Chapter 344

1987 REPLACEMENT PART

Career and Vocational Education; Rehabilitation; Adult Literacy

VOCATIONAL EDUCATION

344 055 Policy on vocational education and employment training

344 070 Revolving accounts for federally sponsored education or training, advances, uses

344 080 Reimbursement vouchers, accounts and records, bond

344 090 Procedure when training programs are no longer needed, or when advances are improperly handled or accounted for

344 100 Acceptance of provisions of federal vocational education Act

344 110 State Treasurer designated custodian of federal appropriation, authority to disburse federal and state appropriations

344 120 Payment of claims approved by board

344 130 Cooperation by district school boards to establish vocational training

STATE ADVISORY COUNCIL

344 205 "State Advisory Council" defined

344 215 "Career education" defined

344 225 State Advisory Council for Career and Vocational Education, appointment, qualifications, term, expenses, quorum

344 235 Duties of state advisory council

344 245 Use of funds, staff

344 255 Meetings, officers

VOCATIONAL REHABILITATION

344 511 Definitions for ORS 344 511 to 344 690 and 344 710 to 344 730

344 520 Vocational Rehabilitation Division

344 525 Assistant director, bond

344 527 Administrative assistants, salary and expenses

344 530 Rehabilitation duties

344 540 Federal cooperation

344 550 Eligibility for and extent of rehabilitation services

344 555 Training under apprenticeship program

344 560 Application, form

344 570 Action upon application

344 573 Referral by Adult and Family Services Division, eligibility of person referred, reimbursement

344 575 Training for person referred by Adult and Family Services Division

344 577 Eligibility for public assistance of person referred for training

344 580 Payments exempt from process

344 590 Appeal and hearing

344 600 Unauthorized use of official rehabilitation data

344 620 State Vocational Rehabilitation Account, federal funds, custody and disbursement, records

344 630 Gifts for rehabilitation purposes

344 685 Vocational Rehabilitation Division Revolving Fund

344 690 Advances to fund from account, repayment

SHELTERED WORKSHOPS

344 710 Definition for ORS 344 710 to 344 730

344 720 Establishment of sheltered workshops, application, approval

344 730 Financial report

ADULT LITERACY

344 760 Legislative findings on adult literacy

344 765 Establishment of literacy coalitions by community colleges

344 770 Short title

REHABILITATION OF WORKERS

344 840 Vocational instruction in public schools for workers, reimbursement

344 850 Reimbursements to Vocational Rehabilitation Division

CROSS REFERENCES

Administrative procedures governing state agencies, 183 310 to 183 550

Adult and Family Services Division to cooperate in training of persons in community work and training programs, 418 097

Apprentice instruction classes, 660 160

Benefits for trainees injured in special training programs, Ch 655

Discrimination against optometrists prohibited, 683 035

District election procedures, Ch 255

Education and rehabilitation of blind and deaf, Ch 346

Employing vocationally trained minors in jobs otherwise prohibited, 653 326

Oregon Office of Educational Policy and Planning, 348 715

Public buildings, construction and modification for use by handicapped persons, 447 210 to 447 310

Public schools required to provide suitable instruction to child suffering from severe physical or mental illness or disease, 339 030

Reports of vocational consultants, use in workers' compensation hearings, 656 287

State agencies, general provisions, Ch 182

Trainees in work-experience programs, workers' compensation coverage, 656 033
Unemployment compensation for vocational rehabilitation trainees, 657 330 to 657 360

344 100

Federal Act, 20 U S C A Ch 2

344 520

Human Resources Department to coordinate and supervise programs and services, 184 750
Work release programs, agreement with Department of Corrections, 144 430

344 530

Blind, vocational rehabilitation services, Commission for the Blind 346 180

344 600

Records exchange between public and private agencies at request of blind or blind and deaf person, 346 169

344 620

Expenditure without allotment prohibited in certain cases, 291 238

344 720

Exemption from taxation for workshop and retail outlet property 307 130

VOCATIONAL EDUCATION

344 010 [Repealed by 1959 c 641 §38]

344 020 [Repealed by 1959 c 641 §38]

344 030 [Repealed by 1959 c 641 §38]

344 040 [Repealed by 1959 c 641 §38]

344 050 [Repealed by 1959 c 641 §38]

344.055 Policy on vocational education and employment training. It shall be the policy on vocational education and employment training in this state that

(1) Accessibility to vocational education programs should be facilitated Individuals should have a choice of training opportunities for which they are qualified and from which they can benefit Such opportunities should be available from local school systems, community colleges, federal and state manpower training programs, private vocational technical schools, apprenticeship programs and institutions of higher education The student should have easy access to training with the flexibility to move in and out of programs as needs indicate Opportunities should be available for all individuals to obtain the skills and knowledge needed for initial employment as well as for occupational upgrading and job changes

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

(3) A comprehensive system of education and employment training should be developed Secondary schools should provide an educational program which balances the educational skills of reading, writing, speaking, computation and reasoning ability, occupational skills including technical knowledge, manipulative ability and other skills required to perform job tasks and employment skills such as job seeking, work attitude, work adjustment and job-coping abilities Community colleges should provide comprehensive programs in both academic and vocational-technical subjects In addition, community colleges should provide short-term training designed for specific occupations, related training for apprenticeships and opportunities for employed persons to improve their skills Other providers of employment training should compliment this effort with programs aimed at specific job training

(4) Full working partnerships among education, business, industry, labor, government and agriculture should be developed to meet employer needs for a skilled work force and to promote employe job satisfaction Such partnerships should be fostered by promoting efforts such as work site training stations, lending or donating of equipment to training programs, employe-teacher exchange programs, advisory committees and cooperative work experience programs All segments of the community should be encouraged to assist in occupational training

(5) Federal, state, local and private funding resources should be combined to insure the development and implementation of quality programs Both the governmental and private sectors should make a commitment to occupational training as an investment which will help bring about economic development and stability as well as high social and financial returns Improvement of existing training programs, as opposed to development of duplicative or parallel efforts, should be utilized to promote flexibility and economy in the design and delivery of occupational education

(6) High quality occupational training requires an adequate supply of well prepared teachers and support personnel Provisions should be made for the formal preparation of teachers and for the recruitment of teachers from business and industry Programs should be designed and implemented to insure that teachers remain current in their areas of expertise, and instructors should be encouraged to return to business and industry to gain additional experience in their fields To promote retention of qualified personnel, institutions preparing and certifying teachers and agencies employing teachers should allow credit for relevant occupational experiences

(7) Vocational education programs and other employment training programs should be developed, operated and evaluated jointly with representatives of the occupational instructional areas included in the programs Evaluation of efforts should consider the cost effectiveness of the program both for society and the state

(8) Each student's educational, occupational and employment skills should be assessed upon entering so that proper placement in the educational program can occur Credit should be given for prior education, work experience and community service Assessments to determine progress, competency attainment and needed corrective action should be made on a periodic basis Assistance in obtaining employment and follow-through services to help students succeed on the job should be provided

(9) Provisions should be made to meet the needs of women, minorities, disadvantaged or

handicapped persons and others who have special training needs Special curricula, facilities, equipment, counseling and instruction should be provided as necessary The agencies and institutions serving these groups should coordinate use of the available resources to provide cost effective services [1981 c 756 §1]

344 060 [Amended by 1959 c 641 §35 repealed by 1965 c 100 §456]

344.070 Revolving accounts for federally sponsored education or training; advances; uses. (1) The Executive Department may draw warrants upon any state fund to which federal funds for training or education have been credited, in payment of vouchers approved by the State Board of Education, in favor of school districts and community college districts, for such sums, not exceeding $100,000 for a single district in the aggregate, as the state board, by duly adopted resolution, shall determine The warrants, upon delivery thereof to the school districts, shall constitute advances from state funds to enable the districts more readily to effectuate the purposes set forth in any federal law or regulation pertaining to vocational education or training of war workers, or other education or training sponsored by the Federal Government

(2) The districts to which moneys are advanced shall be responsible for the full repayment to the state of all sums advanced The advances are not within any limitation upon indebtedness prescribed by law for school districts The moneys advanced to school districts and community college districts shall not exceed in the aggregate the moneys to the credit of the state fund from which they are paid, and shall constitute advances to the recipient school district in anticipation of verified vouchers to be supplied therefor The advances are to be used as revolving funds for the payment of the costs of vocational training programs The advances shall be made only in those cases in which the Federal Government defrays all or part of the cost of such programs [Amended by 1965 c 100 §435, 1965 c 102 §1, 1983 c 740 §109]

344.080 Reimbursement vouchers; accounts and records; bond. (1) All reimbursement vouchers for claims paid from the revolving funds mentioned in ORS 344 070 shall be approved by the State Board of Education or by such person as the board, by appropriate and duly recorded action taken at a meeting thereof regularly called and held, shall designate When vouchers are so approved, warrants covering the same shall be drawn by the Executive Department, payable from the appropriate fund, and be used to reimburse the revolving funds

(2) The school districts receiving such advances shall maintain their accounts and records so as to disclose at all times the true status of the unpaid vouchers issued for the reimbursement of the funds, the school district warrants drawn against the funds advanced and the balances to the credit thereof

(3) The revolving funds and accounts shall be subject to examination and audit by the state in the manner provided by law for other state funds and accounts The State Board of Education may require an audit of the revolving accounts and shall take proper precautions as to the safety of, and accountability for, all funds advanced

(4) The State Board of Education may require the filing with it of a bond of a corporate surety duly licensed to transact business in this state to insure the proper handling of and responsibility for any funds advanced The bond shall be cumulative and supplemental to fidelity insurance coverage already held by the school district concerned The state may have recourse to any and all fidelity bonds of clerks or other financial officers of the district to protect such advances [Amended by 1983 c 740 §110]

344.090 Procedure when training programs are no longer needed, or when advances are improperly handled or accounted for. When it appears to the State Board of Education that the training and educational programs for which funds are advanced under ORS 344 070 have been completed, or that the need for such advances or revolving funds no longer exists, or that the sums advanced are not being properly handled or accounted for, the board, by appropriate and duly recorded action taken at a meeting regularly called and held, may require that all or part of the amounts advanced to any school district shall be returned, with any interest earned, to the state funds or accounts from which the amounts originally were withdrawn Upon receipt of notification from the board that funds advanced are to be returned, the school district concerned shall immediately repay the same to the State Treasurer, for credit to the proper fund or account To the extent that funds advanced are so repaid, security or protection theretofore required by the board to insure the safety of such funds may be released

344.100 Acceptance of provisions of federal vocational education Act. The State of Oregon hereby accepts all provisions and benefits of an Act of Congress entitled "An act to provide for the promotion of vocational educa-

tion, to provide for cooperation with the states in the promotion of such education in agriculture and the trades and industries, to provide for cooperation with the states in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditure "

344.110 State Treasurer designated custodian of federal appropriation; authority to disburse federal and state appropriations. The State Treasurer is designated and appointed custodian of all moneys received by the state from the appropriation made by the Act of Congress accepted by ORS 344 100 The State Treasurer is authorized to receive and provide for the proper custody of the moneys and to make disbursements thereof in the manner provided in that Act and for the purposes therein specified The State Treasurer shall also pay out of any moneys appropriated for vocational education purposes by the State of Oregon upon the order of the State Board of Education

344.120 Payment of claims approved by board. All lawfully incurred claims duly approved by the State Board of Education, including all claims to be paid from the moneys received by the state from the Federal Government for vocational education purposes and for which the State Treasurer is made custodian shall be paid as provided in ORS 293 295 to 293 462 The Executive Department shall draw warrants on the State Treasurer in payment thereof out of the proper appropriations or funds [Amended by 1983 c 740 §111]

344.130 Cooperation by district school boards to establish vocational training. Any district school board may cooperate with the State Board of Education in establishment of vocational schools or classes giving instruction in agricultural subjects, the trade or industrial subjects, or in home economics subjects, and may use any moneys raised by public taxation in the same manner as moneys for other school purposes are used for the maintenance and support of public schools

344 140 [Repealed by 1979 c 570 §4]

344 150 [1955 c 632 §2, 1959 c 641 §36, repealed by 1961 c 596 §7]

STATE ADVISORY COUNCIL

344.205 "State advisory council" defined. As used in ORS 344 205 to 344 255 "state advisory council" means the State Advisory Council for Career and Vocational Education [1975 c 637 §1, 1977 c 227 §1]

344.215 "Career education" defined. (1) Career education is defined as that education which links learning activities with jobs along the entire range of skills from subtechnical to the professional career and is an integral part of the total educational program Career education provides the learning experiences needed to make effective career choices and to develop the attitudes, knowledges and skills that enable persons to perform successfully in the producer (occupational) role and to assist them in other related life roles It progresses through the steps of awareness and exploration of work, preparation for a broad range of occupations and specialization in a specific occupation

(2) Vocational education is defined as a component of career education which offers specific skill training in a wide variety of subtechnical, technical and subprofessional skills to prepare individuals for gainful employment It is completed initially at the high school level or in a post-high school technical institution, community college or apprenticeship program and may continue through skill upgrading or retraining for a new job [1975 c 637 §8]

344.225 State Advisory Council for Career and Vocational Education; appointment; qualifications; term; expenses; quorum. (1) There is created a State Advisory Council for Career and Vocational Education The Governor shall appoint members for terms of three years The appointments shall be consistent with the requirements of any federal programs providing financial support to the council and shall have as a majority of its members persons who are not educators or administrators in the field of education and shall be representative of both sexes, racial and ethnic minorities, and the various geographic regions of the state

(2) Members of the state advisory council are entitled to expenses as provided in ORS 292 495 (2)

(3) A majority of the state advisory council constitutes a quorum for the transaction of business [1975 c 637 §2, 1977 c 227 §2]

344.235 Duties of state advisory council. The state advisory council shall

(1) Provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the career and vocational education programs of the state,

(2) Advise the State Board of Education in the development of the five-year and annual program plans and accountability reports for career and vocational education and advise the State Board of Education on policy matters aris-

ing out of the administration of programs under these plans and reports,

(3) Evaluate career and vocational education programs, services and activities and publish and distribute the results,

(4) Prepare and submit to the U S Commissioner of Education and to the National Advisory Council on Vocational Education, through the State Board of Education, an annual evaluation report, accompanied by such additional comments of the state board as the state board deems appropriate, which

(a) Evaluates the effectiveness of career and vocational education programs, services and activities carried out in the five-year and annual program plans and accountability reports, and

(b) Recommends such changes in such programs, services and activities as may be warranted by the evaluations and deemed necessary,

(5)(a) Identify, after consultation with the State Manpower Services Council, the vocational education and employment and training needs of the state and assess the extent to which vocational education, employment training, and vocational rehabilitation represent a consistent, integrated and coordinated approach to meeting such needs, and

(b) Comment, at least once annually, on the reports of the State Manpower Services Council, which comments shall be included in the annual report submitted by the state advisory council,

(6) Serve as an advisory body to the Oregon Office of Educational Policy and Planning in matters relating to career and vocational education in the state, and

(7) Make available to local education agencies as recipients of federal career and vocational education funds and the local career and vocational advisory councils of these local education agencies, such technical assistance as the recipients may request to establish and operate such local advisory councils [1975 c 637 §3 1977 c 227 §3]

344.245 Use of funds; staff. (1) All moneys received by the state advisory council shall be paid into the State Treasury and credited to the state advisory council account Such funds are appropriated continuously for and shall be used in carrying out functions of ORS 344 205 to 344 255 and expended pursuant to state budget procedures The expenditure of these funds shall be determined solely by the state advisory council for carrying out its functions under ORS 344 205 and 344 225 to 344 255, and may not be diverted or reprogrammed for any other purpose by any state board, agency or individual The state advisory council shall designate an appropriate state agency or other public agency, eligible to receive funds and to act as its fiscal agent for purpose of disbursement, accounting and auditing

(2) The state advisory council is authorized to obtain the services of such professional, technical and clerical personnel as may be necessary to enable it to carry out its functions under ORS 344 205 and 344 225 to 344 255 and to contract for such services as may be necessary to carry out its evaluation functions, independent of programmatic and administrative control by other state boards, agencies and individuals [1975 c 637 §5, 1977 c 227 §4]

344.255 Meetings; officers. The state advisory council shall meet within 30 days after certification has been accepted by the U S Commissioner of Education and shall select from among its membership a chairperson The time, place and manner of meeting, as well as council operating procedures and staffing, shall be as provided by the rules of the state advisory council [1975 c 637 §6, 1977 c 227 §5]

344 310 [Amended by 1957 c 389 §1, subsection (2) of 1957 Replacement Part enacted as 1957 c 389 §2, repealed by 1959 c 566 §8]

344 314 [1957 c 389 §3, repealed by 1959 c 566 §8]

344 316 [1957 c 389 §3, repealed by 1959 c 566 §8]

344 318 [1957 c 389 §15, repealed by 1959 c 566 §8]

344 320 [Repealed by 1957 c 389 §17]

344 322 [1957 c 389 §8 repealed by 1959 c 566 §8]

344 324 [1957 c 389 §§4, 5, repealed by 1959 c 566 §8]

344 326 [1957 c 389 §6, repealed by 1959 c 566 §8]

344 328 [1957 c 389 §10, repealed by 1959 c 566 §8]

344 330 [Repealed by 1959 c 566 §8]

344 340 [Repealed by 1959 c 566 §8]

344 345 [1953 c 722 §1, repealed by 1959 c 566 §8]

344 350 [Repealed by 1959 c 566 §8]

344 360 [Repealed by 1959 c 566 §8]

344 370 [1957 c 389 §11 repealed by 1959 c 566 §8]

344 375 [1957 c 389 §12, repealed by 1959 c 566 §8]

344 380 [1957 c 389 §13 repealed by 1959 c 566 §8]

344 390 [1957 c 389 §9, repealed by 1959 c 566 §8]

344 400 [1957 c 389 §14, repealed by 1959 c 566 §8]

344 410 [1957 c 389 §7, repealed by 1959 c 566 §8]

VOCATIONAL REHABILITATION

344 510 [Amended by 1963 c 522 §1, repealed by 1965 c 100 §436 (344 511 enacted in lieu of 344 510)]

344.511 Definitions for ORS 344.511 to 344.690 and 344.710 to 344.730. As used in ORS 344 511 to 344 690 and 344 710 to 344 730

(1) "Assistant director" means the Assistant Director for Vocational Rehabilitation

(2) "Disabled individual" means any person who has a substantial occupational handicap due to a physical or mental condition except blindness

(3) "Division" means the Vocational Rehabilitation Division established by ORS 344 520

(4) "Maintenance" means money payments, during vocational rehabilitation, to individuals with occupational handicaps found to require financial assistance with respect thereto in order to effectuate the vocational rehabilitation of such individuals

(5) "Occupational handicap" means a physical or mental condition other than blindness which, regardless of its origin, constitutes, contributes to, or, if not corrected, will probably result in, an obstruction to occupational performance or the condition of being an untrained individual

(6) "Occupational licenses" means any license, permit or other written authority required by any governmental unit to be obtained in order to engage in any occupation

(7) "Occupational tools, equipment and supplies" means such customary implements, appliances, apparatus, fixtures and materials as are necessary for the successful prosecution of the employment objective of an individual with an occupational handicap

(8) "Physical restoration" means any medical, surgical or therapeutic treatment necessary to correct or substantially modify an individual's occupational handicap within a reasonable length of time The term includes but is not limited to medical, psychiatric, dental and surgical treatment, nursing services, hospital and convalescent home care, medical and surgical drugs and supplies, and prosthetic appliances, excluding curative treatment for acute or transitory conditions

(9) "Prosthetic appliance" means any artificial appliance designed to support or take the place of a part of the body or to increase the acuity of a sense organ

(10) "Rehabilitation training" means all training provided, directly or through public or private instrumentalities, to an individual to compensate for the occupational handicap of the individual The term includes but is not limited to manual, preconditioning, prevocational, vocational and supplementary training and training provided for the purpose of achieving broader and more remunerative skills and capacities

(11) "Severely handicapped individual" means a disabled individual who, because of the nature of disabilities, is not able to participate fully in competitive employment, and for whom specialized employment opportunities must be provided

(12) "Untrained individual" means any person without mental or physical disability who has a substantial occupational handicap due to lack of occupational training, experience, skills or other factors and who is receiving and, in the opinion of the Adult and Family Services Division, probably will continue to receive public assistance because of the occupational handicap of the individual

(13) "Vocational rehabilitation" and "vocational rehabilitation services" mean any services necessary to enable an individual with an occupational handicap to engage in a remunerative occupation and include, but are not limited to, medical and vocational diagnoses, vocational guidance, counseling and placement, rehabilitation training, physical restoration, transportation, occupational licenses, occupational tools, equipment and supplies, maintenance and training books, supplies and materials [1965 c 100 §437 (enacted in lieu of 344 510), 1967 c 552 §1, 1969 c 597 §160, 1969 c 614 §1]

344.520 Vocational Rehabilitation Division. There is established a Vocational Rehabilitation Division The division consists of an assistant director and such other personnel as may be necessary for the efficient performance of the functions of the division [Amended by 1967 c 552 §2, 1969 c 597 §161]

344.525 Assistant director; bond. (1) The division shall be under the supervision and control of an assistant director who shall be appointed as provided in ORS 184 760 and who shall be responsible for the performance of the duties imposed upon the division The assistant director shall be a person who, by training and experience, is well qualified to perform the duties of the division

(2) Before entering upon the duties of office, the assistant director shall give to the state a fidelity bond for the faithful performance of duties in such penal sum as may be fixed by law or, if not so fixed, as may be fixed by the Governor, with corporate surety authorized to do business in this state The premium for such bond shall be paid by the division [1967 c 552 §11, 1969 c 597 §162, 1983 c 740 §112]

Note 344 525 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 344 or any series therein by legislative action See Preface to Oregon Revised Statutes for further explanation

344.527 Administrative assistants; salary and expenses. (1) Subject to the approval of the Governor, the assistant director may appoint two assistants who shall serve at the pleasure of the assistant director and be in the unclassified service

(2) The assistants shall receive such salary as may be provided by law or, if not so provided, as may be fixed by the assistant director In addition to their individual salaries, each assistant administrator shall, subject to the limitations otherwise provided by law, be reimbursed for all expenses actually and necessarily incurred by the assistant administrator in the performance of official duties [1969 c 597 §164]

344.530 Rehabilitation duties. Notwithstanding any other provisions of the law, the division shall perform the following vocational rehabilitation functions

(1) Provide for the vocational rehabilitation of all eligible individuals with occupational handicaps and for their placement in remunerative occupations

(2) Establish and enforce such rules as may be necessary to

(a) Carry out ORS 344 511 to 344 690 and 344 710 to 344 730,

(b) Safeguard the confidential character of vocational rehabilitation information and records, and

(c) Maintain a system of personnel standards, subject to the State Personnel Relations Law, governing the selection, appointment and employment upon a merit basis of all personnel engaged in the administration of the vocational rehabilitation program

(3) Cooperate with public and private departments, agencies and institutions in

(a) Providing for the vocational rehabilitation of individuals with occupational handicaps,

(b) Studying the problems involved therein, and

(c) Establishing, developing and providing, in conformity with ORS 344 511 to 344 690 and 344 710 to 344 730, such programs, facilities and services as may be necessary

(4) Enter into reciprocal agreements with other states relative to the provision of vocational rehabilitation to residents of the states concerned

(5) Conduct research and compile statistics relating to the vocational rehabilitation of individuals with occupational handicaps

(6) Encourage and assist severely handicapped individuals in the establishment, maintenance and conduct of appropriate home industries within their capacities and in the promotion of the sale and distribution of the products of such home industries All funds collected or received from such activities shall be deposited in a permanent special fund in the State Treasury and shall be used for the operation of such home industries as determined by the division

(7) For sheltered workshops

(a) Establish, conduct and maintain facilities necessary for the sheltered employment of severely handicapped individuals,

(b) Pay the individuals employed in the facilities suitable wages,

(c) Devise means for the sale and distribution of the products of the facilities,

(d) The division shall devise a subsidy program, and include a plan for its funding in each biennial budget submitted to the Legislative Assembly, and

(e) Take such other action as may be necessary to insure the successful operation of the facilities established

All funds collected or received from such activities shall be deposited in the State Vocational Rehabilitation Account and are appropriated and shall be used for the operation of facilities necessary for the sheltered employment of severely handicapped individuals as determined by the division

(8) Take such other action as may be necessary to carry out ORS 344 511 to 344 690 and 344 710 to 344 730 [Amended by 1963 c 522 §2, 1965 c 100 §438, 1967 c 552 §3, 1969 c 597 §165 1971 c 617 §1]

344.540 Federal cooperation. The division

(1) Shall cooperate with the Federal Government in carrying out the purposes of any federal Act pertaining to vocational rehabilitation, and in related matters of mutual concern, including the adoption of methods of administration found by the Federal Government to be necessary for the efficient operation of plans for vocational rehabilitation

(2) May apply for federal funds and accept and enter into any contracts or agreements in behalf of the state for the receipt of such funds from the Federal Government or its agencies for

vocational rehabilitation purposes [Amended by 1965 c 100 §439 1967 c 552 §4, 1969 c 597 §166]

344.550 Eligibility for and extent of rehabilitation services. Vocational rehabilitation services shall be provided to any disabled individual

(1) Who is in the state and files an application therefor and who is not in the state for the sole purpose of receiving vocational rehabilitation services

(2) Who is eligible for vocational rehabilitation service under the terms of an agreement with another state or with the Federal Government

(3) Except as otherwise provided by law or as specified in any agreement with the Federal Government with respect to classes of individuals certified by the division, the following rehabilitation services shall be provided at public cost only to disabled individuals found to require financial assistance with respect thereto

(a) Physical restoration

(b) Transportation not provided to determine the eligibility of the individual for vocational rehabilitation services and the nature and extent of the services necessary

(c) Occupational licenses

(d) Customary occupational tools and equipment

(e) Maintenance

(f) Training books and materials [Amended by 1965 c 100 §440, 1967 c 552 §5, 1969 c 614 §2]

344.555 Training under apprenticeship program (1) When an individual with an occupational handicap is to be trained as an apprentice as defined in ORS chapter 660, or in a trade or craft for which training standards are established under ORS chapter 660, the training shall be subject to the provisions of ORS chapter 660, and shall be under the jurisdiction of the State Apprenticeship Council in cooperation with the division

(2) This section is not intended to limit any necessary financial assistance to which or for which an individual with an occupational handicap would otherwise be entitled under ORS 344 550 [1963 c 522 §9]

344 560 Application; form. Applications for vocational rehabilitation under ORS 344 550 shall be made in such manner and form and contain such information as the assistant director may require

344.570 Action upon application. Whenever the division receives an application for vocational rehabilitation under ORS 344 560, it shall promptly cause to be obtained and recorded, with respect to such applicant, all essential, pertinent information concerning the circumstances, health condition, vocational aptitudes and experience of the applicant, and such other information as may be necessary for the determination of the eligibility of the applicant and of the nature and amount of vocational rehabilitation services needed

344.573 Referral by Adult and Family Services Division; eligibility of person referred; reimbursement. (1) The Adult and Family Services Division may refer to the Vocational Rehabilitation Division any untrained individual who is responsible for personal maintenance or is the responsible head of a household when, in the opinion of the Adult and Family Services Division, the individual has a reasonable chance for employment after receiving vocational rehabilitation

(2) If, in the opinion of the Vocational Rehabilitation Division the individual so referred has a reasonable chance for employment after receiving vocational rehabilitation, the individual shall be eligible for all services of the division including those under ORS 344 550 (2) The division shall report the amount of any additional payments made to the individual to the Adult and Family Services Division

(3) The Adult and Family Services Division in making a referral under subsection (1) of this section shall send any medical, psychiatric, social, financial or other information in its possession concerning the individual that the Vocational Rehabilitation Division may request unless such information is confidential under federal laws or regulations

(4) The Adult and Family Services Division shall enter into an agreement for reimbursement of the Vocational Rehabilitation Division for its expenditures in providing vocational rehabilitation to untrained individuals and shall reimburse the division for such expenditures according to the terms of such agreement [1963 c 522 §7, 1971 c 779 §5]

344.575 Training for person referred by Adult and Family Services Division. The division shall provide vocational rehabilitation to any untrained individual who is referred by the Adult and Family Services Division in the county in which the untrained individual resides as provided in ORS 344 573 if, in the opinion of the Vocational Rehabilitation Division, the individual has a reasonable chance for employment after receiving vocational rehabilitation [1963 c 522 §3a]

344.577 Eligibility for public assistance of person referred for training. (1) An untrained individual referred to the division under ORS 344 573 or the family of the individual shall continue if otherwise eligible to receive public assistance during the period when the individual is receiving vocational rehabilitation

(2) The Adult and Family Services Division may make adjustment in the amount of assistance required by the family of the individual if, because of a lack of facilities for vocational rehabilitation in the area where the individual and the family of the individual live, the individual is required to live away from home during the period when the individual is receiving vocational rehabilitation [1963 c 522 §8, 1971 c 779 §6]

344.580 Payments exempt from process. Any payments made to an individual with an occupational handicap as maintenance under ORS 344 511 to 344 690 and 344 710 to 344 730 shall not be transferable or assignable at law or in equity None of the money payable under ORS 344 511 to 344 690 and 344 710 to 344 730 shall be subject to execution, levy, attachment, garnishment or other legal process or to the operation of any bankruptcy or insolvency law [Amended by 1963 c 522 §4]

344.590 Appeal and hearing. Any individual applying for or receiving vocational rehabilitation who is aggrieved because of the division's decision or delay in making a decision shall be entitled to appeal to the division, and opportunity for hearing as a contested case shall be accorded as provided in ORS 183 310 to 183 550 and chapter 734, Oregon Laws 1971 [Amended by 1967 c 552 §6 1971 c 734 §38]

Note The Legislative Counsel has not, pursuant to 173 160, undertaken to substitute specific ORS references for the words "this Act" in 344 590 Chapter 734, Oregon Laws 1971, enacted into law and amended ORS sections which may be found by referring to the 1971 Comparative Section Table located in volume 6A of Oregon Revised Statutes

344.600 Unauthorized use of official rehabilitation data. Except for purposes directly connected with the administration of vocational rehabilitation, and in accordance with the rules and regulations of the division, no person shall solicit, disclose, receive, make use of or authorize, knowingly permit, participate in or acquiesce in the use of, any list of or names of, or any information concerning persons applying for or receiving vocational rehabilitation directly or indirectly derived from the records, papers, files or communications of the state or subdivisions or agencies thereof, or acquired in the course of the performance of official duties [Amended by 1967 c 552 §7]

344 610 [Amended by 1963 c 522 §5, repealed by 1965 c 100 §456]

344.620 State Vocational Rehabilitation Account; federal funds; custody and disbursement; records. (1) There is established in the General Fund of the State Treasury, a State Vocational Rehabilitation Account which shall consist of all moneys made available to the division for rehabilitation purposes All moneys in such special account hereby are appropriated for the purposes of the administration of ORS 344 511 to 344 690, 344 710 to 344 730 and 344 850

(2) The State Treasurer is designated custodian of all funds received from the Federal Government for the purpose of carrying out any federal Act pertaining to vocational rehabilitation The State Treasurer shall receive such funds and provide for their custody

(3) Disbursements from the State Vocational Rehabilitation Account shall be made as directed by the division The division shall keep a record of all moneys deposited in such account The record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual divisional activity against which each withdrawal is charged [Amended by 1967 c 552 §8, 1969 c 597 §167, 1983 c 297 §1]

344.630 Gifts for rehabilitation purposes. The division may receive and accept such gifts, donations and other funds from either public or private sources as may be offered unconditionally or under such conditions as in the judgment of the division are proper and consistent with the provisions of ORS 344 511 to 344 690 and 344 710 to 344 730 Gifts so accepted shall be held in trust for investment, reinvestment and use in accordance with the conditions of the gift Such moneys shall be deposited in the State Treasury to the credit of the State Vocational Rehabilitation Account [Amended by 1967 c 552 §9]

344 640 [Amended by 1953 c 674 §13, 1957 c 574 §1, renumbered 344 810]

344 650 [Renumbered 344 820]

344 660 [Amended by 1953 c 674 §13, renumbered 344 830]

344 670 [Renumbered 344 840]

344 680 [1955 c 762 §3, renumbered 344 850]

344.685 Vocational Rehabilitation Division Revolving Fund. (1) There is established the Vocational Rehabilitation Division Revolving Fund, not to exceed the sum of

$750,000, for the use of the division The revolving fund shall be deposited with the State Treasurer to be held in a special account against which the division may draw checks for the purposes of paying expenses of vocational rehabilitation services when it is appropriate to make immediate payments for such services, including advance payments to applicants for vocational rehabilitation

(2) Disbursements from the revolving fund may be made by the division and all vouchers for payments made from the fund shall be approved by the administrator of the division When payments are so approved, reimbursements shall be made to the division revolving fund upon order of the assistant director out of funds in the State Vocational Rehabilitation Account [1967 c 483 §§2 4, 1969 c 597 §168, 1969 c 614 §§3, 3a]

344.690 Advances to fund from account; repayment. (1) The warrants shall be drawn as provided by law in favor of the division on funds in the State Vocational Rehabilitation Account in the State Treasury The funds so advanced shall be used by the division for the revolving fund set forth in ORS 344 685 (1)

(2) At any time during the biennium for which the advances mentioned in subsection (1) of this section were made, upon written request together with a check drawn on the Vocational Rehabilitation Division Revolving Fund by the division, the Secretary of State shall return such advances to the State Vocational Rehabilitation Account

(3)(a) The State Treasurer shall, from time to time, advance from funds in the hands of the treasurer not required to meet current demands, to the Vocational Rehabilitation Division Revolving Fund established by ORS 344 685 (1), an amount not to exceed $40,000

(b) The amounts so advanced shall be returned without interest by the division to the State Treasurer at times and in amounts agreed upon between the State Treasurer and the division [1967 c 483 §3, 1969 c 597 §170]

SHELTERED WORKSHOPS

344.710 Definition for ORS 344.710 to 344.730. "Sheltered workshop" means a nonprofit facility established and operated by a private organization, agency or institution to provide vocational training, employment opportunity and employment for disabled and severely handicapped individuals [1963 c 506 §2]

344.720 Establishment of sheltered workshops; application; approval. (1) Upon approval of the sheltered workshop and within the limits of available funds, the Vocational Rehabilitation Division may make grants to assist sheltered workshops

(2) Applications for grants under subsection (1) of this section shall be made in the manner and form and contain the information required by the division

(3) The approval of the division required by subsection (1) of this section shall be based on reasonable and satisfactory assurance of

(a) Provision for vocational training and employment experience to enable the disabled or severely handicapped person to participate in competitive employment when the physical condition of the person warrants such employment

(b) Compliance with the rules of the division applicable to sheltered workshops [1963 c 506 §3, 1965 c 100 §441, 1967 c 552 §10]

344.730 Financial report. All sheltered workshops which receive state aid under the provisions of ORS 344 710 to 344 730, on or before January 15, shall file with the division a financial report on the preceding year in the form prescribed by the division [1963 c 506 §4]

344 740 [1969 c 100 §1 1973 c 517 §1 repealed by 1981 c 126 §6]

ADULT LITERACY

344.760 Legislative findings on adult literacy. The Legislative Assembly finds that

(1) It is in the state's interest to assure coordination of the various groups providing adult literacy services within communities

(2) The demands created by new technologies and foreign competition have intensified the need for a literate work force

(3) Community colleges are the major providers of adult literacy to Oregon communities through adult basic education, General Education Development and reading, tutoring and preemployment skills classes

(4) Community colleges present the opportunity of a state-wide network able to link libraries, providers of Job Training Partnership Act services, community schools, volunteer literacy groups and other providers of literacy services and resources [1987 c 190 §2]

344.765 Establishment of literacy coalitions by community colleges. (1) Community colleges may establish local literacy coalitions in the community college districts and in unserved areas in order to enhance educational services to undereducated adults

(2) A literacy coalition in each district shall inform community members as to the extent of literacy services available in their area The coalition shall endeavor to insure that community resources are used effectively and try to make more services available to undereducated adults through community efforts [1987 c 190 §3]

344.770 Short title. ORS 344 760 to 344 770 may be cited as the "Adult Literacy Act" [1987 c 190 §1]

REHABILITATION OF WORKERS

344 810 [Formerly 344 640 1965 c 285 §67b, renumbered 656 616]

344 820 [Formerly 344 650, 1965 c 285 §67c renumbered 656 728(1)]

344 830 [Formerly 344 660, 1965 c 285 §67d, renumbered 656 728(2)]

344.840 Vocational instruction in public schools for workers; reimbursement. Upon application of the Director of the Department of Insurance and Finance, the district school board of a school district which employs vocational instructors or maintains a vocational training program shall furnish to any person designated by the Director of the Department of Insurance and Finance such vocational instruction as is provided for district pupils when the facilities of the district permit The Director of the Department of Insurance and Finance shall cause to be paid to the district the actual cost of such instruction as nearly as may be estimated by the district school board [Formerly 344 670, 1965 c 100 §442]

344.850 Reimbursements to Vocational Rehabilitation Division. All reimbursements to the Vocational Rehabilitation Division made by the Department of Insurance and Finance in connection with rehabilitation services shall be deposited in the State Vocational Rehabilitation Account and be included in the biennial budget of the division [Formerly 344 680, 1965 c 100 §443, 1983 c 297 §2]

344 990 [Repealed by 1965 c 100 §456]