

**Apprenticeship Programs - Claiming FTES
Amendments to RN 18 07884 (Changes are in Bold)**

SECTION 1. Section 8152 of the Education Code is amended to read:

8152. (a) The reimbursement rate for related and supplemental instruction reimbursed pursuant to this article shall be established in the annual Budget Act and the rate shall be commonly applied to all providers of instruction specified in subdivision (d).

(b) For purposes of this section, each hour of teaching time may include up to 10 minutes of passing time and breaks.

(c) This section also applies to isolated apprentices, as defined in Section 3074 of the Labor Code, for which alternative methods of instruction are provided.

(d) The Chancellor of the California Community Colleges shall make the reimbursements specified in this section for teaching time provided by **K-12** local educational agencies.

(e) The hours for related and supplemental instruction derived from funds appropriated pursuant to subdivision (b) of Section 8150 shall be allocated by the Chancellor of the California Community Colleges directly to participating **K-12** local educational agencies that contract with apprenticeship programs pursuant to subdivision (f).

(f) Reimbursements may be made under this section for related and supplemental instruction provided to indentured apprentices only if the instruction is provided by a program approved by the Division of Apprenticeship Standards of the Department of Industrial Relations in accordance with Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code.

(g) The initial allocation of hours made pursuant to subdivision (e) for related and supplemental instruction at the beginning of a fiscal year, when multiplied by the hourly reimbursement rate, shall equal 100 percent of the total appropriation for apprenticeships. The Chancellor of the California Community Colleges shall notify participating **K-12** local educational agencies of the initial allocation within 30 days of the enactment of the annual Budget Act.

(h) If funds remain from the appropriation pursuant to subdivision (b) of Section 8150, the Chancellor of the California Community Colleges shall reimburse **K-12** local educational agencies for unfunded related and supplemental instruction hours from any of the three previous fiscal years, in the following order:

(1) Reported related and supplemental instruction hours, as described in subdivision (b) of Section 8154, that were paid at a rate less than the hourly rate specified in the Budget Act.

(2) Reported related and supplemental instruction hours that were not reimbursed.

(i) The Chancellor of the California Community Colleges shall report to the California Apprenticeship Council within 30 days of each apportionment period the following information for each participating **K-12** local educational agency:

(1) The number of related and supplemental instruction hours allocated to the **K-12** local educational agency.

(2) The number of related and supplemental instruction hours reported by the **K-12** local educational agency.

(3) At the final or recalculation apportionment, the hourly rate paid for related and supplemental instruction hours reported above the **K-12** local educational agency's initial allocation of hours for related and supplemental instruction.

SEC. 2. Section 76350 of the Education Code is amended to read:

76350. Except as provided in Section 3074.7 of the Labor Code, no charges or fees shall be required to be paid by a resident or nonresident apprentice, or by his or her parent or guardian, for admission or attendance in any course of activity or community college course that is offered pursuant to Section 3074 of the Labor Code in accordance with the instructional hours requirements and course requirements specified in subdivision (d) of Section 3078 of the Labor Code.

SEC. 3. Section 79149.1 of the Education Code is amended to read:

79149.1. ~~(a) Attendance of apprentices enrolled in any class maintained by a community college, offered for community college credit by a community college in collaboration with an apprenticeship program sponsor, pursuant to Section 3074 of the Labor Code, may shall be reimbursed as part of the budget formula developed pursuant to **paragraph (2) of subdivision (d) of Section 84750.5** or its successor section if such attendance is not reported pursuant to **subdivision (b) Section 79149.3**, only if reported separately to the Chancellor of the California Community Colleges. Attendance reported pursuant to this section shall be used only for purposes of calculating allowances pursuant to Section 79149.3. Attendance for an apprenticeship class reimbursed as part of the budget formula developed pursuant to **paragraph (2) of subdivision (d) of Section 84750.5** or its successor section shall be reported separately to the Chancellor of the California Community Colleges.~~

(b) Attendance of apprentices reimbursed pursuant to subdivision (a) shall be reimbursed based on the number of hours of instruction provided to indentured apprentices. The attendance hours generated by credit apprenticeship courses shall be funded at the marginal credit rate determined pursuant to paragraph (2) of subdivision (d) of Section 84750.5 or its successor section.

(c) For purposes of this section, each hour of teaching time may include up to 10 minutes of passing time and breaks.

(d) The attendance hours funded pursuant to subdivision (b) shall be allocated by the Chancellor of the California Community Colleges directly to participating community college districts that have a college or colleges that contract with apprenticeship programs pursuant to subdivision (e).

(e) Reimbursements may be made under this section for instruction provided to indentured apprentices only if the instruction is provided by a program approved by the Division of Apprenticeship Standards of the Department of Industrial Relations in accordance with Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code.

~~(b) Attendance of apprentices enrolled in any class maintained by a community~~

college, pursuant to Section 3074 of the Labor Code, shall be reimbursed pursuant to Section 79149.3 only if reported separately to the Chancellor of the California Community Colleges. ~~Colleges and not reported pursuant to subdivision (a).~~ Attendance reported pursuant to this section ~~subdivision~~ shall be used only for purposes of calculating allowances pursuant to Section 79149.3.

~~(e)~~ **(f)** A community college that funds a class for the training of apprentices ~~offered~~ **taught** by an **apprenticeship instructor-provider** other than ~~the~~ **a** community college **faculty member** shall not claim reimbursement as part of the budget formula developed pursuant to **paragraph (2) of subdivision (d) of Section 84750.5 or its successor section in accordance with subdivision (a) and instead shall claim reimbursement pursuant to Section 79149.3 in accordance with subdivision (b).**

~~(d)~~ **(g)** A community college may limit enrollment in a community college course or course section reimbursed pursuant to this section solely to apprentices if that course or course section is required for those students as a part of a registered apprenticeship program with the Division of Apprenticeship Standards of the Department of Industrial Relations.

(h) For each community college receiving reimbursement for apprenticeship hours pursuant to this section, the affected community college district shall report to the Chancellor of the California Community Colleges all of the following information, for each apportionment period:

(1) The total number of full-time equivalent students generated by apprentices enrolled in community college apprenticeship courses that are reimbursed pursuant to this section.

(2) The total number of hours reimbursed for apprenticeship instruction pursuant to subdivision (b) of this section.

(3) The total amount of apportionment received for apprenticeship instruction reimbursed pursuant to this section.

(i) The Chancellor of the California Community Colleges shall report to the California Apprenticeship Council within 30 days of each apportionment period the following information, for each community college receiving reimbursement for apprenticeship instruction pursuant to this section:

(1) The number of apprenticeship instructional hours reported by and reimbursed to the community college as part of the budget formula developed pursuant to paragraph (2) of subdivision (d) of Section 84750.5 or its successor section.

(2) At the final or recalculation apportionment, the hourly rate equivalent of per full-time equivalent student funding paid for instructional hours reimbursed to the community college as part of the budget formula developed pursuant to paragraph (2) of subdivision (d) of Section 84750.5 or its successor section.

(j) The Board of Governors of the California Community Colleges shall include instructions necessary to enforce this article in the audit report required by Section 84040. The instructions shall include, but not necessarily be limited to, procedures for verifying if the hours for apprenticeship instruction reported to each community college

district by each community college receiving reimbursements for apprenticeship hours, pursuant to this section, are eligible for reimbursement pursuant to this section.

SEC. 4. Section 79149.3 of the Education Code is amended to read:

79149.3. (a) The reimbursement rate for related and supplemental instruction reimbursed pursuant to this article shall be established in the annual Budget Act and the rate shall be commonly applied to all providers of instruction specified in subdivision ~~(d)~~ (e).

(b) Attendance of apprentices enrolled in any class maintained by a community college, pursuant to Section 3074 of the Labor Code, shall be reimbursed pursuant to this section only if reported separately to the Chancellor of the California Community Colleges and not reported pursuant to Section 79149.1. Attendance reported pursuant to this section shall be used only for purposes of calculating allowances pursuant to Section 79149.3.

~~(b)~~ (c) For purposes of this section, each hour of teaching time may include up to 10 minutes of passing time and breaks.

~~(c)~~ (d) This section also applies to isolated apprentices, as defined in Section 3074 of the Labor Code, for which alternative methods of instruction are provided.

~~(d)~~ (e) The Chancellor of the California Community Colleges shall make the reimbursements specified in this section for teaching time provided by community colleges.

~~(e)~~ (f) The hours for related and supplemental instruction derived from funds appropriated pursuant to subdivision (b) of Section 79149 shall be allocated by the Chancellor of the California Community Colleges directly to participating community colleges that contract with apprenticeship programs pursuant to subdivision ~~(fg)~~.

~~(f)~~ (g) Reimbursements may be made under this section for related and supplemental instruction provided to indentured apprentices only if the instruction is provided by a program approved by the Division of Apprenticeship Standards of the Department of Industrial Relations in accordance with Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code.

~~(g)~~ (h) The initial allocation of hours for related and supplemental instruction pursuant to subdivision ~~(ef)~~ at the beginning of any fiscal year when multiplied by the hourly rate established in the Budget Act for that year shall equal 100 percent of total appropriation for apprenticeships. The Chancellor of the California Community Colleges shall notify participating community colleges of the initial allocation within 30 days of the enactment of the annual Budget Act.

~~(h)~~ (i) If funds remain from the appropriation pursuant to subdivision (b) of Section 79149, the Chancellor of the California Community Colleges shall reimburse community colleges for unfunded related and supplemental instruction hours from any of the three previous fiscal years, in the following order:

(1) Reported related and supplemental instruction hours as described in subdivision (b) of Section 79149.5 that were paid at a rate less than the hourly rate specified in the Budget Act.

(2) Reported related and supplemental instruction hours that were not reimbursed.

~~(j)~~ **(i)** The Chancellor of the California Community Colleges shall report to the California Apprenticeship Council within 30 days of each apportionment period the following information for each participating community college:

(1) The number of related and supplemental instruction hours allocated to the community college.

(2) The number of related and supplemental instruction hours reported by the community college.

(3) At the final or recalculation apportionment, the hourly rate paid for related and supplemental instruction hours reported above the community college's initial allocation of hours for related and supplemental instruction.

~~(j)~~ **(k)** The Board of Governors of the California Community Colleges shall include instructions necessary to enforce this article in the audit report required by Section 84040. The instructions shall include, but not necessarily be limited to, procedures for verifying if the hours for related and supplemental instruction reported to each community college district by a participating apprenticeship program sponsor, pursuant to this section, are eligible for reimbursement pursuant to this section.