

Senate Bill 710

Sponsored by Senator SCHRADER

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 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, 2009.

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, 329.850, 332.075, 332.155, 334.175, 336.135, 339.883, 340.005, 341.005, 341.009, 341.485,
4 341.535, 341.655, 344.055, 344.058, 344.070, 344.120, 344.130, 344.257, 344.259, 344.745, 344.840,
5 345.010, 345.320, 345.330, 348.070, 411.120, 412.001, 414.025, 421.081, 423.085, 657.335, 657.337,
6 657.340, 657.345 and 657.350; appropriating money; and declaring an emergency.

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

8 **SECTION 1. (1) During the 2009-2011 biennium, the Department of Education shall con-**
9 **duct a study on career and technical education.**

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

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

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

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

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

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

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

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

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

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

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

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

28 **(4) The department shall report to the State Board of Education on the results of the**

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 study.

2 **SECTION 2.** There is appropriated to the Department of Education, for the biennium
3 beginning July 1, 2009, out of the General Fund, the amount of \$250,000 for the purpose of
4 conducting a study on career and technical education as provided in section 1 of this 2009
5 Act.

6 **SECTION 3.** During the 2009-2011 biennium, the Department of Education, in consultation
7 with the Department of Community Colleges and Workforce Development and presidents of
8 community colleges, shall identify a common name, consistent practices and fee structures
9 for all two-plus-two programs to be used by all school districts and community colleges.

10 **SECTION 4.** During the 2009-2011 biennium, the Oregon University System, Department
11 of Community Colleges and Workforce Development, Department of Education, community
12 colleges and representatives of business and industry shall collaborate to develop an applied
13 baccalaureate degree for selected high growth and high demand occupations.

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

15 107.108. (1) As used in this section:

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

17 (A) Is unmarried;

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

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

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

22 (b) "Regularly scheduled break" means:

23 (A) A summer semester or term;

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

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

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

30 (c) "School" means:

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

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

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

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

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

42 (a) Apply for services under ORS 25.080:

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

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

45 (b) Request a judicial or administrative modification of the child support amount or may receive

1 notice of and participate in any modification proceeding; and

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

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

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

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

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

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

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

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

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

39 (B) Written consent that:

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

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

45 (iii) States that the disclosure is for the purpose of permitting each parent to verify the child's

1 compliance with the requirements of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 107.412. (1) Upon petition of an individual and after service of notice on the other party in the
38 manner provided by law for service of a summons, the court shall conduct a proceeding to determine
39 whether so much of its judgment as provides for the support of a party shall be set aside.

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

45 (a) The age of the party receiving support;

1 (b) The health, work experience and earning capacity of the party;

2 (c) The ages, health and dependency conditions of the minor children of the party; and

3 (d) Efforts made by the party during the previous 10 years to improve opportunities for gainful
 4 or improved employment including, but not limited to, attendance at any school, community college
 5 or university or attendance [at] of courses of [professional or technical training] **career and tech-**
 6 **nical education.**

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] **for career and technical education** pur-
 44 poses, for adult education, for manpower programs and any grants available to the state or its pol-
 45 itical subdivisions for general federal aid for public kindergartens and public elementary and

1 secondary schools and public community colleges and their auxiliary services, improvement of
 2 teacher preparation, teacher salaries, construction of school buildings, administration of the De-
 3 partment of Education and any other educational activities under the jurisdiction of the State Board
 4 of Education.

5 (c) Adopt rules to administer the United States Department of Agriculture's National School
 6 Lunch Program and School Breakfast Program for public and private prekindergarten through grade
 7 12 schools and residential child care facilities.

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

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

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

15 (1) The Oregon School for the Blind and the Oregon School for the Deaf.

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

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

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

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

24 (6) Early childhood special education provided to preschool children with disabilities from age
 25 three until age of eligibility for kindergarten as described in ORS 339.185, 343.035, 343.041, 343.055,
 26 343.065, 343.157 and 343.455 to 343.534.

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

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

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

32 (10) Disadvantaged children program under ORS 343.680.

33 (11) Early childhood education under ORS 329.228 and 329.235.

34 (12) Child development specialist program under ORS 329.255.

35 (13) Youth care centers under ORS 420.885.

36 (14) Staff development and mentoring.

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

38 (16) Special science education programs.

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

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

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

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

45 (b) Miscellaneous receipts;

1 (c) Collection of fees from sale of supplies and publications compiled and furnished by the De-
2 partment of Education and distributed or sold to other persons or groups;

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

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

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

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

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

15 **SECTION 10.** ORS 329.850 is amended to read:

16 329.850. (1) The Education and Workforce Policy Advisor, in consultation with the Department
17 of Education, the Department of Community Colleges and Workforce Development, the Bureau of
18 Labor and Industries, the Economic and Community Development Department and the Department
19 of Human Services, shall propose policies and strategies consistent with this chapter.

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

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

24 (b) The state must require of all youth a level of achievement that prepares them to pursue
25 college, [*professional technical*] **career and technical education** programs, apprenticeships, work-
26 based training and school-to-work programs;

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

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

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

35 **SECTION 11.** ORS 332.075 is amended to read:

36 332.075. (1) Any district school board may:

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

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

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

45 (d) Develop and operate with other school districts or community college districts secondary

1 [professional] **career and** technical education programs for pupils of more than one district and fix
2 by agreement the duration of the district's obligation to continue such activity, subject to the
3 availability of funds therefor.

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

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

9 (2) All contracts of the school district must be approved by the district school board before an
10 order can be drawn for payment. If a contract is made without the authority of the district school
11 board, the individual making such contract shall be personally liable.

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

19 **SECTION 12.** ORS 332.155 is amended to read:

20 332.155. A district school board:

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

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

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

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

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

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

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

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

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

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

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

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

13 (10) May purchase relocatable classrooms and other relocatable structures in installment
14 transactions in which deferred installments of the purchase price are payable over not more than
15 10 years from the date such property is delivered to the district for occupancy and are secured by
16 a security interest in such property. Such transactions may take the form of, but are not limited to,
17 lease-purchase agreements.

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

20 **SECTION 13.** ORS 334.175 is amended to read:

21 334.175. (1) An education service district shall provide regionalized core services to component
22 school districts. The goals of these services are to:

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

24 (b) Improve student learning;

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

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

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

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

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

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

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

42 (c) School improvement services for component school districts, including but not limited to
43 services designed to support component school districts in meeting the requirements of state and
44 federal law, services designed to allow the education service district to participate in and facilitate
45 a review of the state and federal standards related to the provision of a quality education by com-

1 ponent school districts, services designed to support and facilitate continuous school improvement
2 planning, services designed to address schoolwide behavior and climate issues, **career** and [*profes-*
3 *sional*] technical education and professional development for employees who provide those services.

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

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

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

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

14 (5) A local service plan must:

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

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

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

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

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

33 **SECTION 14.** ORS 336.135 is amended to read:

34 336.135. (1) The district school board of any school district in which reside or are employed, or
35 both, at least 15 employed children between the ages of 14 and 18 years shall, and any district
36 school board may, provide classes for such employed children.

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

40 **SECTION 15.** ORS 339.883 is amended to read:

41 339.883. (1) A facility shall not permit any person under 18 years of age to possess tobacco
42 products, as defined in ORS 431.840, while the person is present on facility grounds or in facility
43 buildings or attending facility-sponsored activities.

44 (2) The facility must have written policies prohibiting the possession of tobacco products de-
45 scribed in subsection (1) of this section by persons under 18 years of age. The facility must have

1 written plans to implement such policies.

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

4 (4) As used in this section, “facility” means public or private schools, youth correction facilities
5 or juvenile detention facilities. “Facility” does not include colleges or universities, [*professional*
6 *technical*] **career and technical education** schools or community colleges.

7 **SECTION 16.** ORS 340.005 is amended to read:

8 340.005. For purposes of this chapter:

9 (1) “Accelerated college credit program” has the meaning given that term by rules adopted by
10 the State Board of Education.

11 (2) “At-risk student” means:

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

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

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

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

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

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

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

24 (B) Distance education courses.

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

26 (a) A community college;

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

28 (c) The Oregon Health and Science University.

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

30 (A) Is 16 years of age or older at the time of enrollment in a course under the Expanded Options
31 Program;

32 (B)(i) Is in grade 11 or 12 at the time of enrollment in a course under the Expanded Options
33 Program; or

34 (ii) Is not in grade 11 or 12, because the student has not completed the required number of
35 credits, but who has been allowed by the school district to participate in the program;

36 (C) Has developed an educational learning plan as described in ORS 340.025; and

37 (D) Has not successfully completed the requirements for a high school diploma as established
38 by ORS 329.451, the State Board of Education and the school district board.

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

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

42 (8) “Scope” means depth and breadth of course content as evidenced through a planned course
43 statement including content outline, applicable state content standards where appropriate, course
44 goals and student outcomes.

45 **SECTION 17.** ORS 341.005 is amended to read:

1 341.005. As used in this chapter, unless the context otherwise requires:

2 (1) "Academic year" means the year beginning July 1 of each year and ending June 30 of the
3 following year running concurrently with the fiscal year.

4 (2) "Board" means the board of education of a community college district.

5 (3) "Board member" means a member of the board of education of a community college district.

6 (4) "Commissioner" means the Commissioner for Community College Services appointed under
7 ORS 326.375.

8 (5) "Community college" means a public institution operated by a community college district for
9 the purposes of providing courses of study limited to not more than two years' full-time attendance,
10 with the exception of technical programs in which the curriculum may require more than two years
11 of attendance but less than four years, and designed to meet the needs of a geographical area by
12 providing educational services, including but not limited to [*professional*] **career and** technical ed-
13 ucation programs or lower division collegiate programs.

14 (6) "Community college district" or "district" means a district formed under this chapter to op-
15 erate one or more community colleges or to secure educational services available at a community
16 college. "Community college district" includes a community college service district.

17 (7) "Full-time equivalent student" means a student or combination of several students who car-
18 ries or carry among them, within a single academic year, a minimum number of clock hours of in-
19 struction, in any program, to be specified by rule by the State Board of Education.

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

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

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

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

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

32 **SECTION 18.** ORS 341.009 is amended to read:

33 341.009. The Legislative Assembly finds that:

34 (1) The community college is an educational institution which is intended to fill the institutional
35 gap in education by offering broad, comprehensive programs in academic **subjects** as well as [*pro-*
36 *fessional technical*] **career and technical education** subjects. It is primarily designed to provide
37 associate or certificate degree programs for some, serve a transitional purpose for others who will
38 continue baccalaureate or other college work, provide the ability to enter the workforce imme-
39 diately and serve to determine future educational needs for other students. It can provide means for
40 continuation of academic education, [*professional technical training*] **career and technical educa-**
41 **tion** or the attainment of entirely new skills as demands for old skills and old occupations are
42 supplanted by new technologies. It may also provide the means to coordinate courses and programs
43 with high schools to accommodate successful transition to college degree programs.

44 (2) Each community college should be so located as to be within commuting time of a substantial
45 majority of its students. As an economical method of providing education close to the student's

1 home, the community college should remain a commuting institution.

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

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

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

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

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

16 (8) The community college should offer as comprehensive a program as the needs and resources
17 of the area which it serves dictate. Cost to student and quality of instruction in established private
18 institutions should be among the factors in determining necessary duplication of effort.

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

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

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

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

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

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

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

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

1 ment as well as for operation of a community college.

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

4 (16) The formula for the distribution of funds for operating costs should reflect the heavier op-
5 erating costs and capital outlay for certain [*professional technical*] **career and technical education**
6 courses. Federal funds received for [*professional technical training*] **career and technical**
7 **education**, adult basic education, workforce development or other federal initiatives should be used
8 for those purposes only and be distributed separately from funds appropriated by the state and
9 should be exempted from the computations of the present distribution formula for operating costs.

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

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

18 **SECTION 19.** ORS 341.485 is amended to read:

19 341.485. (1) In addition to any other scholarships provided by law, the board may award tuition
20 and fee-exempting scholarships in the college to students applying for enrollment or who are en-
21 rolled in the college.

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

23 (a) Demonstrated ability to profit from either [*professional technical*] **career and technical ed-**
24 **ucation courses** or college transfer courses; and

25 (b) Need for financial assistance.

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

29 **SECTION 20.** ORS 341.535 is amended to read:

30 341.535. (1) Community college faculty shall not be required to have teaching licenses.

31 (2) Notwithstanding ORS 342.173, community college faculty who provide instruction in cooper-
32 ation with a school district for academic **programs**, [*professional technical*,] **career and technical**
33 **education programs**, school-to-work **programs** or other work-related programs under ORS chapter
34 329 shall not be required to have teaching licenses. If the faculty member is not a regular full-time
35 employee of the community college, the school district shall follow the instructor appraisal com-
36 mittee procedures adopted by the Teacher Standards and Practices Commission.

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

41 **SECTION 21.** ORS 341.655 is amended to read:

42 341.655. (1) As used in this section, "approved expenses" means the operating expenses of com-
43 munity college districts for [*professional*] **career and technical education programs** [*which*] **that**
44 have been approved by the Commissioner for Community College Services.

45 (2) Federal moneys received for purposes of reimbursing community college districts for [*pro-*

1 *professional*] **career and** technical education programs may be used by the districts to pay approved
2 expenses.

3 **SECTION 22.** ORS 344.055 is amended to read:

4 344.055. It shall be the policy on [*professional*] **career and** technical education and employment
5 training in this state that:

6 (1) Accessibility to [*professional*] **career and** technical education programs should be facilitated.
7 Individuals should have a choice of **education and** training opportunities for which they are quali-
8 fied and from which they can benefit. Such opportunities should be available from school districts,
9 community colleges, federal and state workforce **education and** training programs, private [*profes-*
10 *sional technical*] **career and technical education** schools, apprenticeship programs and institutions
11 of higher education. The student should have easy access to **education and** training with the flexi-
12 bility to move in and out of programs as needs indicate. Opportunities should be available for all
13 individuals to obtain the skills and knowledge needed for initial employment as well as for occupa-
14 tional upgrading and job changes.

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

17 (3) A comprehensive system of education and employment training should be developed. Sec-
18 ondary schools should provide an educational program that balances the educational skills of read-
19 ing, writing, speaking, computation and reasoning ability, occupational skills including technical
20 knowledge, manipulative ability and other skills required to perform job tasks and employment skills
21 such as job seeking, work attitude, work adjustment and job-coping abilities. Community colleges
22 should provide comprehensive programs in both academic and [*professional technical*] **career and**
23 **technical education** subjects. In addition, community colleges should provide short-term training
24 designed for specific occupations, related training for apprenticeships and opportunities for em-
25 ployed persons to improve their skills. Other providers of [*employment*] **education and** training
26 should [*compliment*] **complement** this effort with programs aimed at specific job **education and**
27 training.

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

35 (5) Federal, state, local and private funding resources should be combined to ensure the devel-
36 opment and implementation of quality programs. Both the governmental and private sectors should
37 make a commitment to [*professional technical training*] **career and technical education** as an in-
38 vestment that will help bring about economic development and stability as well as high social and
39 financial returns. Improvement of existing [*training*] **education** programs, as opposed to development
40 of duplicative or parallel efforts, should be utilized to promote flexibility and economy in the design
41 and delivery of [*professional*] **career and** technical education.

42 (6) High quality [*professional technical training*] **career and technical education** requires an
43 adequate supply of well prepared teachers and support personnel. Provisions should be made for the
44 formal preparation of teachers and for the recruitment of teachers from business and industry. Pro-
45 grams should be designed and implemented to ensure that teachers remain current in their areas

1 of expertise, and instructors should be encouraged to return to business and industry to gain addi-
 2 tional experience in their fields. To promote retention of qualified personnel, institutions preparing
 3 and licensing teachers and agencies employing teachers should allow credit for relevant [*professional*
 4 *technical*] **career and technical education** experiences.

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

9 (8) Each student's [*educational, professional technical*] **academic, career and technical educa-**
 10 **tion** and employment skills should be assessed upon entering so that proper placement in the edu-
 11 cational program can occur. Credit should be given for prior education, work experience and
 12 community service. Assessments to determine progress, competency attainment and needed correc-
 13 tive action should be made on a periodic basis. Assistance in obtaining employment and follow-
 14 through services to help students succeed on the job should be provided.

15 (9) Provisions should be made to meet the needs of women, minorities, disadvantaged **persons**
 16 or persons with disabilities and others who have special **education or** training needs. Special cur-
 17ricula, facilities, equipment, counseling and instruction should be provided as necessary. The agen-
 18cies and institutions serving these groups should coordinate use of the available resources to
 19 provide cost effective services.

20 (10) Career education provides the learning experiences needed to make effective career choices
 21 and to develop the attitudes, knowledges and skills that enable persons to perform successfully in
 22 the producer role and to assist them in other related life roles. It progresses through the steps of
 23 awareness and exploration of work, preparation for a broad range of occupations and specialization
 24 in a specific occupation.

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

28 **SECTION 23.** ORS 344.058 is amended to read:

29 344.058. Each biennium, in addition to and not in lieu of any other moneys, the Department of
 30 Education shall award a grant to the Frontier Learning Network [*professional*] **career and** technical
 31 education program. The grant may be used for:

- 32 (1) Mobile classrooms;
- 33 (2) Developing information and technical systems;
- 34 (3) Creating and implementing curricula;
- 35 (4) Capital improvements;
- 36 (5) Teachers and technical staff;
- 37 (6) Distance learning communications expenses; and
- 38 (7) Special project materials.

39 **SECTION 24.** ORS 344.070 is amended to read:

40 344.070. (1) The Oregon Department of Administrative Services may draw warrants upon any
 41 state fund to which federal funds for training or education have been credited, in payment of
 42 vouchers approved by the Superintendent of Public Instruction or the Commissioner for Community
 43 College Services pursuant to rules of the State Board of Education, in favor of school districts, ed-
 44 ucation service districts and community college districts, for such sums, not exceeding \$100,000 for
 45 a single district in the aggregate, as the state board, by rule, shall determine. The warrants, upon

1 delivery thereof to the districts, shall constitute advances from state funds to enable the districts
 2 more readily to effectuate the purposes set forth in any federal law or regulation pertaining to
 3 *[professional]* **career and** technical education or other education or training sponsored by the fed-
 4 eral government.

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

13 **SECTION 25.** ORS 344.120 is amended to read:

14 344.120. All lawfully incurred claims duly approved pursuant to rules of the State Board of Ed-
 15 ucation, including all claims to be paid from the moneys received by the state from the federal
 16 government for *[professional]* **career and** technical education purposes and for which the State
 17 Treasurer is custodian shall be paid as provided in ORS 293.295 to 293.462. The Oregon Department
 18 of Administrative Services shall draw warrants on the State Treasurer in payment thereof out of the
 19 proper appropriations or funds.

20 **SECTION 26.** ORS 344.130 is amended to read:

21 344.130. Any district school board may cooperate with the State Board of Education in estab-
 22 lishment of *[professional technical]* **career and technical education** schools or classes giving in-
 23 struction in agricultural subjects, the trade or industrial subjects, or in home economics subjects,
 24 and may use any moneys raised by public taxation in the same manner as moneys for other school
 25 purposes are used for the maintenance and support of public schools.

26 **SECTION 27.** ORS 344.257 is amended to read:

27 344.257. (1) For the purposes of ORS 344.259, "continuing education" means organized instruc-
 28 tion to serve the needs of post-secondary students, including but not limited to:

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

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

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

37 (d) Hobby and recreation activities.

38 (2) "Continuing education" for a community college is limited to instruction within district
 39 boundaries and instruction outside district boundaries offered under contract.

40 **SECTION 28.** ORS 344.259 is amended to read:

41 344.259. (1) The State Board of Education shall coordinate continuing education in lower divi-
 42 sion, developmental, adult self-improvement, *[professional]* **career** and technical education for agen-
 43 cies under its regulatory authority. The State Board of Higher Education shall coordinate
 44 continuing education in upper division and graduate education for institutions under its jurisdiction.

45 (2) When significantly adverse impact is alleged by one or more of the agencies listed in this

1 subsection, the affected parties jointly shall provide for written agreements. These agreements shall
2 allocate responsibility for planning and providing continuing education or off-campus instruction in
3 specific areas or by specific types. The agencies are:

- 4 (a) The State Board of Education.
- 5 (b) The State Board of Higher Education.
- 6 (c) Community college districts.
- 7 (d) Independent colleges.
- 8 (e) Proprietary schools.

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

12 (4) Nothing in this section prohibits the offering of upper division or graduate programs within
13 30 miles of the campus of the Department of Higher Education institution offering the program, or
14 the offering of lower division programs within 30 miles of the campus offering the program in areas
15 outside a community college district. Such programs are entitled to the same college credit and fi-
16 nancial support as programs offered on the campus of the institution.

17 **SECTION 29.** ORS 344.745 is amended to read:

18 344.745. (1) The State Apprenticeship and Training Council and the Department of Education
19 shall establish youth apprenticeship and training and work based learning programs to provide oc-
20 cupational skill training for up to 2,000 individual high school students in each biennium.
21 Notwithstanding the limitation on the number of program participants, the department and the Bu-
22 reau of Labor and Industries may increase the number of participants if federal funds become
23 available for such an increase. In the building and construction trades industries, there shall be a
24 maximum of 100 youth apprentices or trainees per biennium. However, the council has the authority
25 to increase the number of youth apprentices in building and construction trades on the basis of
26 demonstrated industry need.

27 (2) Participating students must be 16 years of age or older and must be enrolled in a high school
28 [*professional technical*] **career and technical education** program that is applicable to the specific
29 youth apprenticeship and training or work based learning program for which they are applying.
30 Students must demonstrate mastery of the essential competencies contained in an approved career
31 exploration curriculum prior to being registered as a youth apprentice or trainee. In licensed trades
32 for building and construction and for the operation of equipment and machinery defined as hazard-
33 ous, on-the-job training for students 16 or 17 years of age may be simulated cooperatively at a
34 training site.

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

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

45 (5) No registered youth apprentice or trainee shall displace a regular employee of an approved

1 employer.

2 **SECTION 30.** ORS 344.840 is amended to read:

3 344.840. Upon application of the Director of the Department of Consumer and Business Services,
 4 the district school board of a school district [*which*] **that** employs [*professional technical*] **career and**
 5 **technical education** instructors or maintains a [*professional technical training*] **career and tech-**
 6 **nical education** program shall furnish to any person designated by the director [*such professional*
 7 *technical instruction as*] **the career and technical education that** is provided for district pupils
 8 when the facilities of the district permit. The director shall cause to be paid to the district the ac-
 9 tual cost of such instruction as nearly as may be estimated by the district school board.

10 **SECTION 31.** ORS 345.010 is amended to read:

11 345.010. As used in ORS 345.010 to 345.450 and 345.992 to 345.997:

12 (1) “Agent” means a person employed by or for a career school for the purpose of procuring
 13 students, enrollees or subscribers by solicitation in any form, made at a place or places other than
 14 the school office or place of business of such school.

15 (2) “Barbering” has the meaning given that term in ORS 690.005.

16 (3) “Board” means the State Board of Education.

17 (4) “Career school” or “school” means any private proprietary [*professional,*] **career and** tech-
 18 nical, home study, correspondence, business or other school instruction, organization or person that
 19 offers any instruction or training for the purpose or purported purpose of instructing, training or
 20 preparing persons for any profession.

21 (5) “Esthetics” has the meaning given in ORS 690.005.

22 (6) “Hair design” has the meaning given in ORS 690.005.

23 (7) “License” means the authority the career school has been granted to operate under ORS
 24 345.010 to 345.450.

25 (8) “Nail technology” has the meaning given in ORS 690.005.

26 (9) “Registration” means the approval by the Superintendent of Public Instruction of a teacher
 27 or agent to instruct in or to represent the school.

28 (10) “Superintendent” means Superintendent of Public Instruction.

29 **SECTION 32.** ORS 345.320 is amended to read:

30 345.320. (1) The Legislative Assembly finds that career schools are capable of increasing the
 31 educational opportunities available in this state or to residents of this state and of making a con-
 32 tribution to the social and economic progress of the people of this state. Career schools offer dif-
 33 ferent approaches to education than do public schools and are often able to provide [*professional,*
 34 *technical*] **career and technical education** and placement assistance not otherwise available.

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

40 **SECTION 33.** ORS 345.330 is amended to read:

41 345.330. (1) The Superintendent of Public Instruction shall appoint a representative advisory
 42 committee consisting of 11 members who shall serve for terms of three years ending June 30. Of
 43 the membership of the committee:

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

1 state career school.

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

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

5 (a) Make recommendations to the superintendent and State Board of Education concerning the
6 need for [*professional and technical instructional and training*] **career and technical education** fa-
7 cilities, the types of instruction and training needed and by whom these can best be provided.

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

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

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

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

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

20 **SECTION 34.** ORS 348.070 is amended to read:

21 348.070. To assist the Oregon Student Assistance Commission and the Department of State
22 Lands in determining the qualification of schools, the Superintendent of Public Instruction shall
23 maintain a listing of career schools offering [*professional and technical training*] **career and tech-**
24 **nical education** that meets the occupational needs of the student.

25 **SECTION 35.** ORS 411.120 is amended to read:

26 411.120. The Department of Human Services may, subject to the allotment system provided for
27 in ORS 291.234 to 291.260, expend such sums as are required to be expended in this state to provide
28 public assistance excluding medical assistance. Expenditures for public assistance include, but are
29 not limited to, expenditures for the following purposes:

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

31 (2) Temporary assistance for needy families granted under ORS 412.001 to 412.069 and 418.647,
32 including services to relatives with whom dependent children applying for or receiving temporary
33 assistance for needy families are living in order to help such relatives attain the maximum self-
34 support or self-care consistent with the maintenance of continuing parental care and protection or
35 in order to maintain and strengthen family life for such children.

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

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

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

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

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

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

45 **SECTION 36.** ORS 412.001 is amended to read:

1 412.001. As used in ORS 412.001 to 412.155 and 418.647, unless the context or a specially appli-
2 cable statutory definition requires otherwise:

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

5 (a) Money payments to meet the needs of the relative with whom the child is living and the
6 spouse of the relative if the spouse lives with the relative, the relative is the child's parent and the
7 child is a dependent child by reason of the physical or mental incapacity, or the unemployment or
8 underemployment, of a parent; or

9 (b) Payments made to a representative payee or guardian pursuant to ORS 412.026 or 412.028.

10 (2) "Caretaker relative" means a dependent child's father, mother, grandfather, grandmother,
11 brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew or
12 niece who lives in a residence maintained by one or more of the relatives as the child's or the rel-
13 ative's own home.

14 (3)(a) "Dependent child" means a needy child:

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

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

20 (C) Who lives with a caretaker relative; and

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

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

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

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

33 (4) "Federally required participation rates" means the participation rates as required by section
34 407 of the Social Security Act.

35 (5) "Representative payee" means an individual designated by the department to receive money
36 payments of aid pursuant to ORS 412.026.

37 **SECTION 37.** ORS 414.025, as amended by section 18a, chapter 861, Oregon Laws 2007, is
38 amended to read:

39 414.025. As used in this chapter, unless the context or a specially applicable statutory definition
40 requires otherwise:

41 (1) "Category of aid" means assistance provided by the Oregon Supplemental Income Program,
42 aid granted under ORS 412.001 to 412.069 and 418.647 or federal Supplemental Security Income
43 payments.

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

- 1 (a) Is receiving a category of aid.
- 2 (b) Would be eligible for, but is not receiving a category of aid.
- 3 (c) Is in a medical facility and, if the person left such facility, would be eligible for a category
4 of aid.
- 5 (d) Is under the age of 21 years and would be a dependent child as defined in ORS 412.001 except
6 for age and regular attendance in school or in a course of [*professional or technical training*] **career**
7 **and technical education**.
- 8 (e)(A) Is a caretaker relative, as defined in ORS 412.001, who cares for a child who would be a
9 dependent child except for age and regular attendance in school or in a course of [*professional or*
10 *technical training*] **career and technical education**; or
- 11 (B) Is the spouse of the caretaker relative.
- 12 (f) Is under the age of 21 years, is in a foster family home or licensed child-caring agency or
13 institution under a purchase of care agreement and is one for whom a public agency of this state
14 is assuming financial responsibility, in whole or in part.
- 15 (g) Is a spouse of an individual receiving a category of aid and who is living with the recipient
16 of a category of aid, whose needs and income are taken into account in determining the cash needs
17 of the recipient of a category of aid, and who is determined by the Department of Human Services
18 to be essential to the well-being of the recipient of a category of aid.
- 19 (h) Is a caretaker relative as defined in ORS 412.001 who cares for a dependent child receiving
20 aid granted under ORS 412.001 to 412.069 and 418.647 or is the spouse of the caretaker relative.
- 21 (i) Is under the age of 21 years, is in a youth care center and is one for whom a public agency
22 of this state is assuming financial responsibility, in whole or in part.
- 23 (j) Is under the age of 21 years and is in an intermediate care facility which includes institutions
24 for persons with mental retardation; or is under the age of 22 years and is in a psychiatric hospital.
- 25 (k) Is under the age of 21 years and is in an independent living situation with all or part of the
26 maintenance cost paid by the Department of Human Services.
- 27 (L) Is a member of a family that received aid in the preceding month under ORS 412.006 or
28 412.014 and became ineligible for aid due to increased hours of or increased income from employ-
29 ment. As long as the member of the family is employed, such families will continue to be eligible for
30 medical assistance for a period of at least six calendar months beginning with the month in which
31 such family became ineligible for assistance due to increased hours of employment or increased
32 earnings.
- 33 (m) Is an adopted person under 21 years of age for whom a public agency is assuming financial
34 responsibility in whole or in part.
- 35 (n) Is an individual or is a member of a group who is required by federal law to be included in
36 the state's medical assistance program in order for that program to qualify for federal funds.
- 37 (o) Is an individual or member of a group who, subject to the rules of the department and within
38 available funds, may optionally be included in the state's medical assistance program under federal
39 law and regulations concerning the availability of federal funds for the expenses of that individual
40 or group.
- 41 (p) Is a pregnant woman who would be eligible for aid granted under ORS 412.001 to 412.069 and
42 418.647, whether or not the woman is eligible for cash assistance.
- 43 (q) Except as otherwise provided in this section and to the extent of available funds, is a preg-
44 nant woman or child for whom federal financial participation is available under Title XIX of the
45 federal Social Security Act.

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

6 (s) Would be eligible for a category of aid but for the receipt of qualified long term care insur-
7 ance benefits under a policy or certificate issued on or after January 1, 2008. As used in this para-
8 graph, “qualified long term care insurance” means a policy or certificate of insurance as defined in
9 ORS 743.652 (6).

10 (3) “Income” has the meaning given that term in ORS 411.704.

11 (4) “Investments and savings” means cash, securities as defined in ORS 59.015, negotiable in-
12 struments as defined in ORS 73.0104 and such similar investments or savings as the Department of
13 Human Services may establish by rule that are available to the applicant or recipient to contribute
14 toward meeting the needs of the applicant or recipient.

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

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

21 (b) Outpatient hospital services;

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

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

24 (e) Physicians’ services, whether furnished in the office, the patient’s home, a hospital, a skilled
25 nursing facility or elsewhere;

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

28 (g) Home health care services;

29 (h) Private duty nursing services;

30 (i) Clinic services;

31 (j) Dental services;

32 (k) Physical therapy and related services;

33 (L) Prescribed drugs, including those dispensed and administered as provided under ORS chapter
34 689;

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

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

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

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

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

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

1 (s) Hospice services.

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

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

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

12 **SECTION 38.** ORS 421.081 is amended to read:

13 421.081. (1) The Administrator of Correctional Education shall plan, design and implement a
14 correctional education system that can be operated within the existing correctional institutions for
15 inmates of those institutions.

16 (2)(a) The primary objective of the correctional education system is the adult basic skills de-
17 velopment program described in ORS 421.084.

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

22 **SECTION 39.** ORS 423.085 is amended to read:

23 423.085. (1) The Director of the Department of Corrections shall appoint an unclassified em-
24 ployee to the position of Administrator of Correctional Education.

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

27 (a) Plan, design and implement the correctional education system required in ORS 421.081; and

28 (b) Recommend to the Director of the Department of Corrections rules as necessary to carry out
29 the responsibilities of the office of Administrator of Correctional Education.

30 (3)(a) The Department of Corrections, through the Administrator of Correctional Education, may
31 negotiate contracts with organizations and agencies to implement the provisions of ORS 421.081 and
32 421.084 and this section. The Department of Corrections, in discharging its duties under this section,
33 shall honor provisions of existing collective bargaining agreements with current employees of the
34 department that provide for contracting out.

35 (b) All moneys appropriated to the Department of Corrections for general[, *professional*] **in-**
36 **struction or career** and technical education instruction shall be expended only for those purposes.

37 **SECTION 40.** ORS 657.335 is amended to read:

38 657.335. As used in ORS 657.335 to 657.360:

39 (1) "**Career and technical education**" means **career and technical education, training or**
40 **retraining and basic education, including literacy skills, designed to prepare individuals for**
41 **gainful employment in recognized or new occupations or to prepare individuals to become**
42 **self-employed. The term does not include programs of instruction for an individual, including**
43 **transfer credit programs of instruction given at community colleges, that are primarily in-**
44 **tended to lead toward a baccalaureate or higher degree or training that has for its purpose**
45 **the preparation of individuals for employment in occupations that require a baccalaureate**

1 **or higher degree from institutions of higher education unless approved by the Director of the**
 2 **Employment Department.**

3 [(1)] (2) “Eligible dislocated workers” means individuals who:

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

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

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

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

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

16 [(2) “Professional technical training” means professional and technical training or retraining and
 17 basic education, including literacy skills, designed to prepare individuals for gainful employment in
 18 recognized or new occupations or to prepare individuals to become self-employed. The term does not
 19 include programs of instruction for an individual (including transfer credit programs of instruction
 20 given at community colleges) which are primarily intended to lead toward a baccalaureate or higher
 21 degree or training that has for its purpose the preparation of individuals for employment in occupations
 22 which require a baccalaureate or higher degree from institutions of higher education unless approved
 23 by the Director of the Employment Department.]

24 **SECTION 41.** ORS 657.337 is amended to read:

25 657.337. (1) The state’s economic stability is often threatened when workers are being displaced
 26 from the workforce and the workers and their families face hardship and serious social and health
 27 problems.

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

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

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

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

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

41 **SECTION 42.** ORS 657.340 is amended to read:

42 657.340. (1) Dislocated workers approved for [*professional technical training*] **career and tech-**
 43 **nical education** may not be denied unemployment insurance benefits solely because they are at-
 44 tending [*professional technical training*] **a career and technical education program**, nor shall such
 45 individual be denied benefits by reason of leaving work to enter [*such training*] **a career and**

1 **technical education program** if the work left was part-time or temporary or paid less than 80
2 percent of the individual's average weekly wage during the base year.

3 (2) Notwithstanding provisions of this chapter relating to availability for work, actively seeking
4 work or refusal to accept suitable work, dislocated workers approved for [*professional technical*
5 *training*] **career and technical education** and otherwise eligible for benefits are not ineligible for
6 such benefits or waiting week credit because of attendance in [*professional technical training*] **a**
7 **career and technical education program**.

8 (3)(a) Eligible dislocated workers who file valid unemployment compensation claims, upon ex-
9 haustion of regular benefits, are eligible, subject to the availability of funds, for supplemental ben-
10 efits from 1 to 26 times the individual's most recent weekly benefit amount based upon the amount
11 needed to continue or complete **an** approved [*professional technical training*] **career and technical**
12 **education program**.

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

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

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

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

25 (i) High energy costs;

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

27 (iii) Secondary effects of foreign trade; or

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

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

33 (4) The receipt of supplemental benefits is conditioned upon the individual's demonstrating sat-
34 isfactory progress and attendance in [*professional technical training*] **a career and technical edu-**
35 **cation program**.

36 **SECTION 43.** ORS 657.345 is amended to read:

37 657.345. (1) Individuals who are identified as dislocated workers under the federal Workforce
38 Investment Act of 1998 (29 U.S.C. 2801 et seq.), and implementing regulations, and who attend **ed-**
39 **ucation or** training programs identified under the Act shall be considered to be in **an** approved
40 [*professional technical training*] **career and technical education program**. The [*training shall*]
41 **program must** be for occupations or skills for which there are or are expected to be reasonable
42 employment opportunities in the area or in another area to which the individual is willing to relo-
43 cate or which relate to the development of a self-employment enterprise for which there is reason-
44 able opportunity for success.

45 (2) In approving [*professional technical training*] **career and technical education programs** for

1 eligible dislocated workers who do not attend [*training*] programs identified in subsection (1) of this
2 section, the Director of the Employment Department shall require:

3 (a) That the [*professional technical training*] **career and technical education program** relates
4 to an occupation or skill for which there are, or are expected to be, reasonable employment oppor-
5 tunities in this state or relates to the development of a self-employment enterprise for which there
6 is a reasonable opportunity for success.

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

9 **SECTION 44.** ORS 657.350 is amended to read:

10 657.350. The Director of the Employment Department, in consultation with the Department of
11 Community Colleges and Workforce Development, shall promulgate rules as necessary for the ad-
12 ministration of ORS 657.335 to 657.360, including but not limited to procedures for approval, under-
13 taking periodic reviews for continued approval, or for disapproval of [*professional technical*
14 *training*] **a career and technical education program** for an individual.

15 **SECTION 45.** (1) Any reference in Oregon Revised Statutes to “professional and technical
16 education” or “professional technical education” shall be considered a reference to “career
17 and technical education.”

18 (2) For the purpose of harmonizing and clarifying statute sections published in Oregon
19 Revised Statutes, the Legislative Counsel may substitute for words designating “professional
20 and technical education” or “professional technical education,” wherever they occur in
21 Oregon Revised Statutes, other words designating “career and technical education.”

22 (3) Any reference in Oregon Revised Statutes to “professional and technical training” or
23 “professional technical training” shall be considered a reference to “career and technical
24 education.”

25 (4) For the purpose of harmonizing and clarifying statute sections published in Oregon
26 Revised Statutes, the Legislative Counsel may substitute for words designating “professional
27 and technical training” or “professional technical training,” wherever they occur in Oregon
28 Revised Statutes, other words designating “career and technical education.”

29 **SECTION 46.** This 2009 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
31 July 1, 2009.

32