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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Angie Stallings, Deputy Superintendent
Policy and Communication

DATE: October 6-7, 2016

ACTION: R277-915 *Work-based Learning Programs for Interns* (Amendment and Continuation)

Background:

R277-915 is amended to provide updates to terminology, move provisions regarding Work-Based Learning from R277-916 to this rule, and provide technical and conforming changes consistent with the Utah Administrative Rulemaking Act and the Rulewriting Manual for Utah. R277-915 is also coming due for its five-year review and continuation with an expiration date of February 2, 2017. Board staff has reviewed this rule and determined that the rule continues to be necessary.

Board Strategic Plan:

This item supports the following imperative and strategies in the Board's Strategic Plan: Oversight - Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-915, as amended and continued, on first reading and, if approved by the Committee, the Board consider approving R277-915, as amended and continued, on second reading.

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1 **R277. Education, Administration.**

2 **R277-915. Work-based Learning Programs ~~[for Interns:]~~**

3 **R277-915-~~[2]~~1. Authority and Purpose.**

4 ~~[A.](1)~~ This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and
6 supervision ~~[of]over~~ public education in the Board;

7 (b) Section 53A-1-401, which allows the Board to make rules to execute the
8 Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) ~~[by]~~ Section 53A-29-102, which allows schools to offer WBL programs in
10 accordance with Board rules. ~~[provides that the Board shall provide rules to schools~~
11 wishing to offer and operate internships in connection with work experience and
12 career exploration programs; and Section 53A-1-401(3) which allows the Board to
13 adopt rules in accordance with its responsibilities.]

14 ~~[B.](2)~~ The purpose of this rule is to provide ~~[direction to LEAs as they~~
15 ~~provide work-based learning programs and to establish criteria to be included in~~
16 ~~those polices.]~~ standards for WBL programs.

17 **R277-915-~~[1]~~2. Definitions.**

18 ~~[A. "Board" means Utah State Board of Education.]~~

19 (1) "Cone" means:

20 (a) a group of schools whose students feed a high school; and

21 (b) a school or agency that interacts with the high school.

22 ~~[C.](2)~~ "LEA," ~~[means a local education agency, including local school~~
23 ~~boards/public school districts, charter schools, and,]~~ for purposes of this rule,
24 includes the Utah Schools for the Deaf and the Blind.

25 ~~[B.](3)(a)~~ ~~["Intern"]~~ "Participant" means a student enrolled in a school-
26 sponsored work experience and career exploration program under Section 53A-29-
27 102 involving both classroom instruction and work experience with a cooperating
28 employer, for which the student may or may not receive~~[s-ne]~~ compensation.

29 (b) Participant may include a student completing an apprenticeship.

30 (c) Participant does not include a student on work release.

31 ~~[D.](4)~~ "School-based enterprise" means a business~~[es]~~ set up and run by

32 supervised students learning to apply ~~[“]practical[”]~~ skills in the production of goods
33 or services for sale or use by others.

34 ~~[E-](5)~~ “Work site” or “workplace” means the actual location where
35 employment occurs for a particular occupation~~[(s)]~~, or an environment that simulates
36 all aspects~~[f]~~ or elements of that employment, ~~[for instance]~~ including school-based
37 enterprises.

38 ~~[F-](6)~~ “Work-based learning” or “WBL” means ~~[activities that involve actual~~
39 ~~work experience or connect classroom learning to work.]~~a continuum of awareness,
40 exploration, preparation, and training activities that combine structured learning and
41 authentic work experiences implemented through industry and education
42 partnerships.

43 **R277-915-3. Mandatory LEA Policy.**

44 ~~[A. Each]~~ An LEA that has ~~[work-based learning]~~ WBL programs that include
45 assigning students to act as ~~[interns]~~ participants at off-campus sites or in on-
46 campus simulations shall establish a policy which ~~[provides procedures and criteria~~
47 ~~for at least]~~ includes the following ~~[issues]~~:

48 (1) training for student ~~[interns]~~ participants, student ~~[intern]~~ participant
49 supervisors, and cooperating employers regarding health hazards and safety
50 procedures in the workplace;

51 (2) standards and procedures for approval of off-campus work sites;

52 (3) transportation options for students to and from the work site;

53 (4) appropriate supervision by employers at the work site;

54 (5) adequate insurance coverage provided and identified either by the
55 student, the program, or the LEA;

56 (6) appropriate supervision and ~~[evaluation]~~ assessment of the student by the
57 LEA; and

58 (7) appropriate involvement and approval by the student's parents in the
59 ~~[work-based intern]~~ WBL program.

60 **R277-915-4. Disbursement of Funds.**

61 (1) The Superintendent shall align public elementary, secondary, and

62 postsecondary or adult schools by cone and by LEA.

63 (2) The proportion of total WBL funding allocated for a participating LEA shall
64 remain the same as the previous year unless:

65 (a) the LEA discontinues the program;

66 (b) the LEA does not meet program standards; or

67 (c) LEA proportions are adjusted by the Board.

68 (3) A participating LEA shall provide an equal match in funds to state
69 appropriated WBL funds.

70 **R277-915-5. Standards.**

71 (1) WBL shall be integrated into all levels of the educational delivery system
72 and shall be coordinated within the cones of the LEA and among regions.

73 (2) To be eligible for WBL funds, an LEA shall:

74 (a) have the program approved by the LEA board;

75 (b) employ licensed WBL coordination personnel with salaries and benefits
76 matched by the local recipient of funds;

77 (c) document that a WBL committee representing all schools within the cone:

78 (i) has been created;

79 (ii) is functioning effectively; and

80 (iii) regularly addresses WBL issues;

81 (d) conduct WBL activities utilizing information from:

82 (i) business and industry;

83 (ii) administrators;

84 (iii) teachers;

85 (iv) counselors;

86 (v) parents; and

87 (vi) students;

88 (e) develop work-based preparation, participation, and assessment activities
89 for students and teachers involved in all WBL cone activities;

90 (f) maintain evidence that WBL components have been integrated and
91 coordinated with:

92 (i) elementary career awareness;

- 93 (ii) secondary career exploration;
94 (iii) integrated core activities;
95 (iv) College and Career Awareness; and
96 (v) comprehensive guidance and counseling;
97 (g) maintain evidence of WBL activities and assurances in each cone
98 developed in coordination with a student's:
99 (i) IEP;
100 (ii) Plan for College and Career Readiness; and
101 (iii) 504 requirements;
102 (h) require the inclusion of all student groups within the cone in career
103 development and preparation;
104 (i) demonstrate WBL coordination with employers and with other school and
105 community development activities.
106 (j) verify that sufficient budget for a WBL coordinator, facilities, materials,
107 equipment, and support staff is available;
108 (k) participate in initial state-sponsored WBL coordinated professional
109 development and in periodic ongoing coordination and professional development
110 activities;
111 (l) require that the WBL team utilize a database system developed by the
112 LEA for the LEA's specific needs; and
113 (m) participate in the CTE Program Approval evaluation every three years.

114 **R277-915-[4]6. Consistency with Law and State and LEA Board Rules and**
115 **Policies.**

116 ~~[A.](1) A [The work-based intern] WBL~~ experience shall be consistent with
117 the provisions of the Fair Labor Standards Act, ~~[Part 570, Subpart E, 29 C.F.R.]~~
118 29 U.S.C. Sec. 201, et seq.

119 ~~[B.](2) [Work-based intern] WBL~~ programs shall operate consistently with
120 Board rules and LEA polices, including:

- 121 (a) student transportation[;];
122 (b) credit toward graduation[;];
123 (c) attendance[;]; and

124 (d) fee waivers.

125 **KEY:** public schools, intern program

126 **Date of Enactment or Last Substantive Amendment:** [~~March 12, 2012~~]2017

127 **Notice of Continuation:** [~~February 2, 2012~~]2016

128 **Authorizing, and Implemented or Interpreted Law:** Art X Sec 3; 53A-29-102;

129 **53A-1-401**[~~(3)~~]