



Student Internship Guidelines for Community College Districts (CCD)

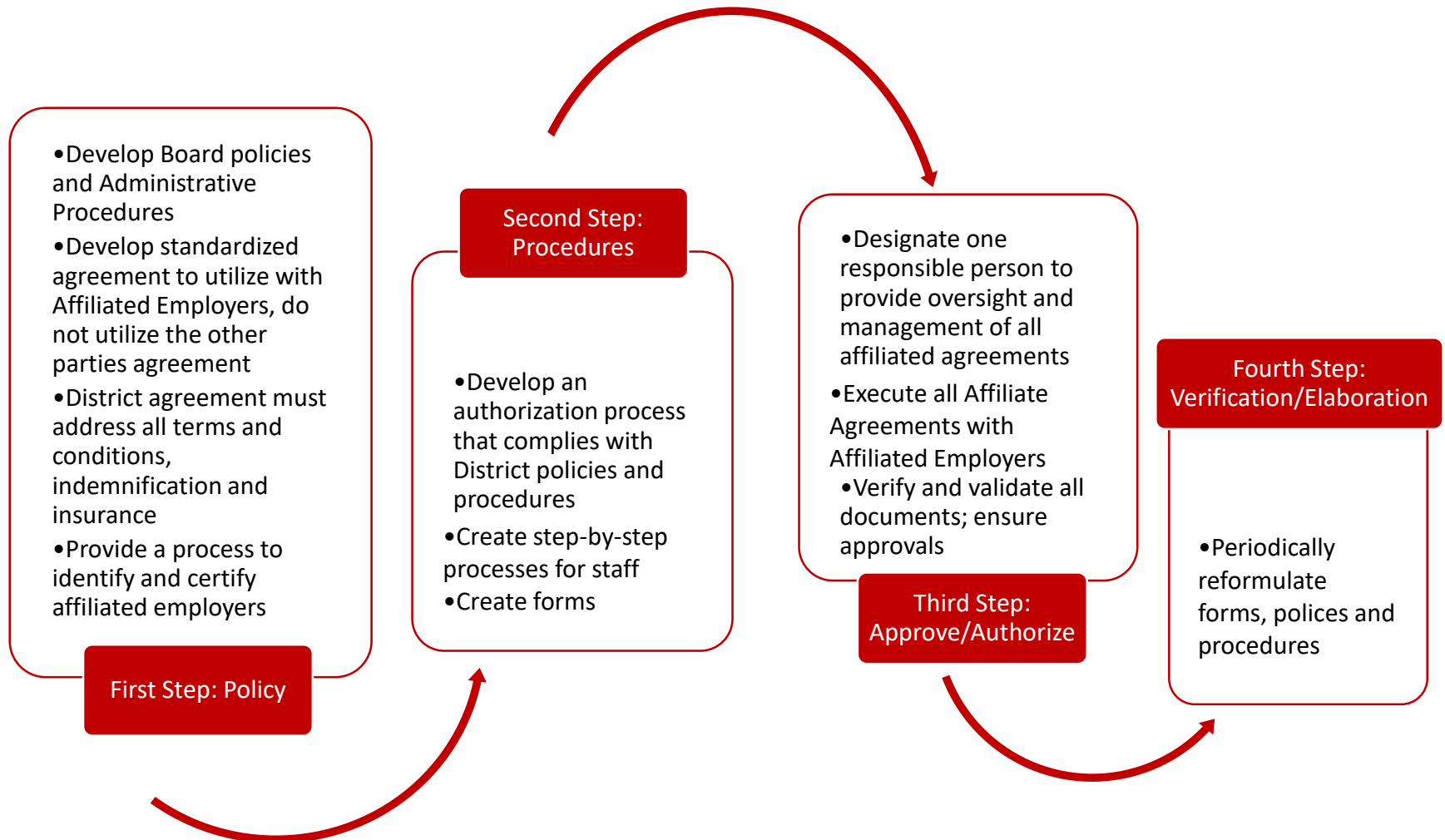
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Definitions

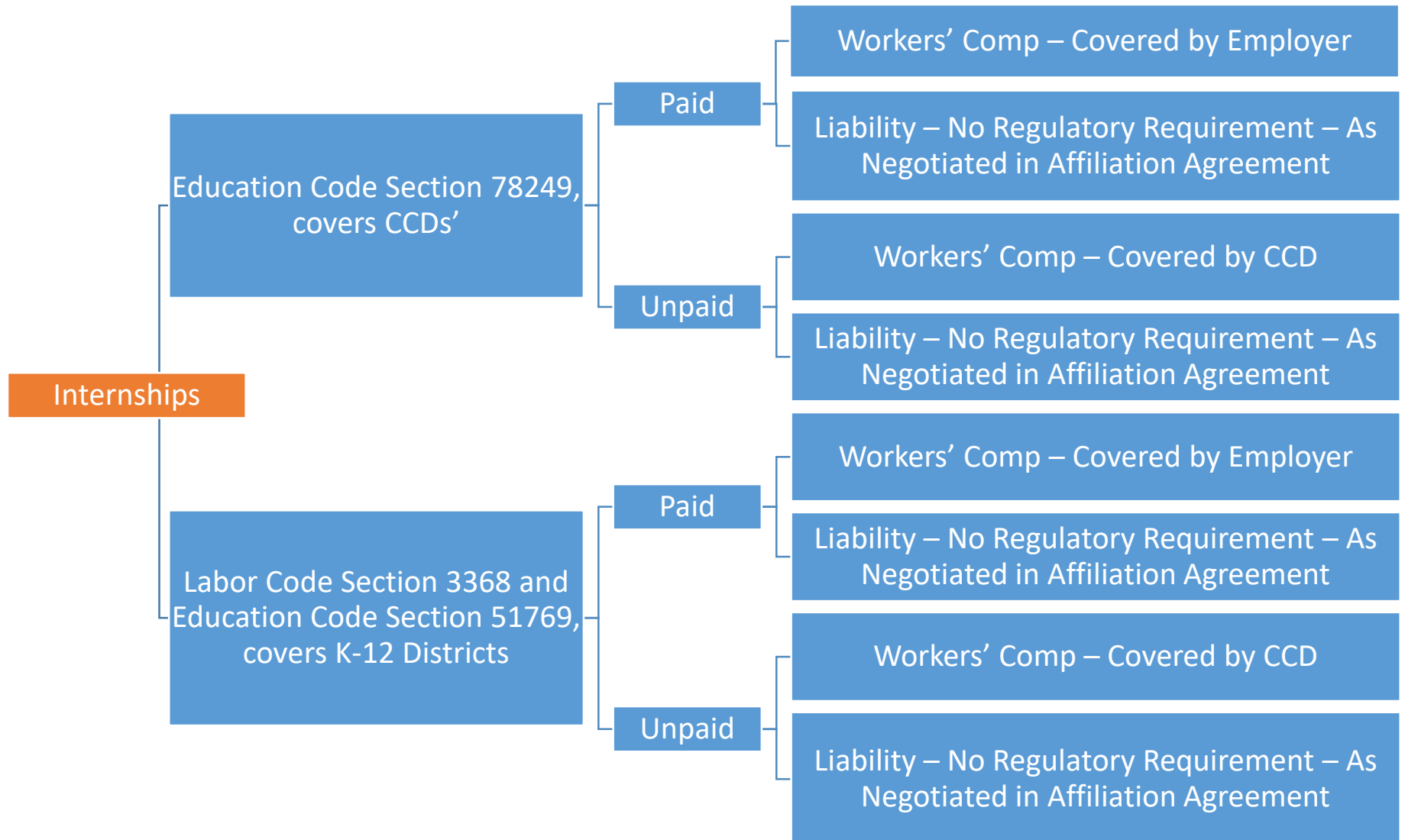
- An **internship** is a planned series of educational training activities, paid or unpaid, in a specific or general occupational field undertaken by a student via a CCD Affiliation Agreement with an authorized Affiliated Employer.
- An **apprenticeship** is a method in which students learn a craft or trade by hands-on experience while working in a training program as described in Education Code Section 79144.

NOTE: THIS DOCUMENT DEALS WITH INTERNS ONLY. APPRENTICES ARE EMPLOYEES OF FIRMS WITH APPRENTICESHIP TRAINING PROGRAMS

Internship Procedure Formulation Process



California Regulations and Insurance Coverage



Affiliation Agreement Considerations

- CCDs should *only* have internship (and/or apprenticeship) programs with affiliated employers who have a currently executed affiliation agreement in place with the District.
- The agreements should have mutual expectations delineated.
- Agreements must include indemnification and insurance provisions.
- Must be executed under the authority of the CCDs trustees or an authorized designee. ***Instructors should not sign agreements.***

Note: ASCIP can provide a sample affiliation agreement

Workers' Compensation Coverage Considerations

- Unpaid Internships
 - The CCD usually assumes the workers' compensation coverage. However, this may be transferred to the other party by mutual agreement. Since the affiliated employer is providing safety training and occupational site supervision
- Note: ASCIP recommends, whenever possible, the CCD require the affiliated employer assumes the responsibility for covering the students' under workers' compensation.**
- Unpaid Internships Between Two CCD's or Regional Occupational Center (ROC)
 - Coverage is provided by the CCD or ROC where the student resides

Workers' Compensation Coverage Considerations

- Paid Internships
 - The affiliated employer assumes the workers' compensation coverage.
 - The affiliated employer provides safety training and occupational site supervision.

General Liability Insurance Considerations

- Ensure that the affiliation agreement addresses:
 - Scope of intern's services
 - Scope of CCDs responsibilities
 - Scope of affiliated employer's responsibilities
 - Indemnification and insurance provisions
 - Appropriate permissions, pre-internship medical screenings, PPE, and training

General Liability Insurance Considerations

- Limit the scope of interns' services to those with an educational purpose
 - Avoid "Other duties as assigned" on an intern's job description
 - Avoid using interns to drive vehicles or operate equipment (unless vehicle or equipment use is part of the intern's scope). Refer to [Vehicle Code § 12515](#)
 - Include site-specific and/or task-specific training-equipment use, emergency procedures (fire drills, disaster drills, etc.), sign-in and -out procedures, etc. The CCD should document that the affiliated employer agrees to such procedures.

Labor Code Sections

Considerations for Minors- Labor Code Sections

[1292.](#) No one under the age of sixteen shall be employed or permitted to adjust machinery and work in certain capacities.

[1293.](#) No one under sixteen years shall be employed, or permitted, to work in any capacity in operating or assisting in operating of saws and other machinery.

[1294.](#) No one under the age of 16 years shall be employed or permitted to work on railroads, scaffolding and other occupations

While Labor Code Sections 1292, 1293, and 1294 has exceptions, ASCIP recommends CCDs do not excuse minors from the application of these Labor Code Sections.

Considerations for Minors

- **Labor Code Sections 1292, 1293, and 1294 do have exceptions. ASCIP recommends that, unless exceptional progress can be clearly documented in rare instances, CCDs do not excuse minors from the application of these Labor Code Sections.**

Education Code Sections

Internships

From **Education Code Section 79144**.

- a) "**Apprenticeship program standards**" means the written document containing, among other things, all the terms and conditions for the qualification, recruitment, selection, employment and training, working conditions, wages, employee benefits, and other compensation for apprentices and all other provisions and statements, including attachments, as required by the Labor Code and by Chapter 2 (commencing with Section 200) of Title 8 of the California Code of Regulations, which, when approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations, shall constitute registration of these standards and authority to conduct that program of apprenticeship in this state.

Internships

From **Education Code Section 79144**.

- a) "**Apprenticeship training program**" means a comprehensive plan containing, among other things, apprenticeship program standards, program regulations, related and supplemental instruction course outlines, and policy statements for the effective administration of that apprenticeship training program, in accordance with Chapter 2 (commencing with Section 200) of Title 8 of the California Code of Regulations.
- b) "**Internship training program**" means a planned series of educational training activities, paid or unpaid, in a specific or general occupational field.

An **apprentice** is an employee of the firm for which he or she is apprenticing. An **intern**, if unpaid, is usually an employee of the CCD for workers' compensation purposes, or, if paid or otherwise agreed, may be an employee of the firm for which he or she is interning.

Education Code Section 78249, covers CCDs

- a) Notwithstanding any provisions of this code or the Labor Code to the contrary, the **community college district** under whose supervision work-experience education, or occupational training classes held in the community, as defined by regulations adopted by the board of governors, are provided **shall be considered the employer** under Division 4 (commencing with Section 3200) of the Labor Code of persons receiving the training **unless the persons during the training are being paid a cash wage or salary by a private employer, or unless the person or firm under whom those persons are receiving work experience or occupational training elects to provide workers' compensation insurance.** An apprentice, while attending related and supplemental instruction classes, shall be considered to be in the employ of the apprentice's employer and not subject to this section, unless the apprentice is unemployed. Whenever the work-experience education, or occupational training classes held in the community, are under the supervision of a **regional occupational center or program operated by two or more community college districts pursuant to Section 52301, the district of residence of the persons receiving the training shall be deemed the employer for the purposes of this section.**