

AMENDED IN ASSEMBLY APRIL 13, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2063

Introduced by Assembly Member Gallagher

February 17, 2016

An act to amend Sections 51760.3 and 51769 of the Education Code, and to amend Section 3368 of the Labor Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 2063, as amended, Gallagher. Work-based learning opportunities: work experience education, registered student apprentices, *education* and job shadowing.

Existing law authorizes a school district to offer work experience education, and requires a pupil to be at least 16 years of age to receive credit for completing a work experience education program, except under specified circumstances. Existing law specifies that a pupil may participate in a job shadowing experience for a maximum of 40 25 hours in one semester. Existing law requires a pupil to be at least 16 years of age and in 10th, 11th, or 12th grade in order to receive credit for participation in a student apprenticeship program: *a specified period*.

This bill would lower the minimum age for participation in work experience education from 16 to 14 years of age, except under specified circumstances. The bill would lower the minimum age to receive credit for participation in a student apprenticeship program as a registered student apprentice from 16 to 14 years of age, and would authorize pupils in 9th grade to participate in a student apprenticeship program. The bill would increase the number of hours a pupil is authorized to participate in a job shadowing experience from 25 hours to 40 hours

~~per semester.~~ *authorize work experience education credit to be granted to a pupil who is at least 14 years of age if the principal of the school in which the pupil is enrolled certifies that it is necessary for the pupil's participation in a career technical education program, and would also authorize a pupil to participate in a job shadowing experience for up to 40 hours in a specified period if the principal of the school in which the pupil is enrolled certifies that it is necessary for the pupil's participation in a career technical education program.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51760.3 of the Education Code is
 2 amended to read:
 3 51760.3. The governing board of any school district offering
 4 work experience education pursuant to the authority of Section
 5 51760 shall grant credit to pupils satisfactorily completing a work
 6 experience education program, in an amount not to exceed a total
 7 of 40 semester credits, of which no more than 10 credits may be
 8 conferred in any one semester, provided the pupil meets all of the
 9 following requirements:
 10 (a) At the time of enrollment, the pupil is at least ~~14~~ 16 years
 11 of age. Pupils under the age of ~~14~~ 16 years may receive credit for
 12 work experience education under the following conditions:
 13 (1) The pupil is enrolled in grade 11 or a higher grade.
 14 (2) The principal of the school in which the pupil is enrolled
 15 certifies that the pupil is in need of immediate work experience
 16 education in order to pursue employment opportunities.
 17 (3) The principal of the school in which the pupil is enrolled
 18 certifies that there is a probability that the pupil will no longer be
 19 enrolled as a full-time pupil without being provided the opportunity
 20 to enroll in a work experience education program.
 21 (4) *The pupil is at least 14 years of age and the principal in the*
 22 *school in which the pupil is enrolled certifies that it is necessary*
 23 *for the pupil's participation in a career technical education*
 24 *program.*
 25 ~~(4)~~
 26 (5) The pupil's individualized education program, adopted
 27 pursuant to the requirements of Part 30 (commencing with Section

1 56000), prescribes the type of training for which participation in
2 a work experience program is deemed appropriate.

3 (b) During the course of the pupil's enrollment in the program,
4 the pupil receives as a minimum the equivalent of one instructional
5 period per week of classroom instruction or counseling by a
6 certificated employee. The instruction or counseling shall be
7 offered in sessions scheduled intermittently throughout the
8 semester.

9 (c) The work experience education program meets all of the
10 requirements of law governing these programs.

11 SEC. 2. Section 51769 of the Education Code is amended to
12 read:

13 51769. (a) Notwithstanding any provision of this code or the
14 Labor Code to the contrary, the school district, county
15 superintendent of schools, or any school administered by the State
16 Department of Education, under whose supervision work
17 experience education, cooperative vocational education, or
18 community classrooms, as defined by regulations adopted by the
19 Superintendent, or a job shadowing experience, as defined in
20 subdivision (b), or student apprenticeship programs registered by
21 the Division of Apprenticeship Standards of the Department of
22 Industrial Relations for registered student apprentices, are provided,
23 shall be considered the employer under Division 4 (commencing
24 with Section 3200) of the Labor Code of persons receiving this
25 training unless the persons during the training are being paid a
26 cash wage or salary by a private employer, except in the case of
27 registered student apprentices, when the school district, county
28 superintendent of schools, or any school administered by the State
29 Department of Education elects to provide workers' compensation
30 insurance, or unless the person or firm under whom the persons
31 are receiving work experience or occupational training elects to
32 provide workers' compensation insurance. A registered student
33 apprentice is a registered apprentice who is (1) at least ~~14~~ 16 years
34 of age, (2) a full-time high school pupil in the ~~9th~~, 10th, 11th, or
35 12th grade, and (3) in an apprenticeship program for registered
36 student apprentices registered with the Division of Apprenticeship
37 Standards. An apprentice, while attending related and supplemental
38 instruction classes, shall be considered to be in the employ of the
39 apprentice's employer and not subject to this section, unless the
40 apprentice is unemployed. Whenever this work experience

1 education, cooperative vocational education, community classroom
 2 education, or job shadowing, or student apprenticeship program
 3 registered by the Division of Apprenticeship Standards for
 4 registered student apprentices, is under the supervision of a regional
 5 occupational center or program operated by two or more school
 6 districts pursuant to Section 52301, the district of residence of the
 7 persons receiving the training shall be deemed the employer for
 8 the purposes of this section.

9 (b) For purposes of this section, “job shadowing experience”
 10 means a visit to a workplace for the purpose of career exploration
 11 for no less than three hours and no more than 25 hours in one
 12 semester, intersession, or summer school session.

13 (c) *Notwithstanding subdivision (b), a pupil may participate in*
 14 *a job shadowing experience for up to 40 hours in one semester,*
 15 *intersession, or summer school session if the principal of the school*
 16 *in which the pupil is enrolled certifies that it is necessary for the*
 17 *pupil’s participation in a career technical education program.*

18 ~~SEC. 3. Section 3368 of the Labor Code is amended to read:~~
 19 ~~3368. Notwithstanding any provision of this code or the~~
 20 ~~Education Code to the contrary, the school district, county~~
 21 ~~superintendent of schools, or any school administered by the State~~
 22 ~~Department of Education under whose supervision work experience~~
 23 ~~education, cooperative vocational education, or community~~
 24 ~~classrooms, as defined by regulations adopted by the~~
 25 ~~Superintendent of Public Instruction, or student apprenticeship~~
 26 ~~programs registered by the Division of Apprenticeship Standards~~
 27 ~~for registered student apprentices, are provided, shall be considered~~
 28 ~~the employer under Division 4 (commencing with Section 3200)~~
 29 ~~of persons receiving this training unless the persons during the~~
 30 ~~training are being paid a cash wage or salary by a private employer.~~
 31 ~~However, in the case of students being paid a cash wage or salary~~
 32 ~~by a private employer in supervised work experience education or~~
 33 ~~cooperative vocational education, or in the case of registered~~
 34 ~~student apprentices, the school district, county superintendent of~~
 35 ~~schools, or any school administered by the State Department of~~
 36 ~~Education may elect to provide workers’ compensation coverage,~~
 37 ~~unless the person or firm under whom the persons are receiving~~
 38 ~~work experience or occupational training elects to provide workers’~~
 39 ~~compensation coverage. If the school district or other educational~~
 40 ~~agency elects to provide workers’ compensation coverage for~~

1 ~~students being paid a cash wage or salary by a private employer~~
2 ~~in supervised work experience education or cooperative vocational~~
3 ~~education, it may only be for a transitional period not to exceed~~
4 ~~three months. A registered student apprentice is a registered~~
5 ~~apprentice who is (1) at least 14 years of age, (2) a full-time high~~
6 ~~school student in the 9th, 10th, 11th, or 12th grade, and (3) in an~~
7 ~~apprenticeship program for registered student apprentices registered~~
8 ~~with the Division of Apprenticeship Standards. An apprentice,~~
9 ~~while attending related and supplemental instruction classes, shall~~
10 ~~be considered to be in the employ of the apprentice's employer~~
11 ~~and not subject to this section, unless the apprentice is unemployed.~~
12 ~~Whenever this work experience education, cooperative vocational~~
13 ~~education, community classroom education, or student~~
14 ~~apprenticeship program registered by the Division of~~
15 ~~Apprenticeship Standards for registered student apprentices, is~~
16 ~~under the supervision of a regional occupational center or program~~
17 ~~operated by two or more school districts pursuant to Section 52301~~
18 ~~of the Education Code, the district of residence of the persons~~
19 ~~receiving the training shall be deemed the employer for the~~
20 ~~purposes of this section.~~

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