



Learning-Aligned Employment Program Employer Agreement Resources

These templates are provided as a starting point for institutions to create the Employer Agreement and related procedures for the Learning-Aligned Employment Program (LAEP). Each participating institution should work with their financial aid office, career center, legal counsel, and other applicable parties to create a customized LAEP Employer Agreement for the institution.

- 1. LAEP Employer Application Template** - To be completed by the employer prior to the institution signing the Employer Agreement. The Employer Application Template is provided as a starting point for institutions to create an optional Employer Application for LAEP. Each participating institution may create a customized application for the institution. The application is not required.
- 2. Employer Agreement Template** - An Employer Agreement between the institution and employer is required for all LAEP positions in which the employer is not the institution. The Institution and Employer must execute an Employer Agreement prior to the employer considering students for employment. The Employer Agreement Template is provided as a starting point for institutions to create the Employer Agreement for LAEP. Each participating institution should work with their financial aid office, career center, legal counsel, and other applicable parties to create a customized LAEP Employer Agreement for the institution.
- 3. Addendum: LAEP Student Participation** – An addendum with the requirements for each student (e.g. max hours and compensation)

These documents are suggested templates to facilitate compliance with the requirements in California Education Code Sections 69950-69969. Participating institutions and employers are encouraged to customize the employer agreement resources to meet their needs in compliance with the statutory requirements.

Highlighted sections indicate text that institutions should edit and customize before using the documents.

Updated August 2022. **Questions?** Please contact laep@csac.ca.gov.

1. Learning-Aligned Employment Program Employer Application Template

[Institution Name]

Learning-Aligned Employment Program Employer Application

Please complete this checklist to ensure accuracy and timeliness in the processing of your Learning-Aligned Employment Program (LAEP) Employer Agreement.

Please complete and return the following documentation:

- ☐ Completed Employer Application
- ☐ Completed Employer Agreement
- ☐ Detailed Job Description(s) for each proposed student position
- ☐ W-9
- ☐ Certificate of Insurance (if applicable)

Employer Information

Name of Organization: _____

Address: _____

Staff Contact Name: _____

Email Address: _____ Phone Number: _____

Employer Type

Please indicate one (1) employer type below. Note that per California Education Code Section 69952, the following entities are those eligible to participate in the Learning Aligned Employment Program. Employers that do not meet the descriptions below are not eligible.

- ☐ Research center or other institution operated by **[Institution Name]** whose learning-aligned employment opportunities provide participating students with direct opportunities to participate in research
- ☐ Public school operated by a school district, county superintendent of schools, the Department of the Youth Authority, or the Department of Education. Administrative offices of school districts, county superintendents, etc., are not eligible employers. The job must be at a public school campus.
- ☐ Nonprofit nonsectarian, nonpolitical organization or corporation licensed to conduct business in California, if they are capable of providing participating students with full-time employment opportunities, or opportunities to connect with other employers capable of providing participating students with full-time employment opportunities, within their areas of study after graduation.

☐ For-profit nonsectarian, nonpolitical organization or corporation licensed to conduct business in California, if they are capable of providing participating students with full-time employment opportunities, or opportunities to connect with other employers capable of providing participating students with full-time employment opportunities, within their areas of study after graduation.

Please submit the completed LAEP Employer Application to:

INSTITUTION NAME

Staff Contact (LAEP Coordinator or other)

Office

Address 1

Address 2

Phone number:

Email Address:

Note for institutions: Please edit and customize this LAEP Employer Application according to your institution's policies and procedures. Highlighted sections indicate text that institutions should edit before using the optional Employer Application.

2. Learning-Aligned Employment Program Employer Agreement Template

[Institution Name]

Learning-Aligned Employment Program Employer Agreement

The Learning-Aligned Employment Program (LAEP) offers eligible students at participating California public colleges and universities the opportunity to earn money to help defray their educational costs while gaining education-aligned, career-related employment. Please visit www.csac.ca.gov/laep for more information and resources.

Per CEC 69958(b), once the public postsecondary educational institution has identified a learning-aligned employment position, the employer and the institution shall execute a written agreement that confirms the employer's eligibility to participate in the program and its willingness to comply with all program requirements and specifies the responsibilities of each of the parties. The agreement shall be subject to annual renewal by mutual agreement of the institution and the employer.

The agreement shall be subject to the availability of funds to the institution for the portion of the student's compensation not to be paid by the employer.

This Employer Agreement (Agreement) is between **[Institution Name]** (Institution) and

_____ (Employer).

Effective Date: _____

Termination Date: _____

Eligible Employers

The following entities are eligible to employ students participating in LAEP:

- Research centers and institutions operated by public postsecondary educational institutions, if their learning-aligned employment opportunities provide participating students with direct opportunities to participate in the research that is undertaken by the respective research centers and institutions.
- Public schools operated by school districts, county superintendents of schools, the Department of the Youth Authority, or the department [of Education].
- Nonsectarian, nonpolitical organizations or corporations, whether nonprofit or for-profit enterprises licensed to conduct business in the state, if they are capable of providing participating students with full-time employment opportunities, or opportunities to connect with other employers capable of providing participating students with full-time employment opportunities, within their areas of study after graduation.

Evaluation of the LAEP Position

The following required conditions must be met for the duration of the Agreement for all LAEP student participants. Each learning-aligned employment position shall be reviewed by the appropriate institutional staff to determine whether it satisfies all of the following conditions:

- a. The position is educationally beneficial or related to a particular career interest or the exploration of career options available to students at the Institution.

- b. The work performed by the student shall not be related to the activities of any sectarian organization or to any partisan or nonpartisan political activities.
- c. The employment of a learning-aligned employment student shall not displace workers currently employed by the Employer or impair existing contracts for services.
- d. The learning-aligned employment position shall not violate any applicable collective bargaining agreements or fill any vacancies due to a labor dispute.
- e. The student shall be paid at a comparable rate to that paid for comparable positions within the Employer. If the employing organization has no comparable position, the student shall be paid at a rate comparable to that paid by other organizations in the field for work involving comparable duties and responsibilities. The positions shall be compared on the basis of the nature of the work performed and the background and skills required for the position, and not upon the employee's part-time or student status.
- f. The number of hours of learning-aligned employment the student is allowed to work shall be determined by the Institution in accordance with its standards and practices, taking into consideration the extent of the student's financial need and the potential harm of the combination of work and study hours on a student's satisfactory academic progress. The Employer shall provide the Institution with an accurate accounting of hours worked and wages earned.
- g. The total compensation received by the student pursuant to LAEP shall not exceed the total amount authorized by the Institution.
- h. The Employer shall provide the student with reasonable supervision.
- i. LAEP funds shall not supplant any state, federal, or institutional funds used to support existing paid positions for students in for-profit or nonprofit organizations.

Campus employers only: Research centers and institutions operated by the Institution may employ LAEP students if their learning-aligned employment opportunities provide participating students with direct opportunities to participate in research. As with any LAEP position, a student shall only be placed in an educationally beneficial position that relates to the student's area of study, career objective, or the exploration of career objectives.

In general, students are not permitted to work in LAEP positions during scheduled class times. Exceptions are permitted if an individual class is cancelled, if the instructor has excused the student from attending for a particular day, and if the student is receiving academic credit for class time spent in a LAEP position. Any such exemptions must be documented.

Change in Status

A student's eligibility for LAEP will be reevaluated a minimum of once each academic term. If a student's status in areas that affect their eligibility has changed, continued eligibility for the program must be confirmed and, if appropriate, the student's participation in the program must be adjusted.

The Institution is responsible for monitoring each LAEP student participant's continued eligibility and for communicating any change in eligibility status to the Employer in a time frame which allows the Employer to make necessary adjustments.

Interview and Job Placement

Following execution of the Employer Agreement, the Employer may interview prospective students. The Institution shall provide the Employer and each applicant for the learning-aligned employment position with adequate information to facilitate the student's potential employment.

A student shall only be placed in an educationally beneficial position that relates to the student's area of study, career objective, or the exploration of career objectives.

If the requirements specified above have been met, the Employer may indicate their hiring preferences.

The Employer shall not discriminate between applicants on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code, or subject any applicant to any other discriminatory practices prohibited by state or federal law.

Addendum

The following information specific to each individual student participant will be included in LAEP Student Participation Addendum(s) and will supplement this agreement. The Employer must provide to the Institution an Addendum for each student employed prior to the student's beginning work. At minimum, the LAEP Student Participation Addendum will include the following for each student participant:

- Student name
- Position name
- Supervisor name and contact information
- Term of employment
- Rate of compensation
- Maximum total compensation allowable
- Maximum hours per week and maximum total hours

Notice

Any notice required or permitted by this agreement shall be sent to the parties via U.S. mail or email at the addresses shown below. Either party may change its address by written notice to the other during the term.

INSTITUTION NAME

Staff Contact (LAEP Coordinator or other)

Office

Address 1

Address 2

Phone number:

Email Address:

Employer: _____

Staff Contact Name: _____

Title: _____

Address: _____

Phone number: _____

Email address: _____

This agreement shall be renewed upon written confirmation of both parties at least once per year.

Institution: Please dictate the preferred renewal procedure here. For example, should the Employer resubmit the agreement each year, or can the Employer email the Institution to renew? Can either party terminate the agreement in writing at any time?

Agreed

INSTITUTION NAME

Employer

Name and position of signer for the Institution

Signature

Date

Print name and title

Date

Note for institutions: Please edit and customize this LAEP Employer Agreement template according to your institution's policies and procedures. Highlighted sections indicate text that institutions should edit before using the Employer Agreement. Text that is not highlighted should be retained in the document to ensure compliance with sections 69950-69969 of the California Education Code.

3. Addendum: LAEP Student Participation

To be completed for each student participant as an addendum to the Employer Agreement.

[Institution Name]

Learning-Aligned Employment Program

Employer Agreement Addendum

[Institution Name] (Institution)

Employer: _____ (Employer)

Date: _____

Student name: _____

Position name: _____

Supervisor name: _____

Supervisor contact information (email and/or phone number): _____

Term of employment: _____ to _____

Rate of compensation: \$ _____ per hour

Maximum total compensation allowable (total) to be paid up to _____ % by LAEP funds (payment by the Institution to the Employer during the term of employment shall not exceed): \$ _____

Additional compensation above the identified amount may only be paid out of Employer funds.

The student's working hours during the term of employment shall not exceed:

Maximum hours per week: _____ Maximum total hours for the term of employment: _____

Best Practice: Both the employer and the student are encouraged to provide an evaluation of the experience after the LAEP work hours have been completed.

Highlighted sections indicate text that institutions should edit before using the Employer Agreement Addendum.