

Work Based Learning in California Community Colleges

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ASCCC Career Technical Education Leadership Committee 2018-2019

Cheryl Aschenbach (Chair), English, Lassen College

Brandi Asmus, Agriculture, Woodland College

Maria del Rosario Biddenback, Nursing, Napa Valley College

Marie Boyd, Library Science, Chaffey College

Brenda Chan, Nursing, East Los Angeles College

Kevin Corse, Automotive, Oxnard College

Mayra Cruz, Child Development, De Anza College

La Tanga Hardy, Child Development, Los Angeles Trade Technical College

Jody Johnson, Child Development, Santiago Canyon College

Vicki Maheu, Business Office Technology, San Diego Continuing Education

Xu Meili, Computer Information Systems, Sacramento City College

Brian Moe, Dance, Los Angeles Pierce College

Carlos Perez, Electronics, Sacramento City College

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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 2017¹, 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 preparing students for the general and job-specific demands of occupations, work-based learning is equally critical.

Work based learning provides students as aspiring employees the opportunity to explore careers and to turn theory and simulation to 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 learning to careers by providing students with opportunities to reinforce and make relevant their classroom learning. It also allows students to explore potential career fields through immersion in the field 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 referred to within the California community college system, as are clinicals or practicum, preceptorships, externships, and work study. These are not all the same types of work-based learning, nor do they all have 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 type of work-based learning cause a great deal of confusion throughout the California community college system. In an effort to ease the confusion, delegates at the 2018 Academic Senate for California Community Colleges (ASCCC) Spring Plenary passed resolution 13.05, which requests the following of 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 response to that direction. Confusion over the terms and differences between each each type of work-based learning supported the need for more clarity about internship, cooperative work experience, and apprenticeship programs as well as clinical/practicum experience, preceptorships, and other forms of work-based learning, including work study as a financial aid option, used within the California Community College system.

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This paper seeks to define each of these work-based learning experiences by providing information about the 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	California Code of Regulations §1426.1 Board of Vocational Nursing, Preceptorship	Varies depending on program

	other allied health programs but may apply to other disciplines as well		
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 across 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 whether internships in California community college programs are cooperative work experience and whether cooperative work experience opportunities are internships. This section is intended to help clarify elements of internship, the overlap between internships and cooperative work experience, and differences between internships and cooperative work experience.

Internships: Intent and Guiding Principles

Intern, as defined by Merriam-Webster Collegiate Dictionary (11th edition, online), is a noun described as “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 terms are used more broadly in California community colleges and other educational institutions, these terms 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 the California community college career education programs as a final requirement and preparation for work for students finishing an associate’s degree or certificate. There is a growing interest from 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. Internships provide interns experience 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 applying 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 program-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 body doing the coordinating is to provide on-the-job experience to a student/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, potentially influencing future hiring decisions.

Internships: Statutes and Regulations

The only reference to internships in Title 5 is to faculty internship programs (Title 5 §53500). There are no statutes or regulations in California Education Code or Title 5 of the California Code of Regulations related to internships as they relate to students and work-based learning. 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 specific coordinated programmatic application of work-based learning in California community colleges. That does not mean that community colleges do not have internships available to or required of students; it means that there are no legal requirements or expectations 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. The law and resulting court rulings must be taken into account before students take on 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 at \$10,000 or more.

Funding

Without regulation or coordinated internship programs, there is no mechanism for funding of internships within the California community colleges. However, as previously indicated, other forms of work-based learning utilized within the community colleges are used as internships. Work experience, apprenticeship, clinicals/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 capture student learning through internships. In these cases, approved independent study curriculum must be available, 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 capturing of apportionment is done 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 opportunities. Although one reason may be that employers cannot or do not want to participate in the coordination of CWE opportunities with colleges and districts because it requires more of them than simple internships do, another significant reason is that many entities do not understand cooperative work experience education. These entities include students, instructional faculty, college personnel, career education advisory committees, and employers. By better understanding how cooperative work experience education functions within the California community colleges, there could be broader utilization in cases where the benefits of learning through CWE are greater for the student than through a simple internship.

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 two terms, internship and cooperative work experience, to delineate between general work experience (CWE) and occupational work experience directly related to a student’s career goal (internship). This labeling of cooperative work experience is inconsistent between colleges, though, contributing to the confusion around the terms and programs. This labeling 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 between college, student, and employer is done on behalf of each student enrolled in cooperative work experience because each student’s learning needs and identified learning outcomes are unique. Further, many cooperative work experience programs with the 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 creation of cooperative work experience agreements with their 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 there may be employer benefits of 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.

There are two types of cooperative work experience allowed for apportionment in California community colleges: general and occupational work experience. General work experience is a broader employment experience “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 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” (§55252), on behalf of the student. This is different than apprenticeship, which is clarified later in this paper, as apprenticeship involves the same three participants (college, student, 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 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 hours during one enrollment period. For occupational work experience, there is 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 so long as the total limits of sixteen semester or twenty four quarter credit units of combined general and occupational cooperative work experience is not exceeded.

Each unit of work experience counts as one student contact hour or unit (§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 credit. For colleges that schedule by quarters, 50 hours of paid work or 40 hours of unpaid work equals one quarter 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 credit, regardless of a college being on a semester or quarter system. There is no current mechanism for noncredit cooperative work experience. 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 units attempted and awarded.

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 will work 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- or part-time, may participate in cooperative work experience, although there may be additional considerations 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 means work permits are needed and limits on hours worked each day and each week exist. 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 limit CWE participation to students over the age of 18 and may legally do so as long as it is 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/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. Title 5 §55250.4 allows a community college district governing board to use funds from any source, as allowable by law or regulation, to pay the wages for students with developmental disabilities. According to the regulation, this ensures that the CWE program offers a maximum educational benefit to students and serves a public purpose.

When CWE involves apprentice-able occupations, additional restrictions exist. As specified in Title 5 §55250.5, CWE in apprentice-able 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 about apprenticeship courses, see the Apprenticeship section of this paper.

Stakeholder Responsibilities: Colleges

There are benefits to colleges in the form of FTES and apportionment generation, but there are also requirements that must be met 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 to maximize its benefit to students, any cooperative work experience 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 (general and 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.

Relative to on-the-job learning stations, program coordination, and student supervision, Title 5 §55255(a) requires that the district provide a plan for sufficient resources for initiation and maintenance of these services. The plan for coordinated supervision of students must be included in learning agreements. Both the employer and 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.”

In cases where a student is working outside of the college's immediate region, a 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 where the student is enrolled. The last portion of this Title 5 section allows that a district may utilize approved alternatives for the in-person consultations required with students and employers, but only in limited situations and only in ways defined by guidelines issued by the Chancellor. 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.”

A district must have a locally approved cooperative work experience plan and must provide required services as they relate to cooperative work experience. Districts must also maintain cooperative work experience records as delineated in Title 5 §55256. There are two elements of the required records: first, the types of general records required, and second, 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 by time sheets, weekly or monthly, or by a summary statement at the end of the semester or quarter.

Besides 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 of all academic records, further delineated in Title 5.

Just as with any academic position, colleges and districts must ensure that cooperative work experience instructors meet minimum qualifications. For CWE instructor/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 offering. For the purpose of curriculum and Management Information Systems (MIS) 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 of colleges 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 are when persons during 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 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 jobs. 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

In addition to district-specific responsibilities 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 ensure that there is a reasonable opportunity for continued work experience for the student during the term the student is enrolled in cooperative work experience. This is 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 the employer also agrees to provide adequate facilities, equipment, and materials for the student to achieve their 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.

Revisiting some of the district responsibilities that were shared with the employers, 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 the student and district instructional personnel in identifying the potential learning present in a work experience education, identifying the skills, knowledge, and aptitudes the student should bring to the job, identifying and directing the student's daily progress toward learning objectives, and identifying the potential for student growth, to be developed into learning objectives. As an extension of the college instructional staff during the cooperative work experience enrollment, it is essential that the employer 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 students, and there are also benefits to colleges that offer these opportunities. The primary benefit is apportionment funding generated by the full-time equivalent students (FTES) enrollments. There are two elements of regulation specific to funding: one focuses on FTES computation for cooperative work experience programs, and the second focuses on faculty load in cooperative work experience programs.

Like with other credit units, computation of apportionment is based on FTES or 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, multiply 30 units (or student contact hours, since as noted earlier in Title 5 §55256.5, each unit of work experience counts as one student contact hour) times 17.5 weeks. The total is 525 weekly student contact hours (WSCH). Divide this by the WSCH standard of 525, and 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 there is no limit to the number of FTES generated by work experience coordinators, Title 5 §58051(b) does limit the student/instructor ratio to 125 students per each full-time equivalent instructor/coordinator. This limit is presumably set because of the amount of time required to mentor individual students as well as communicate with individual employers 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 since 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 career. 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 its origins may be debated, the idea of apprenticeship is apparent as early as the Babylonian Code of Hammurabi nearly four thousand years ago. Artisans were to teach their crafts to youth. There is also evidence of skills being passed along in the same ways in early Egypt, Greece, and Rome. In these early civilizations, as youth spent many years learning their trades as apprentices under a master and later achieved the status of master worker, they became important members of society. These elements exist in today's apprenticeship structures: a trade is taught to learners or apprentices by those most skilled in the trade, and then the apprentice spends years practicing the trade in an attempt to become a journeyman and, in some trades, finally a master craftsman.

In this way, the intent of apprenticeship is slightly different than for cooperative work experience. While the focus 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- 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, 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 Division of Apprenticeship Standards sets policy for apprenticeships based on the guidance of the California Apprenticeship Council (CAC). The California Apprenticeship Council provides policy advice on apprenticeship matters to the chief administrator of apprenticeship, ensures selection procedures are impartially administered to applicants, conducts appeals 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 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 a master of their skilled craft or trade. The structure of an apprentice's journey and the standards they 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 Division of Apprenticeship Standards 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, standards 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). There, one finds 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)

In summary, 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." Note that there is no mention of schools or colleges, and this is where a significant difference exists 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 between 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 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, including minimum age, education, physical requirements, need for a driver's license, etc. may vary by employer. Some have no education requirement while some may require a high school diploma or equivalent, college coursework, or completion of an aptitude test. Not all programs may be accepting apprenticeship applications.

In considering an apprenticeship, potential apprentices must keep in mind 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 a student considers and applies for an apprenticeship program, they should understand and value the apprenticeship system and enjoy the work of the trade they are starting into. They should also have a stable life situation, including stable living, access to a phone, and have resolved any issues which may interfere with their work or school performance. This may include 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 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 (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 journeyman 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 just learning the craft. While apprentices may start out earning substantially less than journeymen employed in a trade, as the apprentice completes training and employment hours, their wages will progressively increase based on the trade's journeyman's hourly wage. Wages usually reach 85 to 90 percent of the rate paid the journeyman 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 US 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) necessary for on-the-job experience, and the employers provide supervised, paid, on-the-job training to apprentices based on established industry standards. As noted in the funding section, 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. The 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 apprenticeship instructors in California community colleges. However, they 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 and academic coursework is often considered a gold standard of workforce training. College in the California community college system are offering 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 (CAI) Hub managed by the Foundation for California Community Colleges, today there are 75,000 apprentices in California, and the 2016-2020 California State Workforce Plan is 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.

Minimum qualifications for instructors of apprenticeship courses in the California community colleges are established by Title 5 §53413 and are different than minimum qualifications for other community college instructors as established by Article 2 of Subchapter 4 of Chapter 4 of Division 6 (California Community Colleges) 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:

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

- (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.” Within this section of Title 5, an instructor may be qualified as a temporary instructor for not more than two years, provided that the instructor 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 in noncredit apprenticeship courses versus credit apprenticeship courses. While a candidate may qualify by meeting the qualifications required for credit apprenticeship instruction, 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- or labor-related groups, some of the regulatory, access, and record-keeping responsibilities of colleges in cooperative work experience collaborations rests 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 been through related and supplemental instruction (RSI) 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 College Chancellor’s office and 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 will 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 there have been increases in the level of RSI funding approved by the legislature, the availability of RSI funds has been insufficient to fund 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 (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 until 2026. The priority sectors for CAI are:

- 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 an attempt 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 Prop. 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 innovated apprenticeship programs through the California Apprenticeship Initiative. While RSI funds are restricted to expenses related to apprenticeship instruction, apportionment generated by apprenticeship programs will be allocated to districts and will be 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. As one can understand now, while there may be overlap between internship and cooperative work experience, apprenticeship is structured, funded, and regulated very differently despite the purpose still being about 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/practicum experience, preceptorships, and work study.

Clinical Experience/Practicum

Clinicals 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 the 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 than internships or cooperative work experience is that the fact 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 supervision of a qualified instructor, colleges earn apportionment based on weekly student contact hours (WSCH) and FTES calculations just as 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 patients in real health care or education situations. Because students completing clinical or practicum hours are working with real patients in real health care settings or real students in education settings, contracts between colleges and the 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 which requires approved curriculum, faculty meeting minimum qualifications, student attendance/clinical hours, and state licensing agency approval (i.e. 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/graduate (preceptee) with an experienced working professional (preceptor) to further develop knowledge, skills, and self-efficacy needed to succeed in the profession. The length of 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/staff when the primary preceptor is not available due to illness or time-off. 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. Preceptor's knowledge, skills and attitudes contribute to the success of the preceptee with real-life learning opportunities and case scenarios which enhances development of decision making and problem solving skills. Performance feedbacks 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 preceptorship program, the preceptee will “graduate” and 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, there is no long-term state funding for this learning model. In the past, the California Community College Chancellor’s Office funded Industry Driven Regional Collaborative (IDRC) grants to develop model curriculum and to provide health care provider preceptor training. In 2005, Governor Schwarzenegger established California Nurse Education Initiative with partnership from the State and the private sectors to expand enrollment and foster student success including funding for registered nurse preceptor training. However, it is becoming harder and harder to find preceptors who are willing to precept students or graduates due to increased workload (patient assignments), acuity of patients, lack of financial incentives, and career “burn-out.” According to California Board of Registered Nursing 2016-2017 Annual School Report published in April 2018, twenty Associate Degree nursing programs reported loss 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 the work settings.

Work Study

Use of the term “work study” in California community colleges refers to the Federal Work Study program, which is a means of student financial aid for students determined to 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 usually 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.

Summary & Recommendations

Summary

There is little argument that work-based learning is a critical element of community college instructional programs and student preparation for the world of work. There can be much confusion, however, over types of work-based learning, particularly with the terms used as identifiers. To define each, it was important to 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. There are no regulations specific to internship in the California Community Colleges, but when combined with other factors, an internship may be 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 between an instructor, employer, and a student, including identification of learning objectives, student receipt of credits for the experience, and supportive mentoring to assist the student in achieving identified goals, the internship is identified as cooperative work experience within the California Community College system.

When an internship or work-based learning opportunity is coordinated by a program sponsor who is an employer or trade- or labor-related organization, with or without the involvement of a California community college, and 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 College system, it is imperative that the California Community Colleges Board of Governors 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 only 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 and Colleges

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 between 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 employer or labor groups.
3. The Academic Senate for California Community Colleges, together with CIWEA, should disseminate information about the importance of work-based learning in students' preparation for work and about 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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