

CALIFORNIA APPRENTICESHIP COUNCIL
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LEGISLATION COMMITTEE MINUTES

Chairperson Yvonne de la Peña
 Wednesday, January 26, 2022
 11:00 a.m.

I. Call to Order/Roll Call

Chairperson Yvonne de la Peña called the meeting to order at 10:31 a.m.

Members present: Yvonne de la Peña, Christopher Christophersen Sr., Paul Von Berg, Larry Hopkins, Sheri Learmonth, Earl Restine and Chief Eric Rood

Absent: None

A quorum was met.

II. Review/approve previous Minutes

A motion was made and seconded to approve the minutes of the last meeting held on October 27, 2021 minutes were approved as submitted.

III. Budget

An overview of Yvonne's report on the CAC Bills of Interest and an Overview of Budget Bills were reviewed. She included in her report that RSI Rate Increasing from \$6.44 to \$6.77. Her report was posted to the CAC website.

Budget Act 2017-2018: Appropriation for Apprenticeship as Introduced January 10, 2017

Assembly Bill 96 and Senate Bill 72

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)

Schedule:

(2) 5670019-Apprenticeship 32,745,000

(3) 5670023-Apprenticeship Training and Instruction 22,127,000

Provisions:

3. (a) The funds appropriated in Schedule (2) shall be available pursuant to Article 3 (commencing with Section 79140) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.

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(b) Pursuant to Section 79149.3 of the Education Code, the reimbursement rate shall be \$5.90 per hour.

(c) Of the funds appropriated in Schedule (2), \$15,000,000 shall be used for the California Apprenticeship Initiative pursuant to Section 79148 of the Education Code.

4. (a) The funds appropriated in Schedule (3) shall be available pursuant to Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of the Education Code.

(b) Pursuant to Section 8152 of the Education Code, the reimbursement rate shall be \$5.90 per hour.

The Appropriation for Apprenticeship includes the following:

1. **Overall**, the funding for apprenticeship increased by \$1,258,000 million (3.25% increase)
2. Funding for **K-12** increased by \$698,000 to \$22,127,000 (3.25% increase).
3. Funding for **community colleges** increased by \$560,000 to \$32,745,000 (3.25% increase).
4. An additional \$15,000,000 is included in the community college item, above, for the third fiscal year to ...”develop and implement innovative apprenticeship training demonstration projects.
5. The **RSI** hourly rate is increased by \$0.19 from \$5.71 to \$5.90 (3.33% increase).

Other Budget Bill item that Impacts Apprenticeship:

6870-488—Reappropriation, Board of Governors of the California Community Colleges.

Notwithstanding any other provision of law, the balances of the following items are available for reappropriation for the purposes specified in Provision 1:

0001—General Fund

(1) \$629,000 or whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Apprenticeship, Fund for Student Success, Transfer Education and Articulation, and Nursing Program Support programs in Schedules (2), (17), (19), and (21), respectively, of Item 6870-101-0001 of the Budget Act of 2015 (Ch. 23, Stats. 2015).

Provisions:

1. The Controller shall revert the appropriations identified in Schedule (1) to the Proposition 98 Reversion Account.

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California Apprentice Council Policy on Common Administrative Practices and Treatment of Costs and Practices Related to RSI *January 2017*

This Policy is intended to satisfy Education Code Sections 8155 (b) and 79149.6 (b) that requires the California Apprenticeship Council to approve a policy related to common administrative practices and treatment of costs and services, as well as other policies related to apprenticeship programs.

Definitions:

- CCCCCO – California Community College Chancellors Office
- COLLEGE – Community College
- DAS – Division of Apprenticeship Standards
- JAC - Joint Apprenticeship Committee
- LEA – Local Education Agency means school districts, and county offices of education
- Program Sponsor– as defined by DAS, the apprenticeship program sponsor
- RSI – Related and Supplemental Instruction
- UAC— Unilateral Apprenticeship Committee

Policy to ensure proper oversight of funding for RSI

LEAs and colleges should:

- Attend JAC or UAC meetings at least once per year per program sponsor
- Attend CAC meetings at least once per year
- Review curriculum as needed
- Monitor RSI hours from program sponsors
- Complete other reporting documents on time as requested by CCCCCO
- Provide other educational support and training to the program sponsor as requested

Program Sponsors should:

- Report attendance to their LEA or college on a regular (monthly preferred) basis, to meet CCCCCO apportionment deadlines.
- Ensure that sign in sheets and/or electronic attendance procedures are in place and auditable
- Invite LEA's and colleges to attend JAC or UAC meetings, graduations and other events
- Provide access to professional development opportunities for instructors to improve their classroom instruction

LEA's, colleges, and program sponsors, working together, should:

- Ensure that a consistent instructor evaluation process is in place and followed
- Ensure that a professional development process is in place and followed to improve instructor teaching skills at the discretion of the program
- Leverage resources to increase apprentice completion rates

CCCCCO should:

- Provide training, and support related to RSI administrative procedures to all LEAs, colleges, and Program Sponsors as needed
- Annually collect data related to apprentice completion rates, and other outcome data from LEAs, colleges, and program sponsors

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- Provide, on a timely basis, information to all LEA's, colleges, and the CAC as required by Education code sections 8152 and 79149.3
- Conduct annual meetings, one North and one South, for all participating LEAs, colleges, and Program sponsors
- Provide training and support to new LEAs, colleges, and apprenticeship program sponsors
- Act as a central repository of "Best Practices" related to education and training of apprentices

DAS should:

- Review LEA attendance processes and procedures as appropriate
- Provide technical assistance to LEAs and colleges who are looking to develop new apprenticeship and/or pre-apprenticeship programs
- Provide CCCCO apprenticeship completion data so that all apprentices who graduate/complete/journey or promote out, whether associated with an LEA or college, will receive college credit.

Policy related to sponsors transferring apprenticeship RSI funds WITHIN or BETWEEN schedule (2) and (3) of Budget Act Item 6870-101-0001.

- RSI funds are allocated to LEA's for specific apprenticeship program sponsors. As such, shifting of funds for RSI cannot occur without the sponsor's approval.
- All requests to transfer RSI funding WITHIN schedule (2) or within schedule (3) of Budget Act Item 6870-101-0001 must be submitted to the CCCCO for approval no later than February 1 of the current fiscal year. Failure to meet this deadline will cause the transfer to be disapproved or delayed.
- All requests to transfer RSI funding BETWEEN Budget Act schedules (2) and (3) of Item 6870- 101-0001 must be submitted to the CCCCO for approval no later than September 1 of the current fiscal year. Failure to meet this deadline will cause the transfer to be disapproved or delayed.
- The timeline for a funding shift between schedules is earlier because it requires approval by the Department of Finance (DOF) as the transfer impacts the appropriation in two separate schedules and program delivery systems.
- If approved by the CCCCO, the effective date of all transfers shall be on July 1 of the following fiscal year or when the Governor signs the Budget Act if beyond that date.
- The amount to be shifted shall not exceed the current year allocation of RSI hours unless prior experience shows the sponsor has not fully utilized their allocation. In this case, the amount transferred shall not exceed the prior year RSI funding actually utilized by that sponsor up to their initial allocation in the prior year.
- In the event the appropriation for RSI in the subsequent fiscal year has been reduced the dollar amount transferred shall be reduced proportionally.
- The sponsor of an Apprenticeship program seeking to move to another college in Schedule (2) or to an LEA seeking to move to another LEA in Schedule (3) must develop and sign a new contractual agreement.
- Program sponsors, LEA's, and colleges should work diligently to maintain a good working relationship so that transfers are unusual events

CCCCO and DAS: Allocation of additional RSI funding:

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In the event the Budget Act appropriates additional funding for Related and Supplemental Instruction, these funds shall be allocated by the CCCCO to LEA's and colleges based on the number of RSI hours requested, taking into account the actual number of hours actually utilized in the prior fiscal year, with priority of those programs that exceeded their allocation in the prior year, the number of RSI hours approved for transfer to that LEA, and adverse audit negative findings that indicate an inability to properly administer and account for these funds. Unless the Budget Act says otherwise, these funds shall be allocated to LEA's and colleges for established apprenticeship sponsors who were allocated RSI funds in the prior fiscal year from Schedule (2) and (3) of Item 6870-101-0001. Unexpended RSI funds will be managed in accordance with the Education Code.

Treatment of Costs and Services:

For purposes of apprenticeship, the maximum percentage of reimbursements an LEA or a college is to be based upon negotiations with the program sponsor, but not to exceed 20 percent. However, the 20 percent may be exceeded only if the LEA or college and the program sponsor negotiates and agrees upon additional activities, support, or services that result in costs exceeding 20 percent. In every case where the percentage exceeds 20 percent, the LEA or college must provide adequate justification to the CCCCO for all costs attributable to activities, support, and services used to determine the total percent to be charged, including those costs used in the calculating the 20 percent. Failure to reach agreement is sufficient justification for the sponsor to transfer to another LEA or college.

Yvonne read the California Apprenticeship Council RSI Funding Resolution dated January 27, 2022.

CALIFORNIA APPRENTICESHIP COUNCIL**RSI FUNDING RESOLUTION**

January 27, 2022

Whereas the California Apprenticeship Council (CAC) is recognized as the authority on all issues relating to apprenticeship training, and

Whereas apprentices registered with the Division of Apprenticeship Standards (DAS) receive related and supplemental instruction and on the job training in accordance with the program-approved apprenticeship standards, and

Whereas registered apprentices directly contribute to workforce and economic development of the State because of their employment, and

Whereas California has recognized the benefits of funding DAS approved apprenticeship training programs through historical experience and statute, and

Whereas the CAC has an established Legislative Committee that reviews legislative bills and related and supplemental instruction (RSI) budget proposal impacting the apprenticeship community, and

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Whereas registered apprenticeship programs sustained loss of funding in fiscal years 19/20 and 20/21 due to interruptions in training and program/employer closures caused by the COVID-19 pandemic, and

Whereas the workforce shortages resulting from the COVID -19 Pandemic have amplified the need for critical and effective apprenticeship training programs to rebuild and replenish California's workforce to meet the challenges faced by those most impacted by the State's job losses, and

Whereas it was the recommendation of the CAC Legislative Committee and approved by the full body of the CAC to ensure funding remains whole and continues to provide for the growth of all registered apprenticeship programs and ensure the investments made by the Legislature and Governor are used for its intended purpose,

Therefore, be it Resolved; the CAC strongly urges the Chief of DAS and all apprenticeship stakeholders to take all actions necessary to ensure unused RSI funding does not revert to general apportionment funds, but is instead extended for use by the apprenticeship community for at least three (3) years, and

Be it also Resolved; the CAC strongly urges the Chief of DAS and all apprenticeship stakeholders to take all actions necessary to promote changes to the funding allocation process as outlined in Educational Code sections 8150-8154 and 79179.3-79149.5, to allow for any excess dollars to be transferred between Schedules 2 and 3 of Item: 6870-101-0001, in the event that one Schedule has surplus funds and the other schedule has deficit funds.

- A motion to adopt this resolution was made. Seconded and Approved.
- Questions and Comments from the public.

IV. Adjournment

Adjournment at 12:03 p.m.