

CA Educ Code 8155 / CA Educ Code Section 79149.6:

By March 14, 2014, the Chancellor of the California Community Colleges and the Division of Apprenticeship Standards of the Department of Industrial Relations, with **equal participation by local educational agencies and community college apprenticeship administrators**, shall develop common administrative practices and treatment of costs and services, as well as other policies related to apprenticeship programs. Any policies developed pursuant to this subdivision shall become operative upon approval by the California Apprenticeship Council.

COMMON ADMINISTRATIVE PRACTICES DRAFT VERSION - PAGE 7

BULLET POINT 1: TRANSFERRING FROM ONE LEA TO ANOTHER:

DRAFT: *All requests to transfer program training contracts, including transferring training hours, between LEAs must be approved by DAS prior to submission to the Chancellor's Office.*

CONCERN: DAS does not oversee RSI hours and should not be involved in granting permission **PRIOR** to a transfer. Additionally, no timeline has been imposed on DAS to make a decision on a transfer, further creating unnecessary delays. The **REQUIREMENT** that DAS **MUST** approve the transfer **PRIOR** to submitting a written request to the Chancellor's Office creates an undue burden. This added step creates the potential of missing the new November 1 deadline and should not be a requirement.

BULLET POINT 4, SUB POINT 2: LEA AGREEMENT TO TRANSFER HOURS:

DRAFT: *The amount to be shifted shall not exceed the current year allocation of RSI hours but may be less than the current year allocation if the sponsor did not fully utilize their prior year allocation. In this case, the amount transferred shall not be less than the prior year RSI funding utilized by the sponsor. The total number of hours to transfer must be set according to these guidelines and agreed to by the LEAs, within an email record, prior to submission of a request to DAS. The agreement email should also be submitted to DAS.*

CONCERN: LEAs should not be involved in the negotiation or agreement to transfer RSI hours among themselves. This is the role of the Chancellor's Office who receives an accurate accounting of each program's reported RSI reported hours.

BULLET POINT 6: REQUIRING A PRIOR SIGNED CONTRACT:

DRAFT: *The sponsor of an apprenticeship program seeking to transfer must develop and sign a new contractual agreement with the new LEA prior to submitting the request to the Chancellor's Office.*

CONCERN: Large districts cannot enter into a legally binding contract to pay RSI hours without confirmation that the hours will be transferred. School districts **cannot** produce a signed contract **PRIOR** to receiving confirmation from the Chancellor's Office that the RSI hours will be transferred. A contract without an RSI component creates added responsibilities for the LEA, as well as risk management liabilities, without compensation for the work the LEA performs when taking on a program.

SUMMARY OF PROPOSED CHANGES CONTAINED ON PAGE 7:

The proposed changes to transfer RSI hours would change an existing one-step process into an unnecessary five-step process:

EXISTING STEP: The program sponsor submits a letter to the Chancellor's Office requesting the transfer of RSI hours to a new LEA prior to February 1 of the current fiscal year. Changes take effect on July 1.

PROPOSED CHANGES:

1. **NEW STEP:** Both LEA's must mutually agree to the transfer of a specified number of RSI hours **and** provide written email communication of that agreement.
2. **NEW STEP:** The receiving LEA must provide DAS with written email communication of the agreement to transfer hours between the two LEAs—*however, what if an agreement cannot be reached or an email confirmation cannot be obtained?*
3. **NEW STEP:** The receiving LEA must obtain **PRIOR** approval from DAS **BEFORE** submitting the request to the Chancellor's Office to transfer hours.
4. **NEW STEP:** The LEA must enter into a binding contract with the program sponsor **BEFORE** receiving confirmation from the Chancellors Office that RSI hours will be transferred.
5. **NEW STEP:** The LEA must submit DAS' approval, a signed contract, and the agreement between both LEAs to the Chancellor's Office prior to a new November 1 deadline of the current fiscal year.

RECOMMENDATION:

AN OFFICIAL DOCUMENT: The Common Administrative Practice guide should include a California Apprenticeship Council logo or seal to validate CAC's decision making authority.