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To: Select Superintendents of Schools  
Select District Superintendents of Schools  
Designated Local Educational Agents (DLEAs) for Apprenticeship

From: Jean C. Stevens *Jean C. Stevens*

Subject: Apprenticeship Related Classroom Instruction

With the elimination of funding for the Apprenticeship Related and Supplemental Instruction Program (ARSIP) this fiscal year, there have been several inquiries regarding the Department's and DLEA's responsibilities regarding related instruction for apprentices. Legal counsel for both the State Education Department (SED) and the State Department of Labor (DOL) have discussed the issue over the past several weeks.

Labor Law §812 states:

Related and supplemental instruction for apprentices, coordination of instruction with job experience, and the selection of teachers and coordinators for such instruction shall be the responsibility of state and local boards responsible for career education. As provided with other statutes, the department of education shall be responsible for and provide related training as required by apprenticeship programs set up under this article.

In 1986, the New York State Legislature passed the Apprenticeship Related and Supplemental Instruction Program (ARSIP) which provided funding for related instruction at the rate of one dollar per contact hour. Since the authority to administer ARSIP was provided to the State Education Department, the Board of Regents promulgated Commissioner's Regulations (CR) Part 160 which called for a network of Designated Local Educational Agencies (DLEAs) that were responsible for overseeing related instruction in their county or counties of designation. The responsibilities include processing apprentices, reporting to the Commissioner of Labor on the availability of related instruction programs for apprentices, distribution of ARSIP aid to sponsors of apprenticeship programs, monitoring related instruction programs in its area of jurisdiction, and annually reporting to the State Education Department the number of apprentices processed, the number of related instruction hours provided by the DLEA and other programs, and the total cost of the instruction. DLEAs which processed 150 or more apprentices were allocated three dollars per apprentice to cover the administrative costs of providing the aforementioned services.

Funding for ARSIP was eliminated in Fiscal Year 2010, making CR Sections 160.5, 160.6 and 160.7 inapplicable. However, when Part 160 was adopted, Labor Law §812 was cited as part of the statutory authority for the regulations. Therefore, legal counsel for the Department of Labor and the New York State Education Department have confirmed that those portions of the regulations that are not linked to the apportionment, such as CR Sections 160.3 and 160.4, are in effect and remain binding.

The Adult Education and Workforce Development (AEWD) Team will continue to review and approve any Appendix B submitted by DOL for new trades and review revised Appendix Bs for existing trades. AEWD will also continue to review curricula, qualifications of instructors, and facilities of new related instruction providers.

The DLEAs should continue to receive and maintain a file of AT-401s, Apprenticeship Documentation Forms, and sign AT-401s for each apprentice who has completed the related instruction component of the apprenticeship. DLEAs should also continue to report on the availability of related instruction on the AT-8 form. DLEAs will not be responsible for the reporting requirements described in CR Section 160.7.

If you have any questions or concerns, please contact Howard J. Goldsmith, Executive Coordinator, Office of Curriculum and Instructional Support at (518) 474-8892 or Tom Orsini, Team Leader of the Adult Education and Workforce Development Team, at (518) 474-8940 or at [torsini@mail.nysed.gov](mailto:torsini@mail.nysed.gov).

c: John B. King, Jr.

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