

Extension of Use of Student Assistant Contracts

The Department of General Services (DGS) has extended the use of student assistant contracts pursuant to Government Code section 19133 with the "old" letters of affiliation used by the three educational foundations - University Enterprises, Inc. (UEI), Foundation for California Community Colleges (FCCC) and the California Community Colleges Foundation (CCCCF) through January 31, 2007. It was the hope of the DGS that the foundations would be able to acquire legally sufficient letters of affiliation with the educational institutions prior to that time, which would then enable the foundations and the State agencies to enter into new contracts to provide student assistants to State agencies pursuant to Government Code section 19133.

Although all three foundations have worked diligently to obtain these new letters of affiliation, unfortunately none are ready at this time to provide contractual services for student assistants under Government Code section 19133. Therefore, no new contracts for student assistant services pursuant to Government Code section 19133 can be entered into with the foundations after January 31, 2007.

As a temporary alternative, and in order to keep the student assistants employed, **it is recommended that State agencies enter into a temporary contract through June 30, 2007** with the foundation to provide student assistants in a contract outside Government Code section 19133, using as the 19130 justification, the following:

"This contract is justified under Government Code section 19130(b)(10) which states:

(10) The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under civil service would frustrate their very purpose.

These services are for a short period of time while the foundation obtains appropriate letters of affiliation which would allow the services to be acquired pursuant to Government Code section 19133."

These contracts should be prepared on a Standard 213. Because these contracts are not being entered into pursuant to Government Code section 19133, those requirements are not necessary to be a part of the temporary contract. The DGS will approve these contracts, but only through June 30, 2007. After that time, if there are no appropriate letters of affiliation from the foundation, State agencies will have to acquire student assistants through other contract methods or through the State civil service process.