

RULE

Department of Social Services Office of Rehabilitation Services

Randolph-Sheppard Trust Fund Policy (LAC 67:VII.Chapter 21)

In accordance with the provisions of R.S. 49:950, et seq., the Administrative Procedure Act, the Department of Social Services, Louisiana Rehabilitation Services (LRS) has adopted a Randolph-Sheppard Trust Fund Policy.

The purpose of this rule is to govern Louisiana Rehabilitation Services' Randolph-Sheppard Trust Fund Policy to ensure uniformity in establishing the operation and services for the program.

Title 67

SOCIAL SERVICES

Part VII. Louisiana Rehabilitation Services

Chapter 21. Randolph-Sheppard Trust Fund Policy

§2101. Program Profile

A. Mission. To provide for the enhancement of programs for persons who are licensed and permitted through the Randolph-Sheppard Business Enterprise Program.

B. Program Administration

1. The administration of the fund shall be exercised by the Department of Social Services, Louisiana Rehabilitation Services.

2. The Blind Vendors Trust Fund Advisory Board will have the responsibility to advise and make recommendations to the agency for the promulgation of rules and regulations; monitor, evaluate and review the development and quality of services and programs funded through the fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2103. Enabling Legislation

Senate Bill No. 676, Act 1285 of the 1995 Regular Session, Chapter 49 of Title 46 of the Revised Statutes 46:2641 through 2645.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2105. Definitions

Agency—Louisiana Rehabilitation Services within the Department of Social Services which licenses blind vendors.

Blind Enterprise Program—the services available to establish business enterprises and other similar programs for persons who are blind as provided in the Randolph-Sheppard Act.

Blind Vendors—those individuals who are classified under state and federal regulations as legally blind and who are licensed to and have a permit to operate vending facilities on state, federal, or other property.

Board—the Blind Vendors Trust Fund Advisory Board.

Department—the Department of Social Services.

Director—the director of Louisiana Rehabilitation Services.

Fund—the Blind Vendors Trust Fund.

Randolph-Sheppard Act—the federal law which enables the Blind Enterprise Program under the authority of 20 U.S.C. 107 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46 2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2107. Blind Vendors Trust Fund Advisory Board

A. The Blind Vendors Trust Fund Advisory Board shall be composed of nine members as follows:

1. the director of Louisiana Rehabilitation Services of the Department of Social Services or his or her designee;

2. eight members of the Louisiana Blind Vendors Elected Committee.

B. The board shall be domiciled in East Baton Rouge Parish.

C. The board shall meet at least once in each quarter of the fiscal year and as often as necessary thereafter as deemed by the chairman.

D. A majority of the individuals appointed to the board shall constitute a quorum.

E. Members shall serve without compensation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2109. Blind Vendors Trust Fund Revenues

- A. The Blind Vendors Trust Fund shall consist of monies collected from certain vending machines located on state, federal, and other property pursuant to the Randolph-Sheppard Act.
- B. The fund may receive monies from any source.
- C. The legislature may make annual appropriations to the Trust Fund.
- D. All unexpended and unencumbered monies remaining in the fund at the close of each fiscal year shall remain in the fund.
- E. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund.
- F. All interest earned from the investment of monies in the fund shall be deposited in and remain to the credit of the fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2111. Expenditures

- A. The monies in the fund shall be used solely for programs to provide services for the Blind Enterprise Program established in Louisiana pursuant to the Randolph-Sheppard Act.
- B. Money in the trust fund from vending machines located on federal property shall be distributed for the primary purpose of the establishment and maintenance of retirement or pension plans, for health insurance, and contributions for the provisions of paid sick leave and vacation time for blind vendors, if approved by majority vote of blind vendors licensed by the agency after the agency has provided to each vendor information on all matters relevant to such purposes.
- C. Income not expended for the primary purpose shall be used for the maintenance and replacement of equipment, the purchase of new equipment, management services, and securing a fair return to vendors, or as provided by state and federal guidelines.
- D. Money in the trust fund from vending machines located on state-owned property or on property leased by the state agency, or on other property shall be distributed for any purpose associated with the Randolph-Sheppard Program as may be determined by the state licensing agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2113. Financial Reports

The director of Louisiana Rehabilitation Services of the Department of Social Services or his or her designee shall arrange for full and accurate financial records to be maintained in compliance with law and shall make a full and complete report to the board annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

§2115. General Requirements

- A. Nondiscrimination. All programs administered by and all services provided by the agency shall be rendered on a nondiscriminatory basis without regard to race, creed, color, age, religion, sex, national origin, disability, ethnicity, or status with regard to public assistance in compliance with all appropriate state and federal laws and regulations.
- B. Civil Rights and Equal Employment Opportunities with Regard to Employees or Agencies Delivering Services. Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination because of race, color, or national origin; Title V of the Rehabilitation Act of 2973, as amended, and Title I of the Americans with Disabilities Act PL 101-336 prohibit discrimination because of disabling condition. The provisions of these acts apply to services and programs administered by Louisiana Rehabilitation Services.
- C. Compliance with State and Federal Laws and Regulations, and Departmental Policies and Procedures. All agencies and staff involved in the Blind Vendors Trust Fund shall comply with all state and federal laws, including the Department of Social Services policies and procedures as well as civil rights rules and regulations, as applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2641-2645.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 22: (February 1996).

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