative Assembly further declares that the role of business and industry is critical
 31 to the implementation of education reform and that the goals of ORS 329.905 to 329.975 are:

32 (a) Coordinated and complementary education, training and employment programs.

33 (b) A high performance workforce characterized by diversity, technical competence and eco-
 34 nomic self-sufficiency.

35 (c) Educational performance standards that match the highest in the world.

36 (d) Assurance of educational attention necessary for attainment of high academic standards for
 37 all students.

38 (e) An education and employment training system that has the capacity to meet the training
 39 needs of individuals and employers.

40 (f) Assurance of workforce preparedness for all students through covenants between business
 41 and education.

42 **SECTION 15.** ORS 329.915 is amended to read:

43 329.915. The Legislative Assembly intends that the specific objectives of ORS 329.905 to 329.975
 44 include:

45 (1) Restructuring elementary and secondary schools in this state to teach a higher level of

1 knowledge leading to more effective job skills to all students and to have students attain this
2 knowledge earlier.

3 (2) Developing comprehensive[, *professional*] **career and** technical education programs for stu-
4 dents that lead to industry certification and:

5 (a) Emphasize work-based learning experiences, including apprenticeships and youth appren-
6 ticeship programs;

7 (b) Involve business and labor in the development and delivery of such programs;

8 (c) Recognize and implement standards approved by industry and establish new industry ap-
9 proved standards, equal to the highest international standards for achievement;

10 (d) Provide an articulated education program carrying all students to their maximum potential
11 and including appropriate support services for students and their families;

12 (e) Deliver the support those students most at risk need to succeed; and

13 (f) Produce the high level technical, personal and leadership skills needed by competitive busi-
14 nesses and industries.

15 (3) Helping businesses and industries transform their operations to high performance work or-
16 ganizations where:

17 (a) Frontline workers have higher skills, work in teams and are given greater responsibility for
18 the development and production of a product or service, and receive necessary training for these
19 purposes; and

20 (b) Public and private investment support improved management practices, competitive pro-
21 duction processes and worker training.

22 (4) Encouraging managers and workers to play key roles in preparing and implementing state
23 education and training policy, programs and standards, including support of employee involvement
24 in schools.

25 **SECTION 16.** ORS 332.075 is amended to read:

26 332.075. (1) Any district school board may:

27 (a) Fix the days of the year and the hours of the day when schools shall be in session.

28 (b) Adopt textbooks and other instructional materials as provided in ORS 337.120 and 337.141
29 and courses of study for the use of such schools as provided in ORS 336.035.

30 (c) Authorize the use of the schools for purposes of training students of an approved teacher
31 education institution, as defined in ORS 342.120, and for such purposes may enter into contracts
32 with the approved teacher education institutions on such terms as may be agreed upon. Such con-
33 tracts as they relate to student teachers shall have the same effect and be subject to the same
34 regulations as a contract between a licensed teacher and a district school board.

35 (d) Develop and operate with other school districts or community college districts secondary
36 [*professional*] **career and** technical education programs for pupils of more than one district and fix
37 by agreement the duration of the district's obligation to continue such activity, subject to the
38 availability of funds therefor.

39 (e) Authorize the school district to be a member of and pay fees, if any, to any voluntary or-
40 ganization, approved under ORS 339.430, that administers interscholastic activities or that facilitates
41 the scheduling and programming of interscholastic activities.

42 (f) Accept money or property donated for the use or benefit of the school district and, consistent
43 with the laws of this state, use such money or property for the purpose for which it was donated.

44 (2) All contracts of the school district must be approved by the district school board before an
45 order can be drawn for payment. If a contract is made without the authority of the district school

1 board, the individual making such contract shall be personally liable.

2 (3) Notwithstanding subsection (2) of this section, a district school board may, by resolution or
3 policy, authorize its superintendent or the superintendent's designee to enter into and approve pay-
4 ment on contracts for products, materials, supplies, capital outlay, equipment and services that are
5 within appropriations made by the district school board pursuant to ORS 294.435. A district school
6 board may not authorize its superintendent or the superintendent's designee under this subsection
7 to enter into and approve payment on contracts that are collective bargaining agreements or service
8 contracts that include the provision of labor performed by employees of the school district.

9 **SECTION 17.** ORS 332.155 is amended to read:

10 332.155. A district school board:

11 (1) May furnish, equip, repair, lease, purchase and build schoolhouses, including high schools,
12 junior high schools, [*professional*] **career and** technical schools, gymnasiums, houses for teachers
13 and other employees, and like buildings; and locate, buy and lease lands for all school purposes.
14 Leases authorized by this section include lease-purchase agreements whereunder the district may
15 acquire ownership of the leased property at a nominal price. Such leases and lease-purchase agree-
16 ments may be for a term of up to 30 years.

17 (2) May contract for the removal or containment of asbestos substances in school buildings and
18 for repairs made necessary by such removal or containment. Contracts authorized by this section
19 may be for a term exceeding one year.

20 (3) May construct or cooperate in the construction of schools for training of student teachers
21 on state or district owned lands, for any state institution of higher education in or contiguous to the
22 district, and to expend district funds in so doing.

23 (4) May acquire personal property by a lease-purchase agreement or contract of purchase for a
24 term exceeding one year. A lease-purchase agreement is one in which the rent payable by the dis-
25 trict is expressly agreed to have been established to reflect the savings resulting from the exemption
26 from taxation, and the district is entitled to ownership of the property at a nominal or other price
27 which is stated or determinable by the terms of the agreement and was not intended to reflect the
28 true value of the property.

29 (5) May lease, sell and convey all property of the district as may not in the judgment of the
30 district school board be required for school purposes.

31 (6) May sell property of the district in transactions whereby the district has the right to lease,
32 occupy or reacquire the property following the sale or have facilities constructed thereon or fur-
33 nished to the specifications of the district. The construction or furnishing of such facilities shall be
34 subject to:

35 (a) ORS chapter 279A, except ORS 279A.125 and 279A.250 to 279A.290;

36 (b) ORS chapter 279B, except ORS 279B.235, 279B.240, 279B.270, 279B.275 and 279B.280; and

37 (c) ORS chapter 279C.005, 279C.100 to 279C.125 and 279C.300 to 279C.470.

38 (7) Shall furnish the schools with supplies, equipment, apparatus and services essential to
39 meeting the requirements of a standard school and may furnish such other supplies, equipment, ap-
40 paratus and services as the board considers advisable.

41 (8) May construct, purchase or lease in cooperation with other school districts or community
42 college districts facilities for secondary [*professional*] **career and** technical **education** programs for
43 pupils of more than one district and may furnish or cooperate in furnishing supplies and equipment
44 for such facilities, to be financed in the same manner as other school buildings and supplies are fi-
45 nanced.

1 (9) May purchase real property upon a contractual basis when the period of time allowed for
2 payment under the contract does not exceed 30 years.

3 (10) May purchase relocatable classrooms and other relocatable structures in installment
4 transactions in which deferred installments of the purchase price are payable over not more than
5 10 years from the date such property is delivered to the district for occupancy and are secured by
6 a security interest in such property. Such transactions may take the form of, but are not limited to,
7 lease-purchase agreements.

8 (11) May enter into rental or lease-purchase agreements covering motor vehicles operated by the
9 district.

10 **SECTION 18.** ORS 334.175 is amended to read:

11 334.175. (1) An education service district shall provide regionalized core services to component
12 school districts. The goals of these services are to:

13 (a) Assist component school districts in meeting the requirements of state and federal law;

14 (b) Improve student learning;

15 (c) Enhance the quality of instruction provided to students;

16 (d) Provide professional development to component school district employees;

17 (e) Enable component school districts and the students who attend schools in those districts to
18 have equitable access to resources; and

19 (f) Maximize operational and fiscal efficiencies for component school districts.

20 (2) The services provided by an education service district shall be provided according to a local
21 service plan developed by the education service district and component school districts. The educa-
22 tion service district and component school districts shall develop the local service plan to meet the
23 goals specified in subsection (1) of this section. The local service plan must include services in at
24 least the following areas:

25 (a) Programs for children with special needs, including but not limited to special education ser-
26 vices, services for at-risk students and professional development for employees who provide those
27 services.

28 (b) Technology support for component school districts and the individual technology plans of
29 those districts, including but not limited to technology infrastructure services, data services, in-
30 structional technology services, distance learning and professional development for employees who
31 provide those services.

32 (c) School improvement services for component school districts, including but not limited to
33 services designed to support component school districts in meeting the requirements of state and
34 federal law, services designed to allow the education service district to participate in and facilitate
35 a review of the state and federal standards related to the provision of a quality education by com-
36 ponent school districts, services designed to support and facilitate continuous school improvement
37 planning, services designed to address schoolwide behavior and climate issues and [*professional*]
38 **career and** technical education and professional development for employees who provide those ser-
39 vices.

40 (d) Administrative and support services for component school districts, including but not limited
41 to services designed to consolidate component school district business functions, liaison services
42 between the Department of Education and component school districts and registration of children
43 being taught by private teachers, parents or legal guardians pursuant to ORS 339.035.

44 (e) Other services that an education service district is required to provide by state or federal
45 law, including but not limited to services required under ORS 339.005 to 339.090.

1 (3) In addition to the services specified in subsection (2) of this section, a local service plan may
2 include other services that are designed to meet regional needs.

3 (4) A local service plan shall also contain annual performance measures for the education ser-
4 vice district.

5 (5) A local service plan must:

6 (a) Be adopted by the board of the education service district.

7 (b) After being adopted by the board of the education service district, be approved on or before
8 March 1 by resolution of two-thirds of the component school districts that are a part of the educa-
9 tion service district and that have at least a majority of the pupils included in the average daily
10 membership of the education service district, as determined by the reports of such school districts
11 for the preceding year, enrolled in the schools of the school districts.

12 (6) Notwithstanding the process for approval and adoption required by subsection (5) of this
13 section, if the component school districts approve an amendment to a local service plan pursuant
14 to subsection (5)(b) of this section, the board of an education service district may amend a local
15 service plan that has been previously adopted by the board and approved by the component school
16 districts. An amendment to a local service plan may be done at any time.

17 (7) An education service district may provide the services required by the local service plan
18 directly through the staff of the district. In addition, an education service district may provide ser-
19 vices required by the local service plan through the operation of a public school, a public charter
20 school pursuant to ORS chapter 338, an alternative school or a preschool.

21 (8) An education service district may provide the services required by the local service plan in
22 cooperation with another education service district or with a school district. In addition, an educa-
23 tion service district may contract with a public or private entity for the provision of services.

24 **SECTION 19.** ORS 336.135 is amended to read:

25 336.135. (1) The district school board of any school district in which reside or are employed, or
26 both, at least 15 employed children between the ages of 14 and 18 years shall, and any district
27 school board may, provide classes for such employed children.

28 (2) The State Board of Education shall adopt rules governing the organization and adminis-
29 tration of classes and shall expend from the funds available for the promotion of [*professional*] **ca-**
30 **reer and** technical education such sums of money as are necessary for the classes.

31 **SECTION 20.** ORS 339.865 is amended to read:

32 339.865. (1) A facility shall not permit any person under 18 years of age to possess tobacco
33 products, as defined in ORS 431.840, while the person is present on facility grounds or in facility
34 buildings or attending facility-sponsored activities.

35 (2) The facility must have written policies prohibiting the possession of tobacco products de-
36 scribed in subsection (1) of this section by persons under 18 years of age. The facility must have
37 written plans to implement such policies.

38 (3) This section does not apply to any person for whom a tobacco or nicotine product has been
39 lawfully prescribed.

40 (4) As used in this section, "facility" means public or private schools, youth correction facilities
41 or juvenile detention facilities. "Facility" does not include colleges or universities, [*professional*]
42 **career and** technical schools or community colleges.

43 **SECTION 21.** ORS 340.005 is amended to read:

44 340.005. For purposes of this chapter:

45 (1) "Accelerated college credit program" has the meaning given that term by rules adopted by

1 the State Board of Education.

2 (2) “At-risk student” means:

3 (a) A student who qualifies for a free or reduced lunch program; or

4 (b) An at-risk student as defined by rules adopted by the board if the board has adopted rules
5 to define an at-risk student.

6 (3) “Duplicate course” means a course with a scope that is identical to the scope of another
7 course.

8 (4)(a) “Eligible post-secondary course” means any nonsectarian course or program offered
9 through an eligible post-secondary institution if the course or program may lead to high school
10 completion, a certificate, professional certification, associate degree or baccalaureate degree.

11 (b) “Eligible post-secondary course” does not include a duplicate course offered at the student’s
12 resident school.

13 (c) “Eligible post-secondary course” includes:

14 (A) Academic and [*professional*] **career and** technical courses; and

15 (B) Distance education courses.

16 (5) “Eligible post-secondary institution” means:

17 (a) A community college;

18 (b) A state institution of higher education listed in ORS 352.002; and

19 (c) The Oregon Health and Science University.

20 (6)(a) “Eligible student” means a student who is enrolled in an Oregon public school and who:

21 (A) Is in grade 11 or 12 or who is 16 years of age or older at the time of enrollment in a course
22 under the Expanded Options Program;

23 (B) Has developed an educational learning plan as described in ORS 340.025; and

24 (C) Has not successfully completed four years of high school.

25 (b) “Eligible student” does not include a foreign exchange student enrolled in a school under a
26 cultural exchange program.

27 (7) “Expanded Options Program” means the program created under this chapter.

28 **SECTION 22.** ORS 341.005 is amended to read:

29 341.005. As used in this chapter, unless the context otherwise requires:

30 (1) “Academic year” means the year beginning July 1 of each year and ending June 30 of the
31 following year running concurrently with the fiscal year.

32 (2) “Board” means the board of education of a community college district.

33 (3) “Board member” means a member of the board of education of a community college district.

34 (4) “Commissioner” means the Commissioner for Community College Services appointed under
35 ORS 326.375.

36 (5) “Community college” means a public institution operated by a community college district for
37 the purposes of providing courses of study limited to not more than two years’ full-time attendance,
38 with the exception of technical programs in which the curriculum may require more than two years
39 of attendance but less than four years, and designed to meet the needs of a geographical area by
40 providing educational services, including but not limited to [*professional*] **career and** technical ed-
41 ucation programs or lower division collegiate programs.

42 (6) “Community college district” or “district” means a district formed under this chapter to op-
43 erate one or more community colleges or to secure educational services available at a community
44 college. “Community college district” includes a community college service district.

45 (7) “Full-time equivalent student” means a student or combination of several students who car-

1 ries or carry among them, within a single academic year, a minimum number of clock hours of in-
2 struction, in any program, to be specified by rule by the State Board of Education.

3 (8) "Operating expenses" means the sum of the expenditures of a community college district for
4 administration, instruction, necessary student services, operation and maintenance of plant and fixed
5 charges, as determined in accordance with the rules of the State Board of Education.

6 (9) "Paying agent and registrar" means the county treasurer or county fiscal officer of the
7 county in which the chief administrative officer of the community college district maintains the ad-
8 ministrative office.

9 (10) "Petitioning territory" means a community college district petitioning to have an area out-
10 side the district included in the district or to have an area inside the district excluded from the
11 district, or an area outside the district petitioning to be included within the district.

12 (11) "Principal county" means the county in which the chief administrative officer of the com-
13 munity college district maintains the administrative office.

14 (12) "State board" means the State Board of Education.

15 **SECTION 23.** ORS 341.009 is amended to read:

16 341.009. The Legislative Assembly finds that:

17 (1) The community college is an educational institution which is intended to fill the institutional
18 gap in education by offering broad, comprehensive programs in academic as well as [*professional*]
19 **career and** technical subjects. It is primarily designed to provide associate or certificate degree
20 programs for some, serve a transitional purpose for others who will continue baccalaureate or other
21 college work, provide the ability to enter the workforce immediately and serve to determine future
22 educational needs for other students. It can provide means for continuation of academic education,
23 [*professional*] **career and** technical **education** training or the attainment of entirely new skills as
24 demands for old skills and old occupations are supplanted by new technologies. It may also provide
25 the means to coordinate courses and programs with high schools to enhance the Certificate of Ad-
26 vanced Mastery and to accommodate successful transition to college degree programs.

27 (2) Each community college should be so located as to be within commuting time of a substantial
28 majority of its students. As an economical method of providing education close to the student's
29 home, the community college should remain a commuting institution.

30 (3) The community college should establish its organizational patterns to maintain a unique
31 quality of flexibility and the ability to change to meet changing needs.

32 (4) The community college is a post-high-school institution under the general supervision of the
33 State Board of Education. It should not be a "starter" institution intended to evolve into a four-year
34 baccalaureate institution. It should be concerned with programs terminating before reaching the
35 baccalaureate degree.

36 (5) The community college should continue to be prohibited by law from becoming a
37 baccalaureate degree granting institution.

38 (6) Admission to the community college should be open to high school graduates or to non-high
39 school graduates who can profit from the instruction offered.

40 (7) There should be close cooperation between those directing the community college program
41 and those responsible for higher education, so that lower-division college transfer programs of the
42 community college will provide adequate preparation for entering baccalaureate degree granting
43 programs, and so that students will be able to transfer with a minimum of difficulty.

44 (8) The community college should offer as comprehensive a program as the needs and resources
45 of the area which it serves dictate. Cost to student and quality of instruction in established private

1 institutions should be among the factors in determining necessary duplication of effort.

2 (9) It should be the policy of the community college to open its facilities and make available its
3 resources to the high schools of its area on a sound contractual basis, for appropriate secondary
4 or transitional courses, either academic or [*professional*] **career and** technical, when it is within its
5 ability to provide facilities and it is determined that the high school cannot or does not offer them.

6 (10) Programs designed to meet the needs of the area served should be based on the actual ed-
7 ucational and service needs of the district. Specific [*professional*] **career and** technical courses
8 should be related not only to the employment opportunities of the area but of the state and nation
9 as well. Such determination should be made in consultation with representatives of labor, business,
10 industry, agriculture and other interested groups.

11 (11) The State Board of Education should be responsible for coordinating the community college
12 program of the state and should have general supervisory responsibilities for that program. The
13 State Board of Education should prepare estimates and make the requests for legislative appropri-
14 ations for a reasonable and consistent basis of support and establish standards for the distribution
15 of that support.

16 (12) The initiative for the establishment of new community colleges should come from the lo-
17 calities to be served, as a response to demonstrated educational needs of an area. However, these
18 localities must not only be willing to assume the responsibility for the institutions but must be able
19 to provide resources needed for an adequate educational and service program.

20 (13) The governing board of the community college should be charged with the policy-making
21 function. With respect to educational programming, the governing board should in cooperation with
22 the State Board of Education:

23 (a) Identify educational needs of the district; and

24 (b) Bring together the resources necessary to meet the needs.

25 (14) The state should maintain a policy of substantial state participation in community college
26 building costs and the maintenance of an adequate level of state support for operation. However,
27 no state funds should be appropriated for buildings such as dormitories or athletic facilities for
28 spectator sports. The district should provide a substantial portion of the funds for capital improve-
29 ment as well as for operation of a community college.

30 (15) State appropriations for community colleges shall be made separately from those for other
31 segments of education.

32 (16) The formula for the distribution of funds for operating costs should reflect the heavier op-
33 erating costs and capital outlay for certain [*professional*] **career and** technical courses. Federal
34 funds received for [*professional*] **career and** technical **education** training, adult basic education,
35 workforce development or other federal initiatives should be used for those purposes only and be
36 distributed separately from funds appropriated by the state and should be exempted from the com-
37 putations of the present distribution formula for operating costs.

38 (17) The cost of education to the individual should be sufficiently low to permit students of
39 low-income families to attend. This is particularly true of tuition costs. However, students should
40 pay an amount sufficient to provide an incentive to profit from the instructional program offered.

41 (18) Any eligible Oregon resident should have the right to attend a community college even
42 though not residing in a district operating one, subject to the right of the governing board to limit
43 the size of classes and to give preference to students residing in the district. Local school districts
44 and education service districts should have the authority to negotiate the terms and conditions with
45 the governing boards for the enrollment of students residing in such areas.

1 **SECTION 24.** ORS 341.485 is amended to read:

2 341.485. (1) In addition to any other scholarships provided by law, the board may award tuition
3 and fee-exempting scholarships in the college to students applying for enrollment or who are en-
4 rolled in the college.

5 (2) Scholarships shall be awarded on the basis of the student's:

6 (a) Demonstrated ability to profit from either [*professional*] **career and technical courses** or
7 college transfer courses; and

8 (b) Need for financial assistance.

9 (3) In addition to the qualifications specified in subsection (2) of this section, the board awarding
10 the scholarship may prescribe qualifications that are of such nature that scholarships awarded under
11 this section will benefit both the student and the people of this state.

12 **SECTION 25.** ORS 341.535 is amended to read:

13 341.535. (1) Community college faculty shall not be required to have teaching licenses.

14 (2) Notwithstanding ORS 342.173, community college faculty who provide instruction in cooper-
15 ation with a school district for academic [*professional*] **career and technical education**, school-to-
16 work or other work-related programs under ORS chapter 329 shall not be required to have teaching
17 licenses. If the faculty member is not a regular full-time employee of the community college, the
18 school district shall follow the instructor appraisal committee procedures adopted by the Teacher
19 Standards and Practices Commission.

20 (3) Until a community college becomes accredited by the Northwest Association of Schools and
21 Colleges or its successor, the board shall obtain the approval of the accredited community college
22 with which it contracts for curriculum and instructional services before employing any person to
23 teach transfer courses.

24 **SECTION 26.** ORS 341.655 is amended to read:

25 341.655. (1) As used in this section "approved expenses" means the operating expenses of com-
26 munity college districts for [*professional*] **career and technical education** programs which have been
27 approved by the Commissioner for Community College Services.

28 (2) Federal moneys received for purposes of reimbursing community college districts for [*pro-*
29 *essional*] **career and technical education** programs may be used by the districts to pay approved
30 expenses.

31 **SECTION 27.** ORS 344.055 is amended to read:

32 344.055. It shall be the policy on [*professional*] **career and technical education** and employment
33 training in this state that:

34 (1) Accessibility to [*professional*] **career and technical education** programs should be facilitated.
35 Individuals should have a choice of training opportunities for which they are qualified and from
36 which they can benefit. Such opportunities should be available from school districts, community
37 colleges, federal and state workforce training programs, private [*professional*] **career and technical**
38 schools, apprenticeship programs and institutions of higher education. The student should have easy
39 access to training with the flexibility to move in and out of programs as needs indicate. Opportu-
40 nities should be available for all individuals to obtain the skills and knowledge needed for initial
41 employment as well as for occupational upgrading and job changes.

42 (2) State and local planning and program operations should be coordinated to provide the most
43 efficient use of federal, state, local and private resources.

44 (3) A comprehensive system of education and employment training should be developed. Sec-
45 ondary schools should provide an educational program that balances the educational skills of read-

1 ing, writing, speaking, computation and reasoning ability, occupational skills including technical
2 knowledge, manipulative ability and other skills required to perform job tasks and employment skills
3 such as job seeking, work attitude, work adjustment and job-coping abilities. Community colleges
4 should provide comprehensive programs in both academic and [*professional*] **career and** technical
5 subjects. In addition, community colleges should provide short-term training designed for specific
6 occupations, related training for apprenticeships and opportunities for employed persons to improve
7 their skills. Other providers of employment training should compliment this effort with programs
8 aimed at specific job training.

9 (4) Full working partnerships among education, business, industry, labor, government and agri-
10 culture should be developed to meet employer needs for a skilled workforce and to promote em-
11 ployee job satisfaction. Such partnerships should be fostered by promoting efforts such as work site
12 training stations, lending or donating of equipment to training programs, employee-teacher exchange
13 programs, advisory committees and cooperative work experience programs. All segments of the
14 community should be encouraged to assist in [*professional*] **career and** technical **education** training.

15 (5) Federal, state, local and private funding resources should be combined to ensure the devel-
16 opment and implementation of quality programs. Both the governmental and private sectors should
17 make a commitment to [*professional*] **career and** technical **education** training as an investment that
18 will help bring about economic development and stability as well as high social and financial re-
19 turns. Improvement of existing training programs, as opposed to development of duplicative or par-
20 allel efforts, should be utilized to promote flexibility and economy in the design and delivery of
21 [*professional*] **career and** technical education.

22 (6) High quality [*professional*] **career and** technical **education** training requires an adequate
23 supply of well prepared teachers and support personnel. Provisions should be made for the formal
24 preparation of teachers and for the recruitment of teachers from business and industry. Programs
25 should be designed and implemented to ensure that teachers remain current in their areas of ex-
26 pertise, and instructors should be encouraged to return to business and industry to gain additional
27 experience in their fields. To promote retention of qualified personnel, institutions preparing and
28 licensing teachers and agencies employing teachers should allow credit for relevant [*professional*]
29 **career and** technical **education** experiences.

30 (7) [*Professional*] **Career and** technical education programs and other employment training pro-
31 grams should be developed, operated and evaluated jointly with representatives of the
32 [*professional*] **career and** technical **education** instructional areas included in the programs. Evalu-
33 ation of efforts should consider the cost effectiveness of the program both for society and the state.

34 (8) Each student's educational, [*professional*] **career and** technical **education** and employment
35 skills should be assessed upon entering so that proper placement in the educational program can
36 occur. Credit should be given for prior education, work experience and community service. Assess-
37 ments to determine progress, competency attainment and needed corrective action should be made
38 on a periodic basis. Assistance in obtaining employment and follow-through services to help students
39 succeed on the job should be provided.

40 (9) Provisions should be made to meet the needs of women, minorities, disadvantaged or persons
41 with disabilities and others who have special training needs. Special curricula, facilities, equipment,
42 counseling and instruction should be provided as necessary. The agencies and institutions serving
43 these groups should coordinate use of the available resources to provide cost effective services.

44 (10) Career education provides the learning experiences needed to make effective career choices
45 and to develop the attitudes, knowledges and skills that enable persons to perform successfully in

1 the producer role and to assist them in other related life roles. It progresses through the steps of
 2 awareness and exploration of work, preparation for a broad range of occupations and specialization
 3 in a specific occupation.

4 (11) [*Professional*] **Career and** technical education is taught at the secondary school level, in
 5 post-secondary [*professional*] **career and** technical institutions, community colleges and apprentice-
 6 ship programs and may continue through skill upgrading or retraining for a new career.

7 **SECTION 28.** ORS 344.058 is amended to read:

8 344.058. Each biennium, in addition to and not in lieu of any other moneys, the Department of
 9 Education shall award a grant to the Frontier Learning Network [*professional*] **career and** technical
 10 education program. The grant may be used for:

- 11 (1) Mobile classrooms;
- 12 (2) Developing information and technical systems;
- 13 (3) Creating and implementing curricula;
- 14 (4) Capital improvements;
- 15 (5) Teachers and technical staff;
- 16 (6) Distance learning communications expenses; and
- 17 (7) Special project materials.

18 **SECTION 29.** ORS 344.070 is amended to read:

19 344.070. (1) The Oregon Department of Administrative Services may draw warrants upon any
 20 state fund to which federal funds for training or education have been credited, in payment of
 21 vouchers approved by the Superintendent of Public Instruction or the Commissioner for Community
 22 College Services pursuant to rules of the State Board of Education, in favor of school districts, ed-
 23 ucation service districts and community college districts, for such sums, not exceeding \$100,000 for
 24 a single district in the aggregate, as the state board, by rule, shall determine. The warrants, upon
 25 delivery thereof to the districts, shall constitute advances from state funds to enable the districts
 26 more readily to effectuate the purposes set forth in any federal law or regulation pertaining to
 27 [*professional*] **career and** technical education or other education or training sponsored by the fed-
 28 eral government.

29 (2) The districts to which moneys are advanced shall be responsible for the full repayment to
 30 the state of all sums advanced. The advances are not within any limitation upon indebtedness pre-
 31 scribed by law for districts. The moneys advanced to districts shall not exceed in the aggregate the
 32 moneys to the credit of the state fund from which they are paid, and shall constitute advances to
 33 the recipient district in anticipation of verified vouchers to be supplied therefor. The advances are
 34 to be used as revolving funds for the payment of the costs of [*professional*] **career and** technical
 35 **education** training programs. The advances shall be made only in those cases in which the federal
 36 government defrays all or part of the cost of such programs.

37 **SECTION 30.** ORS 344.120 is amended to read:

38 344.120. All lawfully incurred claims duly approved pursuant to rules of the State Board of Ed-
 39 ucation, including all claims to be paid from the moneys received by the state from the federal
 40 government for [*professional*] **career and** technical education purposes and for which the State
 41 Treasurer is custodian shall be paid as provided in ORS 293.295 to 293.462. The Oregon Department
 42 of Administrative Services shall draw warrants on the State Treasurer in payment thereof out of the
 43 proper appropriations or funds.

44 **SECTION 31.** ORS 344.130 is amended to read:

45 344.130. Any district school board may cooperate with the State Board of Education in estab-

1 lishment of [*professional*] **career and** technical schools or classes giving instruction in agricultural
 2 subjects, the trade or industrial subjects, or in home economics subjects, and may use any moneys
 3 raised by public taxation in the same manner as moneys for other school purposes are used for the
 4 maintenance and support of public schools.

5 **SECTION 32.** ORS 344.257 is amended to read:

6 344.257. (1) For the purposes of ORS 344.259, “continuing education” means organized instruc-
 7 tion to serve the needs of post-secondary students, including but not limited to:

8 (a) Courses as offered to the regular full-time resident post-secondary student consisting of pro-
 9 fessional preparatory courses [*and professional supplementary, technical*], **career and technical**
 10 **courses and** academic and professional courses;

11 (b) Developmental education, consisting of adult basic education, high school completion courses
 12 for a high school diploma, instruction to pass the General Educational Development (GED) tests,
 13 English as a second language instruction, and remedial instruction;

14 (c) Educational activities, consisting of adult self-improvement courses and Federal Cooperative
 15 Extension Service; and

16 (d) Hobby and recreation activities.

17 (2) “Continuing education” for a community college is limited to instruction within district
 18 boundaries and instruction outside district boundaries offered under contract.

19 **SECTION 33.** ORS 344.259 is amended to read:

20 344.259. (1) The State Board of Education shall coordinate continuing education in lower divi-
 21 sion, developmental, adult self-improvement, [*professional*] **career** and technical education for agen-
 22 cies under its regulatory authority. The State Board of Higher Education shall coordinate
 23 continuing education in upper division and graduate education for institutions under its jurisdiction.

24 (2) When significantly adverse impact is alleged by one or more of the agencies listed in this
 25 subsection, the affected parties jointly shall provide for written agreements. These agreements shall
 26 allocate responsibility for planning and providing continuing education or off-campus instruction in
 27 specific areas or by specific types. The agencies are:

28 (a) The State Board of Education.

29 (b) The State Board of Higher Education.

30 (c) Community college districts.

31 (d) Independent colleges.

32 (e) Proprietary schools.

33 (3) In the event the affected parties fail to reach a written agreement within 120 days following
 34 receipt of written notice of the allegation, either party may request the Education and Workforce
 35 Policy Advisor to review and to recommend resolution.

36 (4) Nothing in this section prohibits the offering of upper division or graduate programs within
 37 30 miles of the campus of the Department of Higher Education institution offering the program, or
 38 the offering of lower division programs within 30 miles of the campus offering the program in areas
 39 outside a community college district. Such programs are entitled to the same college credit and fi-
 40 nancial support as programs offered on the campus of the institution.

41 **SECTION 34.** ORS 344.745 is amended to read:

42 344.745. (1) The State Apprenticeship and Training Council and the Department of Education
 43 shall establish youth apprenticeship and training and work based learning programs to provide oc-
 44 cupational skill training for up to 2,000 individual high school students in each biennium.
 45 Notwithstanding the limitation on the number of program participants, the department and the Bu-

1 reau of Labor and Industries may increase the number of participants if federal funds become
 2 available for such an increase. In the building and construction trades industries, there shall be a
 3 maximum of 100 youth apprentices or trainees per biennium. However, the council has the authority
 4 to increase the number of youth apprentices in building and construction trades on the basis of
 5 demonstrated industry need.

6 (2) Participating students must be 16 years of age or older and must be enrolled in a high school
 7 [*professional*] **career and technical education** program that is applicable to the specific youth ap-
 8 prenticeship and training or work based learning program for which they are applying. Students
 9 must demonstrate mastery of the essential competencies contained in an approved career explora-
 10 tion curriculum prior to being registered as a youth apprentice or trainee. In licensed trades for
 11 building and construction and for the operation of equipment and machinery defined as hazardous,
 12 on-the-job training for students 16 or 17 years of age may be simulated cooperatively at a training
 13 site.

14 (3) Participating schools shall develop and maintain a list of students eligible for youth appren-
 15 ticeship and training programs. In a cooperative effort, school districts, education service districts
 16 and local apprenticeship and training committee members shall review and select students for par-
 17 ticipation from the list of eligible students established under this subsection.

18 (4) Employers under ORS 660.002 to 660.210 shall cooperate with the State Director of Appren-
 19 ticeship and Training through the applicable apprenticeship committee to develop training guidelines
 20 consistent with youth apprenticeship and training standards for a specific trade. The guidelines shall
 21 provide listing of work processes and related training to be done that will permit the student to
 22 acquire necessary skills. The employer, school and youth apprentice shall evaluate monthly the
 23 student's progress in high school curriculum, related training and on-the-job training.

24 (5) No registered youth apprentice or trainee shall displace a regular employee of an approved
 25 employer.

26 **SECTION 35.** ORS 344.840 is amended to read:

27 344.840. Upon application of the Director of the Department of Consumer and Business Services,
 28 the district school board of a school district which employs [*professional*] **career and** technical in-
 29 structors or maintains a [*professional*] **career and technical education** training program shall fur-
 30 nish to any person designated by the director such [*professional*] **career and** technical instruction
 31 as is provided for district pupils when the facilities of the district permit. The director shall cause
 32 to be paid to the district the actual cost of such instruction as nearly as may be estimated by the
 33 district school board.

34 **SECTION 36.** ORS 345.010 is amended to read:

35 345.010. As used in ORS 345.010 to 345.450 and 345.992 to 345.997:

36 (1) "Agent" means a person employed by or for a career school for the purpose of procuring
 37 students, enrollees or subscribers by solicitation in any form, made at a place or places other than
 38 the school office or place of business of such school.

39 (2) "Barbering" has the meaning given that term in ORS 690.005.

40 (3) "Board" means the State Board of Education.

41 (4) "Career school" or "school" means any private proprietary [*professional,*] **career and** tech-
 42 nical, home study, correspondence, business or other school instruction, organization or person that
 43 offers any instruction or training for the purpose or purported purpose of instructing, training or
 44 preparing persons for any profession.

45 (5) "Esthetics" has the meaning given in ORS 690.005.

1 (6) "Hair design" has the meaning given in ORS 690.005.

2 (7) "License" means the authority the career school has been granted to operate under ORS
3 345.010 to 345.450.

4 (8) "Nail technology" has the meaning given in ORS 690.005.

5 (9) "Registration" means the approval by the Superintendent of Public Instruction of a teacher
6 or agent to instruct in or to represent the school.

7 (10) "Superintendent" means Superintendent of Public Instruction.

8 **SECTION 37.** ORS 345.320 is amended to read:

9 345.320. (1) The Legislative Assembly finds that career schools are capable of increasing the
10 educational opportunities available in this state or to residents of this state and of making a con-
11 tribution to the social and economic progress of the people of this state. Career schools offer dif-
12 ferent approaches to education than do public schools and are often able to provide [*professional*,]
13 **career and technical education** and placement assistance not otherwise available.

14 (2) It is the purpose of ORS 345.010 to 345.450 to provide for the protection, education and
15 welfare of the citizens of this state, its career schools and its students, by establishing minimum
16 standards concerning quality of education, ethical and business practices, health and safety and
17 fiscal responsibility, and protecting against substandard, transient, unethical, deceptive or fraudulent
18 practices.

19 **SECTION 38.** ORS 345.330 is amended to read:

20 345.330. (1) The Superintendent of Public Instruction shall appoint a representative advisory
21 committee consisting of 11 members who shall serve for terms of three years ending June 30. Of
22 the membership of the committee:

23 (a) Seven members shall be persons affiliated with career schools as owners, directors, admin-
24 istrators, instructors or representatives, but not more than one member shall represent an out-of-
25 state career school.

26 (b) Four members shall be persons who are not eligible under paragraph (a) of this subsection.
27 At least one of these members shall have graduated from a career school.

28 (2) The advisory committee appointed under subsection (1) of this section shall:

29 (a) Make recommendations to the superintendent and State Board of Education concerning the
30 need for [*professional*] **career** and technical instructional and training facilities, the types of in-
31 struction and training needed and by whom these can best be provided.

32 (b) Recommend standards for career schools as provided in ORS 345.325 which are consistent
33 with the purposes of such schools.

34 (c) Investigate and present findings to the State Board of Education on the administration and
35 operation of laws relating to career schools. However, the investigations and findings of the advi-
36 sory committee do not affect the authority of the superintendent to issue, deny, suspend or revoke
37 the license of any career school.

38 (d) Consult with the superintendent in determining the refund schedule under ORS 345.115.

39 (e) Make recommendations to the superintendent concerning rule development for ORS 345.010
40 to 345.450 and 345.992 to 345.997.

41 (3) Members of the advisory committee are entitled to compensation and expenses as provided
42 in ORS 292.495 from funds appropriated to the Department of Education for purposes of adminis-
43 tering ORS 345.010 to 345.450.

44 **SECTION 39.** ORS 348.070 is amended to read:

45 348.070. To assist the Oregon Student Assistance Commission and the Department of State

1 Lands in determining the qualification of schools, the Superintendent of Public Instruction shall
 2 maintain a listing of career schools offering [*professional*] **career** and technical **education** training
 3 that meets the occupational needs of the student.

4 **SECTION 40.** ORS 411.120 is amended to read:

5 411.120. The Department of Human Services may, subject to the allotment system provided for
 6 in ORS 291.234 to 291.260, expend such sums as are required to be expended in this state to provide
 7 public assistance excluding medical assistance. Expenditures for public assistance include, but are
 8 not limited to, expenditures for the following purposes:

9 (1) General assistance to needy persons and their dependents.

10 (2) Temporary assistance for needy families granted under ORS 418.035 to 418.125, including
 11 services to relatives with whom dependent children applying for or receiving temporary assistance
 12 for needy families are living in order to help such relatives attain the maximum self-support or
 13 self-care consistent with the maintenance of continuing parental care and protection or in order to
 14 maintain and strengthen family life for such children.

15 (3) Assistance provided by the Oregon Supplemental Income Program.

16 (4) General assistance granted under ORS 411.710 to 411.730.

17 (5) Carrying out the provisions of law for child welfare purposes.

18 (6) Scholarships or grants for qualified recipients to provide them education and [*professional*,]
 19 **career and** technical or other helpful training, payable to a publicly supported career school or
 20 educational institution on behalf of the recipient.

21 (7) Other purposes for which the department is authorized to expend funds, including the ad-
 22 ministration expenses of the department.

23 (8) Carrying out the provisions of ORS 411.116.

24 **SECTION 41.** ORS 414.025 is amended to read:

25 414.025. As used in this chapter, unless the context or a specially applicable statutory definition
 26 requires otherwise:

27 (1) "Category of aid" means assistance provided by the Oregon Supplemental Income Program,
 28 temporary assistance for needy families granted under ORS 418.035 to 418.125 or federal Supple-
 29 mental Security Income payments.

30 (2) "Categorically needy" means, insofar as funds are available for the category, a person who
 31 is a resident of this state and who:

32 (a) Is receiving a category of aid.

33 (b) Would be eligible for, but is not receiving a category of aid.

34 (c) Is in a medical facility and, if the person left such facility, would be eligible for a category
 35 of aid.

36 (d) Is under the age of 21 years and would be a dependent child under the program for tempo-
 37 rary assistance for needy families except for age and regular attendance in school or in [*a course*
 38 *of professional or*] **career and** technical **education** training.

39 (e)(A) Is a caretaker relative named in ORS 418.035 (2)(a)(C) who cares for a dependent child
 40 who would be a dependent child under the program for temporary assistance for needy families ex-
 41 cept for age and regular attendance in school or in [*a course of professional or*] **career and** technical
 42 **education** training; or

43 (B) Is the spouse of such caretaker relative and fulfills the requirements of ORS 418.035 (1).

44 (f) Is under the age of 21 years, is in a foster family home or licensed child-caring agency or
 45 institution under a purchase of care agreement and is one for whom a public agency of this state

1 is assuming financial responsibility, in whole or in part.

2 (g) Is a spouse of an individual receiving a category of aid and who is living with the recipient
3 of a category of aid, whose needs and income are taken into account in determining the cash needs
4 of the recipient of a category of aid, and who is determined by the Department of Human Services
5 to be essential to the well-being of the recipient of a category of aid.

6 (h) Is a caretaker relative named in ORS 418.035 (2)(a)(C) who cares for a dependent child re-
7 ceiving temporary assistance for needy families or is the spouse of such caretaker relative and ful-
8 fills the requirements of ORS 418.035 (1).

9 (i) Is under the age of 21 years, is in a youth care center and is one for whom a public agency
10 of this state is assuming financial responsibility, in whole or in part.

11 (j) Is under the age of 21 years and is in an intermediate care facility which includes institutions
12 for the mentally retarded; or is under the age of 22 years and is in a psychiatric hospital.

13 (k) Is under the age of 21 years and is in an independent living situation with all or part of the
14 maintenance cost paid by the Department of Human Services.

15 (L) Is a member of a family that received temporary assistance for needy families in at least
16 three of the six months immediately preceding the month in which such family became ineligible for
17 such assistance because of increased hours of or increased income from employment. As long as the
18 member of the family is employed, such families will continue to be eligible for medical assistance
19 for a period of at least six calendar months beginning with the month in which such family became
20 ineligible for assistance because of increased hours of employment or increased earnings.

21 (m) Is an adopted person under 21 years of age for whom a public agency is assuming financial
22 responsibility in whole or in part.

23 (n) Is an individual or is a member of a group who is required by federal law to be included in
24 the state's medical assistance program in order for that program to qualify for federal funds.

25 (o) Is an individual or member of a group who, subject to the rules of the department and within
26 available funds, may optionally be included in the state's medical assistance program under federal
27 law and regulations concerning the availability of federal funds for the expenses of that individual
28 or group.

29 (p) Is a pregnant woman who would be eligible for temporary assistance for needy families in-
30 cluding such aid based on the unemployment of a parent, whether or not the woman is eligible for
31 cash assistance.

32 (q) Would be eligible for temporary assistance for needy families pursuant to 42 U.S.C. 607 based
33 upon the unemployment of a parent, whether or not the state provides cash assistance.

34 (r) Except as otherwise provided in this section and to the extent of available funds, is a preg-
35 nant woman or child for whom federal financial participation is available under Title XIX of the
36 federal Social Security Act.

37 (s) Is not otherwise categorically needy and is not eligible for care under Title XVIII of the
38 federal Social Security Act or is not a full-time student in a post-secondary education program as
39 defined by the Department of Human Services by rule, but whose family income is less than the
40 federal poverty level and whose family investments and savings equal less than the investments and
41 savings limit established by the department by rule.

42 (3) "Income" has the meaning given that term in ORS 411.704.

43 (4) "Investments and savings" means cash, securities as defined in ORS 59.015, negotiable in-
44 struments as defined in ORS 73.0104 and such similar investments or savings as the Department of
45 Human Services may establish by rule that are available to the applicant or recipient to contribute

1 toward meeting the needs of the applicant or recipient.

2 (5) "Medical assistance" means so much of the following medical and remedial care and services
3 as may be prescribed by the Department of Human Services according to the standards established
4 pursuant to ORS 414.065, including payments made for services provided under an insurance or
5 other contractual arrangement and money paid directly to the recipient for the purchase of medical
6 care:

7 (a) Inpatient hospital services, other than services in an institution for mental diseases;

8 (b) Outpatient hospital services;

9 (c) Other laboratory and X-ray services;

10 (d) Skilled nursing facility services, other than services in an institution for mental diseases;

11 (e) Physicians' services, whether furnished in the office, the patient's home, a hospital, a skilled
12 nursing facility or elsewhere;

13 (f) Medical care, or any other type of remedial care recognized under state law, furnished by
14 licensed practitioners within the scope of their practice as defined by state law;

15 (g) Home health care services;

16 (h) Private duty nursing services;

17 (i) Clinic services;

18 (j) Dental services;

19 (k) Physical therapy and related services;

20 (L) Prescribed drugs, including those dispensed and administered as provided under ORS chapter
21 689;

22 (m) Dentures and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases
23 of the eye or by an optometrist, whichever the individual may select;

24 (n) Other diagnostic, screening, preventive and rehabilitative services;

25 (o) Inpatient hospital services, skilled nursing facility services and intermediate care facility
26 services for individuals 65 years of age or over in an institution for mental diseases;

27 (p) Any other medical care, and any other type of remedial care recognized under state law;

28 (q) Periodic screening and diagnosis of individuals under the age of 21 years to ascertain their
29 physical or mental impairments, and such health care, treatment and other measures to correct or
30 ameliorate impairments and chronic conditions discovered thereby;

31 (r) Inpatient hospital services for individuals under 22 years of age in an institution for mental
32 diseases; and

33 (s) Hospice services.

34 (6) "Medical assistance" includes any care or services for any individual who is a patient in a
35 medical institution or any care or services for any individual who has attained 65 years of age or
36 is under 22 years of age, and who is a patient in a private or public institution for mental diseases.
37 "Medical assistance" includes "health services" as defined in ORS 414.705. "Medical assistance"
38 does not include care or services for an inmate in a nonmedical public institution.

39 (7) "Medically needy" means a person who is a resident of this state and who is considered el-
40 igible under federal law for medically needy assistance.

41 (8) "Resources" has the meaning given that term in ORS 411.704. For eligibility purposes, "re-
42 sources" does not include charitable contributions raised by a community to assist with medical
43 expenses.

44 **SECTION 42.** ORS 418.035 is amended to read:

45 418.035. As used in ORS 418.035 to 418.172, unless the context or a specially applicable statutory

1 definition requires otherwise:

2 (1) "Aid" means money payments with respect to, or on behalf of, a dependent child or children
3 and includes:

4 (a) Money payments to meet the needs of the relative with whom the child is living and:

5 (A) The spouse of the relative if the spouse lives with the relative, the relative is the child's
6 parent and the child is a dependent child by reason of the physical or mental incapacity of a parent;
7 or

8 (B) The spouse of the relative if the spouse lives with the relative, the relative is the child's
9 parent and the child is a dependent child as defined in ORS 418.070 (2)(a) and is dependent by reason
10 of the unemployment of parents.

11 (b) Payments made to a representative payee or guardian pursuant to ORS 418.050 or 418.054.

12 (2)(a) "Dependent child" means a needy child:

13 (A) Who has been deprived of parental support or care by reason of the death, continued ab-
14 sence from the home or physical or mental incapacity of a parent;

15 (B) Whose relatives are not able to provide adequate care and support for the child without
16 public assistance, as defined in ORS 411.010;

17 (C) Who is living with the child's father, mother, grandfather, grandmother, brother, sister,
18 stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew or niece in a place
19 of residence maintained by one or more of such relatives as the child's or their own home; and

20 (D) Who meets the requirements of paragraph (b) of this subsection.

21 (b)(A) Except as provided in subparagraphs (B) and (C) of this paragraph, a "dependent child"
22 must be under the age of 18 years.

23 (B) A child may qualify as a "dependent child," subject to the availability of funds, if the child
24 is 18 or 19 or 20 years of age and a student regularly attending a school in grade 12 or below or
25 regularly attending [*a course of professional or*] **career and technical education** training designed
26 to fit the child for gainful employment, other than a course provided by or through a college or
27 university.

28 (C) Students under the age of 21 years and regularly attending a school, college or university
29 or regularly attending [*a course of professional or*] **career and technical education** training designed
30 to fit the child for gainful employment may be included in the description in subparagraph (B) of this
31 paragraph at the option of the Department of Human Services.

32 (3) "Representative payee" means an individual designated by the department to receive money
33 payments of aid pursuant to ORS 418.050.

34 **SECTION 43.** ORS 421.081 is amended to read:

35 421.081. (1) A Corrections Education Advisory Committee is established. Membership of the
36 committee consists of:

37 (a) The Administrator of Correctional Education, who shall be the chairperson of the committee;

38 (b) The Superintendent of Public Instruction, or a person designated by the superintendent;

39 (c) The Commissioner for Community College Services, or a person designated by the commis-
40 sioner;

41 (d) The chairperson of the State Board of Parole and Post-Prison Supervision, or a person des-
42 ignated by the chairperson; and

43 (e) A public member, to be appointed by the Governor, with professional experience in
44 correctional education.

45 (2) The Administrator of Correctional Education shall plan, design and implement a correctional

1 educational delivery system that can be operated within the existing correctional institutions for
 2 inmates of those institutions. The Corrections Education Advisory Committee shall advise the ad-
 3 ministrator in the planning, design and implementation.

4 (3)(a) The primary objective of the correctional education system is the functional literacy pro-
 5 gram created in ORS 421.084.

6 (b) The secondary objective is to provide [*professional*] **career** and technical education that will
 7 insure that inmates who complete the [*professional*] **career** and technical **education** program will
 8 possess, at a minimum, entry-level marketable [*professional*] **career** and technical skills in an occu-
 9 pational field for which there is a demand in this state.

10 (4) The Administrator of Correctional Education shall provide staff for the committee and shall
 11 have administrative control and accountability for the work of the committee.

12 **SECTION 44.** ORS 423.085 is amended to read:

13 423.085. (1) The Director of the Department of Corrections shall appoint an unclassified em-
 14 ployee to the position of Administrator of Correctional Education.

15 (2) The Administrator of Correctional Education shall be employed full-time with authority over,
 16 and responsibility for, statewide corrections education programs. The administrator shall:

17 (a) Chair the Corrections Education Advisory Committee created in ORS 421.081;

18 (b) Plan, design and implement the correctional education programs required in ORS 421.081;
 19 and

20 (c) Recommend to the Director of the Department of Corrections rules as necessary to carry out
 21 the responsibilities of the office of Administrator of Correctional Education.

22 (3)(a) The Department of Corrections, through the Administrator of Correctional Education, may
 23 negotiate contracts with organizations and agencies to implement the provisions of ORS 421.081,
 24 421.084 and this section. The Department of Corrections, in discharging its duties under this section,
 25 shall honor provisions of existing collective bargaining agreements with current employees of the
 26 department that provide for contracting out.

27 (b) All moneys appropriated to the Department of Corrections for general, [*professional*] **career**
 28 and technical education instruction shall be expended only for those purposes.

29 **SECTION 45.** ORS 657.335 is amended to read:

30 657.335. As used in ORS 657.335 to 657.360:

31 (1) **“Career and technical training” means career and technical training or retraining and**
 32 **basic education, including literacy skills, designed to prepare individuals for gainful employ-**
 33 **ment in recognized or new occupations or to prepare individuals to become self-employed.**
 34 **The term does not include programs of instruction for an individual (including transfer credit**
 35 **programs of instruction given at community colleges) which are primarily intended to lead**
 36 **toward a baccalaureate or higher degree or training that has for its purpose the preparation**
 37 **of individuals for employment in occupations which require a baccalaureate or higher degree**
 38 **from institutions of higher education unless approved by the Director of the Employment**
 39 **Department.**

40 [(1)] (2) “Eligible dislocated workers” means individuals who:

41 (a) Have been terminated or laid off or who have received a notice of termination or layoff, are
 42 eligible for or have exhausted their entitlement to unemployment compensation and are unlikely to
 43 return to their previous industry or occupation;

44 (b) Have been terminated or have received a notice of termination of employment, as a result
 45 of any permanent closure of or any substantial layoff at a plant, facility or enterprise;

1 (c) Are long term unemployed and have limited opportunities for employment or reemployment
 2 in the same or a similar occupation in the area in which such individuals reside, including older
 3 individuals who may have substantial barriers to employment by reason of age;

4 (d) Were self-employed, including farmers and ranchers, and are unemployed as a result of gen-
 5 eral economic conditions in the community in which they reside or because of natural disasters; or

6 (e) Returned to service in the Oregon National Guard or the military reserve forces of the
 7 United States following active duty service as set forth in ORS 657.340 (3)(d).

8 [(2) "*Professional technical training*" means professional and technical training or retraining and
 9 basic education, including literacy skills, designed to prepare individuals for gainful employment in
 10 recognized or new occupations or to prepare individuals to become self-employed. The term does not
 11 include programs of instruction for an individual (including transfer credit programs of instruction
 12 given at community colleges) which are primarily intended to lead toward a baccalaureate or higher
 13 degree or training that has for its purpose the preparation of individuals for employment in occupations
 14 which require a baccalaureate or higher degree from institutions of higher education unless approved
 15 by the Director of the Employment Department.]

16 **SECTION 46.** ORS 657.337 is amended to read:

17 657.337. (1) The state's economic stability is often threatened when workers are being displaced
 18 from the workforce and the workers and their families face hardship and serious social and health
 19 problems.

20 (2) The policy of the state is to promote workforce development by providing eligible dislocated
 21 workers with unemployment compensation and related benefits while they are receiving
 22 [*professional*] **career and** technical training so that they can continue to care for their families and
 23 obtain employment.

24 (3) The Employment Department and the Department of Community Colleges and Workforce
 25 Development will implement the necessary strategies, systems and structures that will provide con-
 26 solidated, streamlined delivery of these services to dislocated workers.

27 (4) It is the policy of the state to encourage the movement of workers into higher wage jobs.

28 (5) It is the policy of the state to make the best use of currently existing service delivery vehi-
 29 cles, training programs and assessment devices to provide services to eligible dislocated workers.

30 (6) In order to assist eligible dislocated workers to continue or complete [*professional*] **career**
 31 **and** technical training, individuals who meet the requirements of ORS 657.335 to 657.360 are eligible
 32 for supplemental benefits as provided in ORS 657.340.

33 **SECTION 47.** ORS 657.340 is amended to read:

34 657.340. (1) Dislocated workers approved for [*professional*] **career and** technical training may
 35 not be denied unemployment insurance benefits solely because they are attending [*professional*] **ca-**
 36 **reer and** technical training, nor shall such individual be denied benefits by reason of leaving work
 37 to enter such training if the work left was part-time or temporary or paid less than 80 percent of
 38 the individual's average weekly wage during the base year.

39 (2) Notwithstanding provisions of this chapter relating to availability for work, actively seeking
 40 work or refusal to accept suitable work, dislocated workers approved for [*professional*] **career and**
 41 technical training and otherwise eligible for benefits are not ineligible for such benefits or waiting
 42 week credit because of attendance in [*professional*] **career and** technical training.

43 (3)(a) Eligible dislocated workers who file valid unemployment compensation claims, upon ex-
 44 haustion of regular benefits, are eligible, subject to the availability of funds, for supplemental ben-
 45 efits from 1 to 26 times the individual's most recent weekly benefit amount based upon the amount

1 needed to continue or complete approved [*professional*] **career and** technical training.

2 (b) Supplemental benefits shall be paid under the same terms and conditions as regular benefits
3 under this chapter, except that the Director of the Employment Department may extend the benefit
4 year of an individual attending an approved [*professional*] **career and** technical training program a
5 sufficient number of weeks to allow the individual to complete the training program.

6 (c) Supplemental benefits under ORS 657.335 to 657.360 may be paid only when the eligible dis-
7 located worker is not eligible to receive extended benefits as provided in ORS 657.321 to 657.329 or
8 additional benefits as provided in ORS 657.331 to 657.334.

9 (d) Supplemental benefits may be paid only to eligible dislocated workers whose unemployment,
10 as determined by the director:

11 (A) Is substantially due to the lack of employment opportunities in the workers' local labor
12 market resulting from:

13 (i) High energy costs;

14 (ii) Extended drought conditions and the attendant economic conditions;

15 (iii) Secondary effects of foreign trade; or

16 (iv) A shift of production to another state or territory of the United States; or

17 (B) Resulted from the workers' return to service in the Oregon National Guard or military re-
18 serve forces of the United States following a change in status from serving under Title 32 to serving
19 under Title 10 of the United States Code at a time designated by the President of the United States
20 by executive order as a period of combatant activities.

21 (4) The receipt of supplemental benefits is conditioned upon the individual's demonstrating sat-
22 isfactory progress and attendance in [*professional*] **career and** technical training.

23 **SECTION 48.** ORS 657.345 is amended to read:

24 657.345. (1) Individuals who are identified as dislocated workers under the federal Workforce
25 Investment Act of 1998 (29 U.S.C. 2801 et seq.), and implementing regulations, and who attend
26 training programs identified under the Act shall be considered to be in approved [*professional*] **ca-**
27 **reer and** technical training. The training shall be for occupations or skills for which there are or
28 are expected to be reasonable employment opportunities in the area or in another area to which the
29 individual is willing to relocate or which relate to the development of a self-employment enterprise
30 for which there is reasonable opportunity for success.

31 (2) In approving [*professional*] **career and** technical training for eligible dislocated workers who
32 do not attend training programs identified in subsection (1) of this section, the Director of the Em-
33 ployment Department shall require:

34 (a) That the [*professional*] **career and** technical training relates to an occupation or skill for
35 which there are, or are expected to be, reasonable employment opportunities in this state or relates
36 to the development of a self-employment enterprise for which there is a reasonable opportunity for
37 success.

38 (b) That the individual has the qualifications and aptitudes to successfully complete such [*pro-*
39 *fessional*] **career and** technical training.

40 **SECTION 49.** ORS 657.350 is amended to read:

41 657.350. The Director of the Employment Department, in consultation with the Department of
42 Community Colleges and Workforce Development, shall promulgate rules as necessary for the ad-
43 ministration of ORS 657.335 to 657.360, including but not limited to procedures for approval, under-
44 taking periodic reviews for continued approval, or for disapproval of [*professional*] **career and**
45 technical training for an individual.

