



THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES

POSITION PAPER

Work Based Learning in California Community Colleges

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WORK BASED LEARNING IN CALIFORNIA COMMUNITY COLLEGES

Career technical education (CTE), labeled career education by the California Community Colleges Chancellor's Office (CCCCO) in July 2017,¹ has been given a boost in recent years by legislation and funding intended to support efforts to close both the skills gap and employment gaps anticipated in California's future. While classroom instruction is a critical component of programs that prepare students for the general and job-specific demands of occupations, work-based learning is equally critical.

Work-based learning provides students an opportunity as aspiring employees to explore careers and to turn theory and simulation into practice by gaining on-the-job experience. The hands-on experience gained from work-based learning opportunities, especially when considered in combination with the attainment and application of employment soft skills, is a critical component of career training and preparation. Students completing CTE programs with work-based learning embedded are well-equipped to enter the workforce.

What is work-based learning?

Work-based learning is an educational strategy used to connect classroom instruction to careers by providing students with opportunities to reinforce and make relevant their classroom experiences. It also allows students to explore potential careers through immersion in their fields and, most importantly, to apply their learned skills in an authentic setting. Ways in which students may apply classroom skills to a work environment vary, as does the terminology used for variations of work-based learning. Internships, cooperative work experience, and apprenticeships are commonly offered within the California Community College System, as are clinicals or practicum, preceptorships, externships, and work study. These experiences do not all involve the same types of learning, nor do they all require the same expectations of students, colleges, and employers. However, all are forms of work-based learning and share many of the same benefits, particularly to students as aspiring professionals. These variations in terminology and types of work-based learning cause a great deal of confusion throughout the California Community College System. In an effort to ease this confusion, delegates at the 2018 Academic Senate for California Community Colleges (ASCCC) Spring Plenary passed resolution 13.05, which requests the following of the ASCCC:

Resolved, That the Academic Senate for California Community Colleges develop a paper that clearly explains and differentiates Career and Technical Education, Cooperative Work Experience, internship, and apprenticeship programs, including their regulations, funding models, and overall guiding principles, and bring the paper to the Spring 2019 Plenary Session for approval.

This paper, developed by the 2018-2019 ASCCC CTE Leadership Committee, is the ASCCC's response to that resolution. Confusion over the terms and differences among the various types of work-based learning support the need for more clarity about internships, cooperative work experience, and apprenticeship programs as well as clinical or practicum experience, preceptorships, and other forms of work-based

1 <http://californiacommunitycolleges.cccco.edu/Portals/0/DocDownloads/PressReleases/JUL2017/PR-CE-Launch-Event-07-20-2017.htm>

learning, including work study as a financial aid option, all of which are used within the California Community College system.

This paper seeks to define the variety of work-based learning experiences by providing information about intent and guiding principles, statutes and regulations, funding, and stakeholder roles. The table below summarizes key elements within each type of work-based learning.

	Intent and Guiding Principles	Guiding Statutes and Regulations	Funding
Internships	Any work-based learning opportunity that allows a student to apply learned skills and theories to a hands-on, paid or unpaid employment environment.	<ul style="list-style-type: none"> ▪ No specific California statute or regulation ▪ Federal Fair Labor Standards Act 	None specific to internships although colleges may utilize independent study to earn apportionment for students completing internships.
Cooperative Work Experience	Hands-on work-based learning, either general or occupational, paid or unpaid, coordinated by colleges with students and employers.	<ul style="list-style-type: none"> ▪ California Education Code ▪ California Code of Regulations Title 5 ▪ Federal Fair Labor Standards Act 	Colleges earn FTES-based apportionment for CWE units completed by students.
Apprenticeship	Paid hands-on work-based learning, coordinated by employers or trades groups with students and colleges.	<ul style="list-style-type: none"> ▪ California Labor Code ▪ California Code of Regulations Title 8 ▪ Federal Fair Labor Standards Act 	Colleges may be given regular supplemental instruction (RSI or Montoya) funds by program sponsors. Some potential for apportionment.
Clinicals/ Practicum	Unpaid hands-on work based learning completed as part of a course. Often utilized in allied health courses but may be used in other disciplines as well.	Regulations consistent with any lab-based curriculum, including required instructor supervision	Colleges may earn FTES-based apportionment for discipline-specific course units completed by students.
Preceptorships	Hands-on work-based learning completed at the end of a program of study in coordination with employed professionals in the discipline. Common in registered nursing and other allied health programs but may apply to other disciplines as well.	California Code of Regulations §1426.1 Board of Vocational Nursing, Preceptorship	Varies depending on program.
Work Study	Federal Work Study is an educational financial aid program for students with demonstrated financial need while enrolled.	Federal Title IV Federal Student Aid, administered by the U.S. Department of Education	Federal Work Study hours may be included as part of student financial aid packages; Title IV Federal Student Aid Funds.

INTERNSHIPS

Within California community college career technical education programs and throughout the state, the word “internship” is frequently used to describe some form of work-based learning, and the term is often used as a general reference to or substitute for work-based learning. Some confusion exists as to the commonality of or distinctions between internships in California community college programs and cooperative work experience opportunities. This section will help to clarify elements of internship, the overlap between internships and cooperative work experience, and the differences between internships and cooperative work experience.

Internships: Intent and Guiding Principles

“Intern,” as defined by the *Merriam-Webster Collegiate Dictionary* (11th edition, online), is “an advanced student or graduate usually in a professional field (such as medicine or teaching) gaining supervised practical experience (as in a hospital or classroom).” A Google search reveals an additional definition, “the position of a student or trainee who works in an organization, sometimes without pay, in order to gain work experience or satisfy requirements for a qualification.” While the term is used more broadly in California community colleges and other educational institutions, these definitions provide a good starting point for understanding what an internship is, what role it plays in a student’s educational and occupational journey, and how it may differ from cooperative work experience.

Although definitions may vary, internships are common in California community college career education programs as a final requirement and preparation for work for students finishing an associate’s degree or certificate. Interest is growing on the part of students and employers for internships in all majors, not just career education. Internships provide work-based learning opportunities for anyone desiring to learn more about a career field by working in that field, usually on a temporary basis. Internships may be paid or unpaid. They provide students with experience in applying the skills learned in a classroom environment, usually but not always an academic classroom environment, in real employment situations. Internships also allow employers to see potential employees in action and may influence future hiring decisions.

Departments and programs could consider internships as the broadest category of work-based learning opportunities, paid or unpaid, with the purpose of having students apply classroom learning to on-the-job experiences. Internships may be offered by an employer and sought out by a student or interested individual, may be coordinated on behalf of specific students by an instructor within a California community college, or may be coordinated by an external group or agency. In each instance, the intent of the individual or body doing the coordinating is to provide on-the-job experience to a student and potential future employee. Employers also benefit by having a temporary worker and by having an opportunity to watch a potential employee perform while handling typical on-the-job responsibilities.

Internships: Statutes and Regulations

California Education Code and Title 5 of the California Code of Regulations contain no references to internships as they relate to students and work-based learning. The only reference to internships in Title

5 is to faculty internship programs (Title 5 §53500). The lack of specific statute or regulations related to student internships suggests that internship is a general reference to work-based learning rather than a specifically coordinated programmatic application of work-based learning in California community colleges. Community colleges do have internships available to or required of students; however, no legal requirements or expectations exist related to those internships separate from cooperative work experience. Many colleges coordinate internship programs that may include cooperative work experience credits.

The federal Fair Labor Standards Act (FLSA) applies to all forms of internship, cooperative work experience, and apprenticeship. This law and resulting court rulings must be taken into account before students begin any significant interactions or work with any employer. Most instructors, curriculum committees, and college deans are unaware of FLSA implications, which can lead to court cases and fines of \$10,000 or more.

Funding

Without regulation or coordinated internship programs, no specific mechanism for funding of internships exists within the California community colleges. However, other forms of work-based learning utilized within the community colleges are used as internships. Work experience, apprenticeship, clinicals or practicum, and work study all have structures which allow for funding of student internships completed within these specific programs.

In instances when an internship opportunity for students does not fit into any of the other regulated programs, colleges may choose to utilize independent study to provide student learning through internships. In these cases, approved independent study curriculum must be in place, a faculty member must be the instructor of record and must engage with the student to identify learning outcomes for the independent study experience, and apportionment is captured within the guidelines established by the California Community Colleges Student Attendance Accounting Manual.

COOPERATIVE WORK EXPERIENCE (CWE)

While cooperative work experience can be considered a type of internship, not all internship opportunities within the California community colleges are coordinated as cooperative work experience. In some cases, employers cannot or do not want to participate in the coordination of CWE opportunities with colleges and districts because doing so requires more of them than simple internships do. In addition, many parties inside and outside of the colleges do not understand cooperative work experience education, including students, instructional faculty, college personnel, career education advisory committees, and employers. Better understanding of how cooperative work experience education functions within the California community colleges could lead to broader utilization in cases where the benefits of learning through CWE are greater for students than through simple internships.

California community college CWE programs often use the term “internship” in lieu of CWE because internship is recognized nationally by employers and students, whereas the term “cooperative work experience” is less recognized. Colleges may also use the both terms to delineate between general work

experience, or CWE, and occupational work experience directly related to a student’s career goal, or internship. This labeling of cooperative work experience is inconsistent among colleges, contributing to the confusion around the terms and programs. The labeling issue is an on-going conversation with districts and CWE coordinators throughout the state.

Cooperative Work Experience: Intent and Guiding Principles

The purpose of cooperative work experience programs within California community colleges is to facilitate a work-based learning opportunity, paid or unpaid, for students. The facilitation of these opportunities includes coordination with students as employers are identified and learning outcomes are established. It also involves coordination with employers as students’ progress toward learning outcomes is monitored and hours are documented. The coordination among college, student, and employer is done individually on behalf of each student enrolled in cooperative work experience because each student’s learning needs and identified learning outcomes are unique. Many cooperative work experience programs within California community colleges also embed lessons on general employment or soft skills needed for students to secure and maintain regular employment. College instructors and cooperative work experience coordinators play an integral role in mentoring students, building connections with employers, assisting students with the creation of cooperative work experience agreements with employers, supporting employers with supervision of students, and ensuring compliance with all cooperative work experience regulations. The commitment of employers in cooperative work experience collaborations is essential. While employers may benefit from participating in a work experience collaboration, any benefit to the employer must be secondary to the benefits to the student. Employers must be committed to the collaboration with the college and students, and, ultimately, to the growth of each student participating.

Two types of cooperative work experience are allowed for apportionment in California community colleges: general and occupational. General work experience is a broader employment opportunity “intended to assist students in acquiring desirable work habits, attitudes and career awareness” that does not need to be related to a student’s educational goals. Occupational work experience is intended to relate specifically to a student’s educational or occupational goal and is meant to extend what has been learned in the classroom to application in a real employment environment. Both types of work experience are coordinated by a college or district, “a district-initiated and district-controlled program of education” (Title 5 §55252), on behalf of the student. This type of experience is different from apprenticeship, as apprenticeship involves the same three participants—college, student, and employer—but the coordination is done by the employer or employee group rather than the college.

Cooperative Work Experience: Statutes and Regulations

As an educational program within the California community colleges, cooperative work experience is regulated by Title 5. Specifically, Title 5 sections 55250-55257, 53416, 58009, and 48161 cover topics applicable to cooperative work experience programs. These sections are summarized in the table below. Additional information about relevant regulations is embedded within each stakeholder responsibility.

Section	Focus or emphasis of section
§55250	Approved cooperative work experience plan required
§55250.2	Laws or rules applicable to minor students in work experience
§55250.3	Work experience education
§55250.4	Funds for work experience programs for students with developmental disabilities
§55250.5	Work experience education involving apprentice-able occupations
§55250.6	Work experience education outside of a district
§55250.7	Wages and workers' compensation
§55251	Requirements of cooperative work experience plan
§55252	Types of cooperative work experience education
§55253	College credit and repetition of cooperative work experience
§55254	Student qualifications
§55255	District services for cooperative work experience
§55256	Required records for cooperative work experience
§55256.5	Work experience credit
§55257	Job learning stations
§53416	Minimum qualifications for cooperative work experience instructors and coordinators
§58009	Attendance accounting method used for cooperative work experience
§58161	Apportionment for course enrollment

Cooperative Work Experience: Stakeholder Responsibilities

Stakeholder Responsibilities: Students

Students may earn up to a total of sixteen semester or twenty-four quarter credit units through general and occupational work experience, with the following limitations:

- For general work experience, students may earn a maximum of six semester or nine quarter credit units during one enrollment period;
- For occupational work experience, students may earn a maximum of eight credit units during one enrollment period. Occupational work experience makes no distinction between semester or quarter unit maximums (Title 5 §55253[a]).

Students may repeat any combination of general or occupational cooperative work experience courses any number of times as long as they do not exceed the total limits of sixteen semester or twenty four quarter credit units of combined general and occupational cooperative work experience.

Each unit of work experience counts as one student contact hour or credit hour (Title 5 §55256.5). Cooperative work experience units are dependent on the number of paid or unpaid hours of work attempted and completed by the student. For colleges on the semester system, 75 hours of paid work or 60 hours of unpaid work equals one semester unit. For colleges that schedule by quarters, 50 hours of paid work or 40 hours of unpaid work equal one quarter unit. Credit units may be awarded in 0.5 increments, with the required hours for 0.5 increments being determined by dividing by half the total hours of work necessary for one unit, regardless of a college being on a semester or quarter system. For CWE unit loads, the learning experience and on-the-job learning objectives identified for the student in collaboration with the CWE instructor and the employer must be appropriate for the number of credit units attempted and awarded. No current mechanism has been established for noncredit cooperative work experience.

To participate in cooperative work experience, students must coordinate a planned program with a CWE instructor who can assist in identifying and evaluating learning objectives and communicate with the employer to verify hours worked. Because CWE is intended as a learning experience, students are expected to identify personal learning outcomes and have on-the-job learning experiences beyond those experienced during prior employment, particularly if the work experience is being completed in collaboration with the student's existing employer. For general work experience enrollments, student objectives should be related to development or improvement of general employment skills. The learning objectives for occupational work experience enrollments must contribute to students' career-specific goals.

All California community college students, full-time or part-time, may participate in cooperative work experience, although additional considerations exist for minors, veterans, and students with disabilities. For minors, Title 5 §55250.2 dictates that all laws or rules applicable to minors in employment relationships are applicable to minor students enrolled in work-experience education courses. This regulation means that work permits are needed and limits are established on hours worked each day and each week. California's child labor laws—California Labor Code §§1290-1312—also limit the occupations in which a minor may be employed, although §1295 allows for some limits to be lifted for minors enrolled in vocational training programs, apprenticeship training programs, or work experience programs “provided that the work experience coordinator determines that the students have been sufficiently trained in the employment or work otherwise prohibited by these sections, if parental approval is obtained, and the principal or the counselor of the student has determined that the progress of the student toward graduation will not be impaired.” For many reasons, colleges may choose to allow CWE participation only to students over the age of eighteen and may legally do so as long as the restriction is stated in the college or district work experience plan. For veterans, attendance at a weekly class or other special attendance requirements may be necessary when using G.I. education benefits. Veteran students and work experience instructors and coordinators should work closely with the campus personnel responsible for monitoring education requirements of the Department of Veterans Affairs, as these regulations change often and are difficult to interpret. Finally, for students with developmental disabilities, Title 5 §55250.4 allows a community college district governing board to pay wages using funds from any source as allowable by law or regulation. According to this regulatory section, this practice ensures that the CWE program offers a maximum educational benefit to students and serves a public purpose.

When CWE involves occupations that may allow apprenticeship, additional restrictions exist. As specified in Title 5 §55250.5, CWE in apprentice-applicable occupations must comply with apprenticeship and pre-apprenticeship codes (Division 3, Chapter 4, §§3070-3100 of California Labor Code) and with standards established by the California Apprenticeship Council. For more regarding apprenticeship courses, see the apprenticeship section of this paper.

Stakeholder Responsibilities: Colleges

Colleges benefit from CWE in the form of FTES and apportionment generation, but they must also meet requirements to have an approved work experience program. These requirements are established by California Education Code and Title 5 and include developing an approved CWE plan, providing related district services, providing worker compensation insurance when needed, maintaining all records, and ensuring CWE instructors meet minimum qualifications.

To ensure that a district's cooperative work experience program is implemented in ways that maximize its benefit to students, any CWE program for which a college claims apportionment is required by Title 5 §55250 to have an approved plan adopted by the district governing board. These plans must set the structure of a designed program intended to provide realistic work-based learning experiences for students. Specific elements required in the plan include a statement that the district has officially adopted the plan pending approval by local governing board, a specific description of responsibilities of the college, student, employer, and other cooperating agencies, and a specific description for each type of CWE program, whether general or occupational. The plan must also include a description of how the college will provide the following services: counseling and guidance services, sufficient qualified academic personnel, appropriate documentation of students' written measurable learning objectives for on-the-job learning, appropriate evaluation of students in coordination with employers, a clear basis for awarding credit and grades, and adequate clerical and instructional services (Title 5 §55251(a)). Any changes to the plan require local governing board approval. Until 2018-2019, CWE Plans also had to be submitted to the Chancellor's Office for approval.

Title 5 §55255(a) requires that a district provide a plan for sufficient resources for initiation and maintenance of on-the-job learning stations, program coordination, and student supervision. The plan for coordinated supervision of students must be included in learning agreements. The employer and a qualified cooperative work experience instructor share responsibility for on-the-job supervision, required at least once each semester or quarter for each enrolled CWE student, in the following ways:

1. In-person consultation between the CWE instructor and employers or designated representatives to discuss students' educational growth on the job.
2. Written evaluation of students' progress in meeting planned on-the-job learning objectives.
3. Consultation with students in person to discuss students' educational growth on the job.

When a student is working outside of a college's immediate region, the college may hire qualified adjunct faculty to develop the learning contracts and make the in-person consultations required.

Per Title 5 §55255(b), the requirements for shared supervisory responsibility may be delegated to the Joint Apprenticeship Committee for legally indentured apprentices to avoid duplication of supervisory services. However, in these cases, the responsibility for compliance with California Education Code and Title 5 requirements for cooperative work experience always remains with the college at which the student is enrolled. The same Title 5 section allows that a district may utilize approved alternatives for in-person consultations required with students and employers, but only in limited situations and only in ways defined by guidelines issued by the Chancellor's Office. The most recent resource regarding alternate in-person consultations is the April 2009 Chancellor's Office document *Alternatives to "In-Person" Consultations: Cooperative Work Experience Education*.

For development of guidelines specific to cooperative work experience, Title 5 §55255(c) requires that the "Chancellor shall consult with, and rely primarily on the advice and judgment of, the statewide Academic Senate and shall provide a reasonable opportunity for comment by other statewide and regional representative groups."

Districts must also maintain cooperative work experience records as delineated in Title 5 §55256. The records required by the district CWE plan must include two elements: the types of general records to be submitted and specific academic records that must be signed and dated by academic personnel. The records that must be maintained include "The type and units of Cooperative Work Experience Education in which each student is enrolled, where the student is employed, the type of job held and a statement signed and dated by an academic employee which sets forth the basis for determining whether the student is qualified for Occupational or General Work Experience," a record of any work permits issued, the "employer's or designated representative's statement of student hours worked and evaluation of performance on the agreed-upon learning objectives," and "[n]ew or expanded on-the-job measurable learning objectives which serve as part of the basis for determining the student's grade, signed by academic personnel, the employer or designated representative, and the student." Student work hours require verification, either through weekly or monthly time sheets or through a summary statement at the end of the semester or quarter.

In addition to the employer-related records that require a signature by academic personnel, academic personnel must also maintain signed and dated records documenting consultations with the employer, consultations with the student, evaluation of student achievement of learning objectives, and the student's final earned grade. These records must be maintained in the same manner as all academic records as further delineated in Title 5.

As with any academic position, colleges and districts must ensure that cooperative work experience instructors meet minimum qualifications. For CWE instructors and coordinators, Title 5 §53416 defines the minimum qualifications necessary as the minimum qualifications in any discipline in which work experience may be provided at the college employing the instructor or coordinator.

Cooperative work experience courses must be approved utilizing a college's regular curriculum approval process and must be chaptered at the Chancellor's Office prior to being offered. For the purpose of curriculum and management information systems reporting to the Chancellor's Office, the

TOP (Taxonomy of Programs) Code assigned to general work experience is 4932.00. The TOP Code for occupational work experience must be the same TOP code as the program to which it is related.

The final requirement for colleges regarding CWE programs is designated by California Education Code with some clarification in Title 5. Ed Code §78249 defines the community college district providing supervised work experience education as the employer for the purposes of compliance with Division 4 of the California Labor Code. Exceptions to the district as employer may occur when the students enrolled in the work experience or occupational training are being paid by a private employer or the employer otherwise opts to provide workers' compensation insurance. Title 5 directly confirms this requirement in §55250.7: "Districts may provide workers' compensation insurance for students in work experience as may be necessary." This section of Title 5 also allows for coordination of public or private employment for students enrolled in cooperative work experience programs and for payment of cooperative work experience part-time employment. However, payment for jobs may only be arranged by districts for student employment in public agencies; no payments may be made to private employers.

Stakeholder Responsibilities: Employers

As with the specifically defined responsibilities of districts in cooperative work experience programs, employers also have responsibilities established by regulation. As partners in a student's cooperative work experience education, employers or their designated representatives must agree with the "intent and purposes of Work Experience Education for students and [be] given a copy of each student's approved on-the-job learning objectives" (Title 5 §55257). Further, employers must make certain that the student has a reasonable opportunity for continued work experience during the term the student is enrolled in cooperative work experience. This requirement is intended to ensure that students have the opportunity to work toward and achieve their individual learning outcomes in the agreed-upon employment setting. Together with the CWE instructor, the employer or designated representative agrees to provide adequate supervision during the learning experience and also agrees to provide adequate facilities, equipment, and materials for the student to achieve the work-related learning objectives and receive maximal educational benefit. Lastly, employers participating in cooperative work experience agreements must comply with all federal and state employment regulations.

Employers also share certain responsibilities with districts in CWE partnerships. Per Title 5 §55250.7 and California Education Code §78249, the employer must provide workers' compensation insurance for students doing paid cooperative work experience and may provide it for students undergoing unpaid learning experiences. Together with the district, the employer must maintain accurate records of the student's attendance (Title 5 §55256).

Some other considerations for employers or their designated representatives include assisting students and district instructional personnel in identifying the potential learning present in a work experience education, identifying the skills, knowledge, and aptitudes students should bring to the job, identifying and directing students' daily progress toward learning objectives, and identifying the potential for student growth, which is developed into learning objectives. As an extension of the college instructional staff during the cooperative work experience enrollment, the employer must teach or reinforce skills needed in the workplace, especially those best learned in the workplace, and direct each student's progress toward learning objectives.

Cooperative Work Experience: Funding

Community college cooperative work experience education programs benefit both students and the colleges that offer these opportunities. The primary benefit to colleges is the apportionment funding generated by student enrollment. Two elements of regulation are specific to cooperative work experience funding: one focuses on computation of full-time equivalent students, or FTES, for CWE programs, and the other focuses on faculty load in CWE programs.

As with other credit units, computation of apportionment for CWE is based on full-time equivalent students. Per Title 5 §58051(a), one FTES in California community colleges normally means 525 hours of attendance. For cooperative work experience programs, one FTES is either 30 units of CWE credit per week for a 17.5 week term or 15 hours of CWE credit per week for 35 weeks. To confirm that this FTES count is consistent with FTES calculation in other credit courses, one may multiply 30 units—or student contact hours, since in Title 5 §55256.5 indicates that each unit of work experience counts as one student contact hour—times 17.5 weeks. The total is 525 weekly student contact hours, or WSCH. If one divides this number by the WSCH standard of 525, the result is 1 FTES, just as stated in Title 5 §58051.

The second element related to funding for cooperative work experience programs is faculty load. While Title 5 places no limit on the number of FTES generated by work experience coordinators, §58051(b) does limit the student-to-instructor ratio to 125 students per each full-time equivalent instructor or coordinator. This limit is presumably set to recognize the amount of time required to mentor individual students as well as communicate with individual employers in order to properly facilitate and supervise each student's learning experience.

As long as students complete no more than the allowed cooperative work experience units, colleges may claim state apportionment for all repetitions of cooperative work experience courses (Title 5 §55253(b), §58161).

APPRENTICESHIP

Apprenticeship programs have been referenced in the Strong Workforce Program and Adult Education Program, as they provide unique opportunities for students to gain both paid and on-the-job experiences as well as college level curriculum pertaining to their chosen careers. Apprenticeship is another type of work-based learning that, like cooperative work experience, could be considered to fit within the larger umbrella of internship but operates within very specific regulations and guidelines. One significant difference between apprenticeship and cooperative work experience is that an apprenticeship program is coordinated by employers or employee groups rather than by colleges.

Apprenticeship: Intent and Guiding Principles

Like internships and cooperative work experience, an apprenticeship is a combination of education and training. Students of a specific occupation or trade, called apprentices, spend time in a classroom learning theory and practical skills specific to employment in a trade, and then they apply those skills

in on-the-job training. While the origins of apprenticeship may be debated, the concept is apparent as early as the Babylonian Code of Hammurabi nearly four thousand years ago, when artisans taught their craft to youth. Evidence also exists of skills being passed along in the same ways in early Egypt, Greece, and Rome. In these civilizations, youths spent many years learning their trades as apprentices under a master and later achieved the status of master worker, becoming important members of society. These elements still exist in today's apprenticeship structures: a trade is taught to learners or apprentices by those most skilled in the trade, and then the apprentices spend years practicing the trade in an attempt to become journeypersons and finally, in some trades, master craftspersons.

In this way, the intent of apprenticeship is slightly different than that of cooperative work experience. While the focus of apprenticeship is on preparing people for work, the employer-oriented emphasis is on keeping a trade strong through well-prepared professionals. Community college educational programs, including career technical education and cooperative work experience programs, prepare and push students into industry and are the coordinating bodies guided by Education Code and related regulation. Apprenticeship programs, on the other hand, pull people into industry for preparation, so the coordination and regulation of apprenticeship programs is through Labor Code and related regulation. In apprenticeship, community colleges may play an important educational role but only through coordination at the request of apprenticeship program sponsors within trades or occupations. With responsibilities for coordination resting with employers or employee trade-related or labor-related groups, the funding is also different.

Apprenticeship: Statutes and Regulations

The National Apprenticeship Law, commonly known as the Fitzgerald Act, was passed by Congress in 1937 and served to promote standards of apprenticeship. It established what is now called the Bureau of Apprenticeship and Training, charged with carrying out the objectives of the law with recommendations by the Federal Committee on Apprenticeship, which is placed within the Department of Labor. The structure for apprenticeship in California is similar. The Shelley-Maloney Act of 1939 created the current state apprenticeship system, which includes the Division of Apprenticeship Standards (DAS) within the Department of Industrial Relations (DIR). The DAS sets policy for apprenticeships based on the guidance of the California Apprenticeship Council, which provides policy advice on apprenticeship matters to the chief administrator of apprenticeship, ensures selection procedures are impartially administered to applicants, conducts appeal hearings on apprentice agreement disputes, establishes new apprenticeship standards for approval and apprenticeship program administration, and adopts regulations carrying out the intent of apprenticeship legislation.

Similar to the duration of a community college or university education, an apprenticeship may last from one to five years dependent on the trade. This time allows for apprentices to learn, do, and improve until they meet the knowledge and performance standards necessary to be masters of their skilled crafts or trades. The structure of an apprentice's journey and the standards the apprentice must meet are consistent for all aspiring apprentices in a given trade; these structures and standards are established by the trade or labor organization and are required in the plans that must be submitted to the DAS as part of the application process of starting an apprenticeship program.

Elements of apprenticeship laws and regulations were shaped most recently by AB 235 (O'Donnell, 2018); changes took effect in September 2018. AB 235 removed the California Apprenticeship Council's authority over apprenticeship programs in non-building and non-firefighter trades, meaning that the council now only has authority over apprenticeship agreements in building and construction trades and for firefighter-related employment. While standards for apprenticeship programs in non-building and non-firefighter trades are not under the authority of the council, requirements that establish minimum wages, maximum hours, and working conditions for apprenticeship agreements in non-building and non-firefighter trades still remain within the council's authority.

Laws related to apprenticeship programs can be found in Labor Code, Division 3 Employment Relations, Chapter 4 (§3070-3100). In this code one may find four articles on apprenticeship:

Article 1. Administration (§3070-3074.7)

Article 2. Apprenticeship Programs (§3075-3092)

Article 3. Other On-The-Job Training Programs (§3093)

Article 4. Pre-apprenticeship Programs (§3100)

Article 1 truly is administrative as it establishes the composition, frequency of meetings, responsibilities, and charges for the California Apprenticeship Council and the Interagency Advisory Committee on Apprenticeship. The council has existed for many years, but its membership was changed slightly by AB 235 and now includes the chairperson of the California Firefighter Joint Apprenticeship Committee. The Interagency Advisory Committee is new as a result of AB 235. Article 1 also establishes the position and responsibilities of the Chief of the Division of Apprenticeship Standards, the role of the division, and its role in reports to the legislature and other bodies. Further, Article 1 sets the standard of no discrimination in apprenticeship programs as well as the intent of encouraging greater participation by women and ethnic minorities.

Article 2 defines apprenticeship programs and the standards for and process of application. Of note, §3075 establishes that apprenticeship programs “may be administered by a joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer.” Schools or colleges are not mentioned, and this omission is a significant difference between other forms of work based learning and apprenticeship. Schools or colleges may be partners in apprenticeship instruction, but programs are housed within organizing committees or employers as noted in §3075. Education Code §79148 makes clear the role of DAS and DIR as the administrative entities as it relates to collaboration with California community colleges: “the Division of Apprenticeship Standards of the Department of Industrial Relations, in partnership with the California Community Colleges, shall develop and implement innovative apprenticeship training demonstration projects in high-growth industries in emerging and transitioning occupations that meet labor market needs and that are validated by current labor market data.”

Article 3 further lays the groundwork for collaboration among employers, apprenticeship programs, and California community colleges, particularly for the coordination of three types of additional on-the-job

educational programs other than apprenticeship that may be coordinated in support of apprenticeship programs and their employees. It notes that the provisions within Article 3 are voluntary and only apply in cases where no collective bargaining agreement exists and in cases where prevailing conditions in the industry are not “lowered or adversely affected.”

The provisions related to pre-apprenticeship, a new element in law and regulation, in Article 4 of Chapter 4 were added as a result of AB 235. The article provides that the Division of Apprenticeship Standards will establish a process for approval of pre-apprenticeship programs.

The regulations supporting the apprenticeship elements of Labor Code are found in Title 8 Industrial Relations, Division 1 Department of Industrial Relations, Chapter 2 California Apprenticeship Council.

Apprenticeship: Stakeholder Responsibilities

Stakeholder Responsibilities: Students

Students interested in apprenticeships must apply to the program sponsor, not the college. Program requirements, such as minimum age, education, physical requirements, or need for a driver’s license, may vary by employer. Some programs have no education requirement, while others may require a high school diploma or equivalent, college coursework, or completion of an aptitude test. Some programs may not accept apprenticeship applications at all times.

In considering an apprenticeship, potential apprentices must recognize that they are entering a demanding preparation for qualification and progression within a trade. Most apprenticeship programs require paid apprentices to work full- or nearly full-time while regularly participating in classroom instruction. Failure to comply with all requirements during an apprenticeship may jeopardize continued participation.

Before students consider and apply for apprenticeship programs, they should understand and value the apprenticeship system and enjoy the work of the trades they are starting into. They should also have stable life situations, including stable living and access to a telephone, and they should have resolved any issues that may interfere with their work or school performance. These matters may include such arrangements as having a clear plan for dependable transportation to and from the job and classroom sites and having a consistent childcare solution. Other attributes encouraged in aspiring apprentices are a positive attitude, a strong work ethic, reliability, commitment, and a willingness to learn.

One significant benefit of apprenticeship to students is the application of skills learned in classroom instruction to an on-the-job environment. Apprentices must make a commitment to stay employed within the industry given that the program sponsors, as representatives of the trade, are investing time and money into an apprentice’s training. The duration of apprenticeships varies, but most are one to five years, or 2,000 to 10,000 hours.

At the completion of the apprenticeship program, the student worker receives an Apprenticeship Completion Certificate and is recognized as a qualified journey person nationwide. An Apprenticeship Completion Certificate is one of the oldest, most basic, and most highly portable industry credentials

in use today; certificates are issued by the California Apprenticeship Council in coordination with the program sponsor.

Apprenticeship work is paid employment, although apprentices earn less than others in a trade given that they are learning the craft. While apprentices may start out earning substantially less than journeypersons employed in a trade, as they complete training and employment hours, their wages will progressively increase based on the trade's journeyperson's hourly wage. Wages usually reach 85 to 90 percent of the rate paid to a journeyperson in the occupation by the completion of an approved apprenticeship program.

Stakeholder Responsibilities: Colleges

Apprenticeship education is viewed as a model to accelerate the educational preparation of skilled workers to compete in the U.S. economy. Apprenticeships in California are not coordinated by the community colleges but by program sponsors who may be employers—individually or as part of associations—or labor organizations. Program sponsors contract with community colleges or other local education agencies, including high schools, school districts, regional occupational centers, or adult schools. The contracted school or college provides the classroom elements—called related and supplemental instruction, or RSI—necessary for on-the-job experience, and the employers provide supervised, paid, on-the-job training to apprentices based on established industry standards. Reimbursement of funds for apprenticeship-related and supplemental instruction is available through RSI Montoya funds.

Typically, the instruction takes place off-site, and the instructional hours are reported to the college by the program sponsor at the end of the term. Instructors are usually recruited by the program sponsor and are paid by the program sponsor using the sponsor's portion of the RSI funds. Some apprenticeship programs, particularly those sponsored by trade or labor organizations, have full-time apprenticeship coordinators who teach the RSI portion of the apprenticeship experience. Apprenticeship instructors must meet minimum qualifications established for their instructional positions in the California Community Colleges System. However, these instructors are often not viewed by college faculty as peers, nor are they active members of faculty associations.

The development of apprenticeship programs in the community college system requires flexibility to customize to the needs of program sponsors and the needs of students. On-the-job training with academic coursework is often considered a gold standard of workforce preparation. Colleges offer student exploration tools, certificates, and degrees through partnerships with training organizations and industry. The US Department of Labor reports that “Apprentice graduates earn an average of \$50,000 per year.”²

According to the California Apprenticeship Initiative Hub managed by the Foundation for California Community Colleges, 75,000 apprentices are currently working in California, and the 2016-2020 California State Workforce Plan intends to increase that number to 128,000. The California Apprenticeship Initiative, administered by the California Community Colleges Chancellor's Office in partnership with the Division of Apprenticeship Standards, is one strategy for California community colleges to support growth of apprenticeship and pre-apprenticeship programs in California.

2 <https://www.dol.gov/apprenticeship/docs/RA-Planning-Tool.pdf>

Minimum qualifications for instructors of apprenticeship courses in the California community colleges are established by Title 5 §53413 and are different from minimum qualifications for other community college faculty as established by Article 2 of Subchapter 4 of Chapter 4 of Division 6 of Title 5 regulations, §§53400-53430. The difference in qualifications is partly necessitated by the source of funding for apprenticeship instruction in the California community colleges and by the fact that apprenticeship instruction occurs through program sponsors, not just community colleges or other educational institutions.

To qualify as a credit apprenticeship instructor at a California community college, a candidate must meet one of four qualifications:

1. Possession of an associate degree, plus four years of occupational experience in the subject matter area to be taught; or
2. Six years of occupational experience in the subject matter to be taught, a journeyperson's certificate in the subject matter area to be taught, and completion of at least twelve (12) semester units of apprenticeship or college level coursework. The twelve (12) semester unit requirement may be satisfied concurrently during the first two years of employment as an apprenticeship instructor.
3. Six years of occupational experience in the subject matter to be taught, and a minimum of ten years of experience as an apprenticeship instructor for the California Department of Industrial Relations Division of Apprenticeship Standards. (Title 5 §53413)

This section of Title 5 also allows for qualification of temporary instructors when urgent situations occur. Per Title 5 §53413(a)(4)(A), "urgent" is defined as "a shortage of qualified instructors that would prevent offering classes to students in accordance with the approved education plan for the apprenticeship program adopted by the California Department of Industrial Relations, Division of Apprenticeship Standards." Under this section, an individual may be qualified as a temporary instructor for not more than two years, provided that the individual already possesses six years of occupational experience and a journeyman's certificate, both in the discipline to be taught, or four years of occupational experience and less than one year left for completion of an associate's degree. By the end of the temporary period, the instructor must meet the educational requirements noted in §53413.

Minimum qualifications are different for instructors of noncredit apprenticeship courses versus credit courses. While a candidate may qualify by meeting the qualifications required for credit apprenticeship instruction, minimum noncredit qualifications require a "high school diploma; and six years of occupational experience in the occupation to be taught, including at least two years at the journeyman level; and sixty clock hours or four semester units in materials, methods, and evaluation of instruction. This last requirement may be satisfied concurrently during the first year of employment as an apprenticeship instructor" (Title 5 §53413[b][2]).

Stakeholder Responsibilities: Program Sponsors (Employers or Trade- or Labor-Related Groups)

Given that apprenticeship programs are coordinated by employers or by trade-related or labor-related groups, some of the regulatory, access, and record-keeping responsibilities of colleges in cooperative

work experience collaborations rest instead on the program sponsors in apprenticeships. Program sponsors must ensure compliance with all federal and state regulations and must maintain all records related to individual apprentice classroom instruction and employment hours.

Apprenticeship: Funding

Since 1970, funding for the classroom component of approved apprenticeship programs in California has come through related and supplemental instruction funds, often called Montoya Funds. AB 86, the education omnibus trailer bill passed in 2014, changed the role of the Department of Education to allow state funding for apprenticeship programs taught at high schools, unified school districts, regional occupational centers, and adult schools separate from community colleges.

The educational funding for apprenticeship programs is appropriated to the California Community Colleges Chancellor's Office and the California Department of Education annually from Proposition 98 funds, and these funds are then disbursed to schools and colleges who contract with apprenticeship program sponsors. Each district must have an established apprenticeship agreement with the program sponsor that specifies the percentage of RSI funds that are available to the college, with the rest of the funds being provided to the program sponsor. All RSI funds are restricted to costs related to the instruction and administration of apprenticeship programs and cannot be used to fund other college or district programs. While the level of RSI funding approved by the legislature has increased, the availability of RSI funds has been insufficient to accommodate the increasing number of apprenticeship programs in the California Community Colleges.

In an attempt to address California's workforce needs, the Chancellor's Office collaborated with the Foundation for California Community Colleges to provide grant opportunities for colleges that wanted to develop new apprenticeship programs that could not be funded with the available RSI funds. The California Apprenticeship Initiative, or CAI, is a grant initiative that uses Proposition 98 funds to support colleges looking to develop new and innovative apprenticeship programs with the goal of increasing the number of skilled workers available from 2016 to 2026. The priority sectors for CAI are as follows:

- Advanced Manufacturing
- Advanced Transportation
- Agriculture, Water, & Environmental Technologies
- Energy, Construction, & Utilities
- Global Trade & Logistics
- Health
- Information & Communication Technologies/Digital Media
- Life Sciences/Biotech
- Retail/Hospitality/Tourism

In order to address the lack of sufficient funding for traditional apprenticeship programs and the need to provide ongoing funding for new apprenticeship programs developed with funds from a CAI grant, the 2017-18 California Budget Act allocated additional Proposition 98 funds to reimburse community colleges and K-12 and adult school RSI providers. The Budget Act also earmarked additional funds to support the development of new and innovative apprenticeship programs through the California Apprenticeship Initiative. While RSI funds are restricted to expenses related to apprenticeship instruction, apportionment generated by apprenticeship programs is allocated to districts and is part of the adopted budget allocation process. Colleges seeking to have existing or new apprenticeship programs funded through apportionment are encouraged to review and revise their budget processes to ensure that the apprenticeship programs are adequately funded.

OTHER WORK-BASED LEARNING

Internship, cooperative work experience, and apprenticeship are the most frequently confused work-based learning models in the California community colleges, with the terms often being used interchangeably. However, while overlap exists between internship and cooperative work experience, apprenticeship is structured, funded, and regulated very differently despite the similar purpose of a combination of classroom and on-the-job learning. Additional work-based learning opportunities present in the California community colleges include, but are not limited to, clinical or practicum experience, preceptorships, and work study.

Clinical Experience or Practicum

“Clinical” is a term applied most often to healthcare fields, including nursing assistant, medical assistant, vocational nursing, and other allied health programs. Work-based learning in these disciplines may also be called practicum, as it is in teacher preparation programs, and the two terms may be used interchangeably. In these disciplines and programs, work-based learning is a planned and integral part of curriculum that occurs under the direct supervision of qualified community college instructors in a healthcare or education setting. Over the duration of an educational program, students progress from observation to performance in various positions relevant to the certification or licensure being sought. Students work alongside and often with the mentorship of qualified health care or education professionals and may work independently, particularly in the latter stages of a program, but an appropriately qualified community college instructor is always present.

Another element of clinical or practicum experiences that is different from internships or cooperative work experience is that the on-the-job hours are embedded within the curriculum for the program, just as laboratory hours may be embedded in a science class. Because the clinical hours are completed under the direct supervision of a qualified instructor, colleges earn apportionment based on weekly student contact hours and full-time equivalent student calculations, just as it is earned with other credit or noncredit curriculum.

Clinical or practicum experiences are always coordinated with the topics covered in the classroom, giving students progressive opportunities to apply theories and skills learned in a classroom setting to real subjects in real health care or education situations. Because students completing clinical or practicum

hours are working with real patients in health care settings or real students in education settings, contracts between colleges and health care agencies or K-12 schools are necessary. These contracts may be very complex due to liability issues and specific requirements of the health care agencies and educational institutions.

Preceptorship

Preceptorship is a learning model used in many health care disciplines and other career education industries. It is student-centered learning based on adult learning theory. A preceptorship program can be a formal class that requires approved curriculum, faculty meeting minimum qualifications, student attendance or clinical hours, and state licensing agency approval such as by the Board of Registered Nursing (CCR §1426.1). It can also be a program developed by employers in the industry as a form of work-based learning post-graduation. The goal of the preceptorship is to ease the transition and bridge the gap of classroom learning to real-life application by pairing a novice or advanced beginner student or graduate—the preceptee—with an experienced working professional—the preceptor—to further develop knowledge, skills, and self-efficacy needed to succeed in the profession. The length of a preceptorship varies from a few weeks to several months or longer based on the individual learning needs of the preceptee.

Preceptors usually are working professionals who have demonstrated knowledge and competence in the field with at least one year of experience. Commonly, a preceptee is paired with a designated preceptor. However, a preceptee may be assigned with another preceptor or staff member when the primary preceptor is not available due to illness or other reasons. Preceptors may or may not have formal preceptor training, and they may or may not receive financial incentives or hourly differential pay when they are precepting. Preceptors' knowledge, skills, and attitudes contribute to the success of preceptees with real-life learning opportunities and case scenarios that enhance development of decision-making and problem-solving skills. Performance feedback and evaluation may be conducted on a regular basis—daily or weekly—and at the end of the preceptorship program. Upon successful completion of the program, the preceptee will commonly take on the full load of the assignment or job requirements and begin practicing independently without direct supervision of the preceptor.

Although preceptors and preceptorship have demonstrated effectiveness in assisting novice graduates to fully engage in their practice, no long-term state funding has been dedicated for this learning model. In the past, Industry Driven Regional Collaborative Grants, funded by the California Community Colleges Chancellor's Office, have been offered in order to develop model curriculum and to make preceptor training available for health care providers. In 2005, Governor Arnold Schwarzenegger established the California Nurse Education Initiative with partnership from the state and private sectors to expand enrollment and foster student success, including funding for registered nurse preceptor training. However, finding preceptors who are willing to precept students or graduates is becoming increasingly difficult due to increased workload from patient assignments, acuity of patients, lack of financial incentives, and career burn-out. According to the California Board of Registered Nursing 2016-2017 Annual School Report published in April 2018, twenty associate degree nursing programs reported losses of preceptorship placement sites. Therefore, funding and successful recruitment and retention of preceptors are key factors in sustaining preceptorship programs in the community colleges to promote positive learning outcomes and career readiness in work settings.

Work Study

The term “work study” in California community colleges refers to the Federal Work Study Program, which is a means of financial aid for students who have financial need. Federal Work Study is often confused with cooperative work experience, but the two are very different. Rather than being a work-based learning opportunity as is the case with internships, cooperative work experience, and apprenticeships, the focus of Federal Work Study is on student financial aid. Federal Work Study provides job placements for students based on demonstrated financial need while enrolled in school. Most Federal Work Study job placements are on a college campus, although off-campus placements with an emphasis on civic employment through private nonprofits or public agencies may be made. Students with work study as part of a financial aid package are not guaranteed a job; they must work with financial aid offices to determine placement opportunities.

Although employment soft skills may be learned on the job, Federal Work Study is not typically aligned with a student’s educational or career goals. Federal Work Study programs are administered by college financial aid offices, not career centers or work experience instructors.

WORK BASED LEARNING IN CALIFORNIA COMMUNITY COLLEGES

Adopted Spring 2019

SUMMARY OF RECOMMENDATIONS

Summary

Work-based learning is a critical element of community college instructional programs and student preparation for the world of work. However, much confusion can exist over types of work-based learning, particularly with the terms used as identifiers. To understand the various forms of work-based learning, one must examine the intent and guiding principles of each along with applicable statutes and regulations, funding, and responsibilities of stakeholders.

Internship is a broad term for work-based learning opportunities. No regulations specific to internship in the California Community Colleges exist, but when combined with other factors, an internship may involve cooperative work experience, apprenticeship, clinical or practicum, a preceptorship, or other forms of more regulated work-based learning.

When an internship or work-based learning opportunity is combined with elements of an educational partnership among an instructor, an employer, and a student, the arrangement is identified as cooperative work experience within the California Community College System. Such agreements include identification of learning objectives, student receipt of credits for the experience, and supportive mentoring to assist the student in achieving identified goals.

When an internship or work-based learning opportunity is coordinated by a program sponsor who is an employer or trade-related or labor-related organization, with or without the involvement of a California community college, and is compliant with all applicable regulations, it is an apprenticeship.

When an internship or work-based learning opportunity is combined with the progressive application of skills and theory to practice under the supervision of a qualified instructor as part of an approved credit or noncredit curriculum, it is a clinical or practicum experience.

Recommendations for Board of Governors

1. Given the emphasis on Strong Work Force, adult education, and Guided Pathways within the California Community Colleges System, the California Community Colleges Board of Governors should rely upon the Academic Senate for California Community Colleges to work with the Chancellor's Office, the California Internship and Work Experience Association (CIWEA), and other stakeholders to implement noncredit alternatives to cooperative work experience education opportunities.
2. The California Community Colleges Board of Governors should revise Title 5 to facilitate expansion of occupational cooperative work experience eligibility from CTE TOP codes alone to all TOP codes, given that all programs are preparing students for careers and all students could benefit from program-specific cooperative work experience opportunities.

Recommendations for ASCCC

1. The Academic Senate for California Community Colleges should work with the Chancellor's Office and other stakeholders to assist colleges in recognizing the similarities and differences among types of work-based learning and to employ a common language and understanding of the applications of work-based learning within the California Community College System.
2. The Academic Senate for California Community Colleges should work with the Chancellor's Office and other stakeholders to provide more information about apprenticeship in California community colleges, including what structures and agreements are necessary to initiate apprenticeship agreements and instruction in collaboration with employers or labor groups.
3. The Academic Senate for California Community Colleges, together with CIWEA, should disseminate information regarding the importance of work-based learning in students' preparation for work and regarding effective practices for incorporating work-based learning into local programs.

RESOURCES

Apprenticeship USA. Advancing Apprenticeship as a Workforce Strategy: An Assessment and Planning Tool for the Public Workforce System. <https://www.dol.gov/apprenticeship/docs/RA-Planning-Tool.pdf>

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