

## **SECTION 5P – WORK-BASED LEARNING EXPERIENCES**

A work-based learning experience is coordinated by a school district through a contract (training agreement) with an employer providing an educational experience related to school instruction (training plan) involving supervised work (employer) and monitored by a certificated ~~instructor~~ teacher employed by the district. A pupil earning high school credit in a work-based learning experience may be counted for membership FTE if the requirements that pertain to that particular program type are met. The work-based learning experiences must not generate more than one-half of the pupil's FTE. The employment of the pupil must not exceed the maximum hours set by the district.

### **A. Types of Work-Based Learning Experiences**

There are two types of work-based learning experiences that impact pupil membership FTE counts. These are outlined in subsections D and E.

#### **1.) Work-Based Learning Experiences Non-CTE Programs (subsection D):**

- a. Paid or Unpaid Work-Based Learning Experiences
- b. Work-Based Learning Experiences for Pupils with Disabilities

#### **2.) Work-Based Learning Experiences State-Approved Career and Technical Education (CTE) Programs (subsection E):**

- a. Paid or Capstone Work-Based Learning Experience State-Approved CTE Programs
- b. Unpaid Work-Based Learning Experience State-Approved CTE Programs
- c. In-District Unpaid Work-Based Learning Experience State-Approved CTE Programs
- d. Unpaid Training State-Approved CTE Less-Than-Class-Size (LTCS) Programs

### **B. Definition of Terms**

#### **Career and Technical Education State-Approved Programs (50%)**

All state-approved career and technical education programs have been divided into 12 segments for purposes of instructional delivery. After a pupil has successfully completed at least 6 of the 12 segments, they may be placed into a capstone CTE work-based learning experience.

For a listing of your school's state-approved career and technical education programs, you may visit the CTEIS web site at [www.cteis.com](http://www.cteis.com) and link to "public reports" and then review the "secondary taxonomy report."

#### **Performance Elements**

A requirement contained under the "written training plan" is a list of performance elements that contribute to the pupil's progress toward a career objective. The performance elements/job skills shall be used to assess the pupil's program. For Work-Based Learning State-Approved CTE programs, performance elements as established by the Office of Career and Technical Education must be used.

**CTE Work-Based Learning:** CTE Program Standards (Performance Elements) must be

utilized to develop CTE work-based learning training programs (capstone, unpaid, in-district and less-than-class-size) that contribute to the pupil's progress toward a career objective. The CTE standards (performance elements) can be found as follows: [www.mccte-fsu.org/](http://www.mccte-fsu.org/) -- "View Curriculum Standards"

Non-CTE Work-Based Learning may use the same performance elements as CTE work-based learning, or may also use other sources to develop performance elements such as at the following web site: <http://online.onetcenter.org/>

### Training Agreement

The training agreement is a written contract that clarifies the specific responsibilities of the student learner, the employer, the parents, the teacher/coordinator, and the school district. The training agreement must be on file at the employer's worksite prior to the pupil beginning work in order for the student learner to be legally employed. Hours not listed are not covered by the agreement. Training agreements cannot be written to exempt students from provisions of the federal child labor regulations, except for those detailed in Federal Bulletin 101 (hazardous occupations).

A training agreement must be in place by the pupil membership count day and must include the following requirements:

- The pupil's personal information including name, home address, telephone number(s), birth date, and emergency contact information.
- The school's name, address, telephone number and contact person.
- The employer's name, address, telephone number and contact person.
- A list of employer, school, and pupil responsibilities.
- The beginning and ending dates of the agreement.
- The daily hours to be worked that include beginning and ending times.
- The beginning rate of pay, if paid work-based learning experience.
- Verification of appropriate safety instruction provided by the school district or the employer may also be verified in the training plan.
- Verification that employer has worker's disability compensation and general liability insurance.
- The signatures of the principal or his or her designee, vocationally (if CTE work-based learning) certificated teacher or coordinator, pupil, parent or legal guardian, and training station supervisor (employer). If the training agreement and training plan are combined into one document, only one set of signatures is required.
- A statement of assurance signed by the employer that a pupil will not be discriminated against on the basis of race, color, religion, national origin, sex, age or disability.
- A district statement of assurance of compliance with federal laws relating to nondiscrimination.

An example of a training agreement can be found on the web at [www.michigan.gov/octe](http://www.michigan.gov/octe) under "Instructional Programs", go to "Work-Based Learning Guide for Risk Management" (go to section 9). The direct link for career and technical education sample training agreement is:

[http://www.michigan.gov/documents/mde/CTE\\_WBL\\_Training\\_Agreement\\_2007\\_218119\\_7.doc](http://www.michigan.gov/documents/mde/CTE_WBL_Training_Agreement_2007_218119_7.doc) and the direct link for the non-career and technical education sample training agreement is:

[http://www.michigan.gov/documents/mde/NonCTE\\_WBL\\_Training\\_Agreement\\_2007\\_218120\\_7.doc](http://www.michigan.gov/documents/mde/NonCTE_WBL_Training_Agreement_2007_218120_7.doc).

#### Training Plan

The district must have a written training plan in place by the pupil membership count day. The training plan must include the following:

- Verification by the certificated teacher that the pupil's career or education goals as outlined in their education development plan relate to the placement. For Work-Based Learning Experience State-Approved CTE programs, verification must be made by a vocationally (CTE) certificated teacher or coordinator (See subsection D.).
- A list of performance elements that contribute to the pupil's progress toward a career objective. The performance elements/job skills shall be used to assess the pupil's progress. For Work-Based Learning Experience State-Approved CTE programs, performance elements as established by the Office of Career and Technical Education must be used (See subsection D).
- Identification of the academic course(s) that generate credit toward a high school diploma in which the pupil is currently enrolled or was previously enrolled in that relates to and prepares the pupil for job placement (This requirement applies to Work-Based Learning Experience Non-CTE programs (See subsection C)).
- Signatures of principal or his or her designee, vocationally (CTE) if Work-Based Learning Experience State-Approved CTE Programs, otherwise certificated teacher or coordinator, pupil, parent or legal guardian, and training station supervisor (employer). If the training agreement and training plan are combined into one document, then only one set of signatures is required.

An example of a training plan can be found on the web at:

[www.michigan.gov/octe](http://www.michigan.gov/octe) under "Instructional Programs", go to "Work-Based Learning Guide for Risk Management" (go to section 9). The direct link for the example training plan is: [http://www.michigan.gov/documents/mde/WBL\\_Training\\_Plan\\_2007\\_218122\\_7.doc](http://www.michigan.gov/documents/mde/WBL_Training_Plan_2007_218122_7.doc) .

#### Unpaid Trainee

The following six federal criteria must be met for a pupil to be considered as an unpaid trainee:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in school where curriculum is followed and students are under the continued and direct supervision of representatives of the school or business.
2. The training is for the benefit of the trainees or students.
3. The trainees or students do not displace regular employees, but work under their close observation.
4. The employer who provides the training derives no immediate advantage from the activities of the trainees or students; and on occasion, operations may actually be impeded.
5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period.
6. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

In order to avoid an employer/employee relationship and to maintain a "trainee" relationship under federal definitions, training must not be for more than a total of 45 hours per specific training experience and must be conducted under a written training agreement and a written training plan. Different training experiences can occur at one location if there are multiple training plans with a whole set of separate skills (no duplication of tasks) with the training agreement that clearly define separate training experiences every 45 hours.

#### Verification of Worker's Disability Compensation and General Liability Insurance

An important requirement of the training agreement for both paid and unpaid students is that there must be verification from the employer that they carry both workers' compensation insurance and general liability insurance. To verify workers' compensation coverage, call the Michigan Department of Energy, Labor and Economic Growth, Workers' Compensation Agency at 1-888-396-5041 or access the web site at [www.michigan.gov/wca](http://www.michigan.gov/wca) and click on "insurance coverage look up".

The above website does not provide general liability insurance, this information must be verified directly with the employer.

In Michigan, workers' compensation insurance and general liability insurance coverage are required by the Department of Education for any student (paid or unpaid) placed from a public school district into a work-based learning experience. The reasons for this requirement are listed below:

1. It assures that students are placed in businesses that have adequate supervision and oversight.

According to the Michigan Department of Energy, Labor and Economic Growth, Workers' Compensation Agency, the workers' compensation law requires employers (profit and nonprofit businesses) to carry these policies if there is one (1) full time or three (3) part time employees and in most instances the owner of the business is considered an employee.

2. It assures that a business has proper coverage in the event that the student is involved in an accident.

According to the Michigan Department of Energy, Labor and Economic Growth, Workers' Compensation Agency, even if the student is insured by the school district's policy (and many school districts do carry coverage for the students that are placed in work-based learning experiences), if a judge finds that the business and the student had an employee/employer relationship, the business workers' compensation insurance and general liability insurance protect both parties. No policy means that there is no protection for the student or the employer if an injury occurs.

The employee/employer relationship, should an injury occur, will ultimately be the decision of the magistrate. If an employer does not have a workers' compensation policy, they do not have the exclusive remedy protection under the act. This means that an employee is free to sue the employer and there would be no limitations to the amount of money the employee may receive. The policy protects everyone in case of an injury.

The Department of Education is not requiring that students in unpaid placements be added to the workers' comp policy and general liability policy of the business. Many school districts continue to carry insurance coverage for students that they place into these settings.

In summary, the Department of Education requires that any business where students are placed carry these insurances (workers' compensation and general liability) to protect the student and the business in case of a law suit that finds the student to be an actual employee and to also insure that the business is big enough to adequately supervise the student safely.

### Visitation Plan

These visitations by the certified teacher are to monitor the progress of the pupil's skill attainment, determine if the pupil is eligible to receive school credit, verify the pupil's attendance, and evaluate the site in terms of health, safety, and welfare of the pupil. More visits may be required depending upon the student learner's progress and needs, the supervisor's experience in working with student learners, and other factors. For special education work-based learning pupils, the visitation plan must comply with Rule 340.1733(i).

### Vocationally (Career and Technical Education) Certificated Teacher/Coordinator

State-Approved CTE program placements must be monitored by a vocationally (career and technical education/CTE) certified teacher/coordinator employed by the district. Responsibilities of a vocationally (CTE) certificated teacher/coordinator can include the following:

- Locate prospective training stations.
- Do an evaluation of the potential worksite.
- Provide detailed program information for the purpose of orientation to employers.
- Observe safety conditions on the job.
- Confirm worker's compensation coverage and liability insurance.
- Prepare training agreements.
- Develop training plans.
- Confer with employer for instructional needs of student-learner.
- Confer with student-learner at worksites.
- Maintain teacher/coordinator records.
- Handle student learner work/school issues.
- Maintain student learner wage and hour records.
- Develop and implement a visitation plan.

### C. WORK-BASED LEARNING NON-CTE PROGRAMS

A work-based learning experience is coordinated by a school district through a training agreement with an employer providing a paid or an unpaid educational experience related to school instruction that may be offered as part of the pupil's schedule. The paid or unpaid work experience must be monitored by a certificated teacher. A pupil earning high school credit in a work-based learning experience may be counted for membership FTE if the

requirements as described are met. Work-based learning experiences shall not include an in-district placement unless it is a work-based learning experience related to a state-approved CTE program (see page 5P-9) or it is related to the postsecondary career and employment goals and objectives in the pupil's transition services plan developed for a pupil receiving special education services (see page 5P-6).

Pupils receiving special education services may participate, as appropriate, in any work-based learning experience designed for general education pupils. In doing so, the pupils receiving special education services must meet all of the requirements of that general education work-based learning experience to be counted in membership.

1. Paid or Unpaid Work-Based Learning Experiences

A pupil who participates in a paid or unpaid work-based learning experience may be counted in membership if all of the following are met:

- The pupil must be enrolled in grades 9 to 12.
- The work experience must be monitored by a designated school certified teacher.
- The pupil must be eligible to receive credits towards a high school diploma for the work-based learning experience.
- Federal and state regulations regarding the employment of minors shall be followed. A pupil is to work and go to school not more than 48 combined hours in one week.
- The work-based learning experience shall not generate more than one-half of the pupil's FTE, not to exceed .5.
- The employment of the pupil shall not exceed the maximum hours set by the district.
- The district shall have a written training agreement in place by the pupil membership count date. (See page 5P-2)
- The district shall have a written training plan in place by the pupil membership count date. (See page 5P-3)
- The employer or coordinator must maintain and verify records of the pupil's attendance throughout the duration of the training agreement.
- A regular visitation plan, calling for at least one visit every nine week period to the site by the certificated teacher, after first visiting the employer to establish the training station, must be developed with each employer. For special education work-based learning pupils, the visitation plan must comply with Rule 340.1733(i).

In addition to the above, the following requirements apply to unpaid work-based learning experiences:

- The training experience must not be for more than a total of 45 hours per specific training plan.
- The work experience must occur during scheduled classroom time, unless a special exception is documented. For special exceptions, the training plan and training agreement must reflect the alternate hours and a certificated teacher must be available to monitor this experience during the pupil's training hours.

2. Work-Based Learning Experiences for Pupils with Disabilities

For pupils receiving special education services that require an additional programming option, reference Michigan Administrative Rules governing Special Education Programs and Services, Rule 340.1733(i). This rule describes the program for a student/learner

receiving work-site based education through a special education training plan. Special education work-based learning experiences shall comply with Rule 340.1733(i).

This work-site based learning experience, which is either paid or unpaid, is delivered through the special education delivery system. This program must have a written agreement (training plan) that must be signed by the principal or his or her designee, certificated teacher or coordinator, pupil, parent or legal guardian, and the training station supervisor (employer). The agreement shall set forth all of the following information:

- Expectations and standards of attainment
- Job activities
- Time and duration of the program
- Wages paid to the pupil, if applicable
- Related instruction, if applicable

A district employed certificated teacher must visit the pupil's worksite at least once every 30 calendar days for the duration of the program to check attendance and pupil progress and assess the placement in terms of health, safety and welfare of the pupil.

For a special education pupil receiving work-site based learning experiences under R340.1733(i) to be counted in special education membership, the following must occur:

- Pupil must be enrolled and assigned to a special education teacher.
- The district shall have a written training agreement in place by the pupil membership count date. (See page 5P-2)
- The district shall have completed a written training plan in place by the pupil membership count date. (See page 5P-3)
- The employer must maintain verified records of the pupil's attendance.
- The number of worksite hours counted for membership must not exceed the maximum number of worksite hours allowed to be counted for membership, as determined by the district.
- A staff member must visit the pupil and the pupil's supervisor at the job site at least once every 30 calendar days as described above.

### 3. In-District Placement/Transition Services

A pupil receiving special education services under a transition services plan may be placed in the school district. The in-district placement must be directly related to the postsecondary career and employment goals and objectives in the pupil's transition services plan developed for the pupil receiving special education services. A copy of the pupil's transition services plan must be attached to an unpaid in-district placement agreement and must directly relate to the placement. Failure to attach a copy of the pupil's transition services plan to the in-district placement agreement will result in a FTE deduction.

- The district shall have an in-district placement agreement in lieu of a training agreement in place by the pupil membership count date. The direct link for a sample in-district placement agreement is at:  
[http://www.michigan.gov/documents/mde/In-District\\_CTE\\_Transition\\_Placement\\_Form\\_2007\\_218458\\_7.doc](http://www.michigan.gov/documents/mde/In-District_CTE_Transition_Placement_Form_2007_218458_7.doc)  
✓ Pupil's personal information including name, home address, telephone number(s), birth date, and emergency contact information.

- ✓ Beginning and ending dates of placement.
- ✓ The daily hours to be worked that include beginning and ending times.
- ✓ A list of school and pupil responsibilities.
- ✓ Verification of appropriate safety instruction provided by the school district.
- ✓ The signatures of the principal or his or her designee, certificated teacher or coordinator, pupil, and pupil's parent(s) or legal guardian.
- The district shall have a training plan. (See page 5P-3.)
- Federal and state regulations regarding the employment of minors shall be followed. A pupil is to work and go to school not more than 48 combined hours in one week.
- The work-based learning experience shall not generate more than one-half of the pupil's FTE, not to exceed .5.
- The employment of the pupil shall not exceed the maximum hours set by the district.
- The training shall not be for more than a total of 45 hours per specific training experience.

D. Work-Based Learning State-Approved Career and Technical Education (CTE) Programs:

A state-approved CTE program work-based learning experience must be coordinated by a school district through a training agreement with an employer providing an educational experience related to school instruction that may be offered as part of the pupil's schedule. The state-approved CTE program is a secondary program that is approved by the Office of Career and Technical Education (OCTE) for the purpose of determining eligibility to receive Added Cost funding pursuant to State School Aid Act Section 61a.

In addition to the specific requirements below, the district shall comply with all of the following additional requirements:

- ✓ The employer or vocationally (CTE) certificated teacher or coordinator shall maintain and verify records of the pupil's attendance throughout the duration of the training agreement.
- ✓ A vocationally (CTE) certificated teacher or coordinator shall develop a regular visitation plan, after first visiting the employer to establish the training site, that includes at least one site visit every nine-week period.
- ✓ Federal and state regulations regarding the employment of minors shall be followed.

1. Paid or Capstone Worked-Based Learning Experience State-Approved CTE Programs

A pupil who participates in a paid (capstone) work-based learning experience related to a state-approved CTE program is eligible to generate Added Cost funding pursuant to State School Aid Act Section 61a and may be counted in membership if all of the following are met:

- The pupil enrolled in a state-approved CTE program must be in grades 11 to 12.
- The experience must be monitored by a vocationally (CTE) certificated teacher or coordinator employed by the school district.
- The pupil must be eligible to receive credit towards a high school diploma for the work-based learning experience.
- The work-based learning experience shall not generate more than one-half of the pupil's total full-time equivalency not to exceed .5 FTE.
- The employment of the pupil shall not exceed the maximum hours set by the district.

- The pupil must have successfully completed 50% of the State-Approved CTE program.
- The pupil shall attend at least one 40-minute session per week taught by a vocationally (CTE) certificated teacher or coordinator in either of the following:
  - ✓ The related State-Approved CTE classroom.
  - ✓ A district-approved educational course, with academic objectives, related to the pupil's career and educational goals.

Following are three examples showing how the "40-minute session per week in a related course work" is applicable.

Example 1: The pupil has successfully completed a state-approved CTE program in a block schedule format for one semester and will continue in the program for the second semester. The pupil qualifies as completing 50% of the program and can be placed into a "capstone experience" during the second semester.

Example 2: The pupil has successfully completed a state-approved CTE program in their junior year and therefore, can be placed into a "capstone experience" the second year. In this situation, the pupil may go back to the previous CTE class for a minimum of 40 minutes per week to work with the vocationally (CTE) certified teacher. The pupil is NOT enrolled in the class, but is simply attending one hour per week.

Example 3: The pupil has successfully completed a state-approved CTE program in their junior year and therefore, can be placed into a "capstone experience" the second year. The pupil may attend a class specifically for "capstone experience pupils" for a minimum of 40 minutes a week taught by a vocationally (CTE) certified teacher or capstone education coordinator that is educational in nature, academically-based, career-focused and related to the pupil's career or educational goals. This class should build on the pupils' career goals and provide opportunities to have more rigor and relevance to future specialized training or postsecondary opportunities.

- The pupil is employed not less than an average of 10 hours per week during the effective time of the training agreement.
- The district shall have a written training agreement. (See page 5P-2)
- The district shall have a written training plan. (See page 5P-3)

## 2. Unpaid Work-Based Learning Experience State-Approved CTE Programs

A pupil who participates in an unpaid work-based learning experience related to a state-approved CTE program is eligible to generate Added Cost funding pursuant to State School Aid Act Section 61a and may be counted in membership if all of the following are met:

- The pupil enrolled in a state-approved CTE program is enrolled in grades 11 to 12.
- The experience is monitored by a vocationally (CTE) certificated teacher or coordinator employed by the school district.
- The pupil is eligible to receive credit towards a high school diploma for the work-based learning experience.
- The training shall not be more than a total of 45 hours per specific training experience.

- The work experience shall occur during the scheduled classroom time, unless a special exception is documented. For special exceptions, the training plan and agreement shall reflect the alternative hours and a vocationally (CTE) certificated teacher or coordinator shall be available to monitor this experience during the pupil's training hours.
- The district shall have a written training agreement. (See page 5P-2)
- The district shall have a written training plan. (See page 5P-3)

**3. In-District Unpaid Work-Based Learning Experiences State-Approved CTE Programs**

A pupil who participates in an in-district unpaid work-based learning experience related to a state-approved CTE program may do so without an FTE deduction if all of the following are met:

- The pupil enrolled in a state-approved CTE program is enrolled in grades 11 to 12.
- The program is on a list of state-recognized CTE programs eligible for in-district placement that shall be established by OCTE.
- The work-based learning experience shall not generate more than one-half of the pupil's full-time equivalency not to exceed .5 FTE.
- The experience is monitored by a vocationally (CTE) certificated teacher or coordinator employed by the school district.
- The pupil is eligible to receive credit towards a high school diploma for the work-based learning experience.
- The training shall not be for more than a total of 45 hours per specific training experience.
- The district shall have an in-district placement agreement in lieu of training agreement in place by the pupil membership count date. The direct link for a sample in-district placement agreement is at:  
[http://www.michigan.gov/documents/mde/In-District\\_CTE\\_Transsistion\\_Placement\\_Form\\_2007\\_218458\\_7.doc](http://www.michigan.gov/documents/mde/In-District_CTE_Transsistion_Placement_Form_2007_218458_7.doc)
  - ✓ Pupil's personal information including name, home address, telephone number(s), birth date, and emergency contact information.
  - ✓ Beginning and ending dates of placement.
  - ✓ The daily hours to be worked that include beginning and ending times.
  - ✓ A list of school and pupil responsibilities.
  - ✓ Verification of appropriate safety instruction provided by the school district.
  - ✓ If an in-district placement relates to a state-approved CTE program, the completed in-district placement agreement MUST identify the program serial number (PSN). If the PSN is not filled in, it WILL result in an FTE deduction.
  - ✓ The signatures of the principal or his or her designee, vocationally (CTE) certificated teacher or coordinator, pupil, and pupil's parent or legal guardian.
- The district shall have a training plan. (See page 5P-3)

The following is a list of currently recognized state-approved CTE program unpaid in-district placements:

Career Pathway	CIP Code/Program Name	Scenarios With Student Placements
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Michigan Department of Education  
Pupil Accounting Manual

Business, Management, Marketing and Technology	11.0201 Computer Programming/Programmer 11.0801 Digital/Multimedia and Information Resources Design 11.0901 Computer Systems Networking and Telecommunications 11.1001 Systems Administration/ Administrator	Student is placed within the school district's technology department with the school district's technology coordinator.
	52.0299 Business Management and Administration	Student is placed in the school district's administrative business office with appropriate administrative management personnel.
	52.1999 Marketing, Sales and Service	Student is placed under appropriate personnel as a manager or assistant manager in a marketing school-based enterprise/lab.
	12.9999 Personal and Culinary Services	Student is placed with the school district's food services coordinator/manager (NO serving duties).
	52.0800 Finance and Financial Management Services	Student is placed in the school district's administrative business office with appropriate management personnel.
Health Sciences	51.0000 Therapeutic Services	Student is placed with school nurse.
Human Services	13.0000 Education General (Teacher Cadet)	Student is placed into various classrooms.
	19.0700 Child and Custodial Care Services	Student is placed in day care (before and after school care) facilities for their practicum.
	43.0100 Public Safety/ Protective Services	Student is placed with district level security/police or school legal counsel.
Engineering, Manufacturing, Industrial Technology	46.0401 Building Maintenance	Student is placed in the district level maintenance and sanitation engineering department.
	47.0201 Heating, AC, Ventilation & Refrigeration	Student is placed with the district director for maintenance and with HVAC certified technician.
	47.0613 Medium/Heavy Truck Technician	Student is placed in the district transportation garage with certified mechanic working on district vehicles/equipment.

NOTE: All CTE sample scenarios require the use of the appropriate CTE state approved program performance elements in the development and documentation of the in-district placement work-based learning experience.

4. Unpaid Training State-Approved Career and Technical Education Less-Than-Class-Size (LTCS) Programs

An unpaid state-approved CTE less-than-class-size (LTCS) program provides an opportunity to pupils who, because of unique circumstances, do not have a program available through a regular state-approved CTE program. Each program is contracted with business, industry, or private occupational schools as an alternative method of providing CTE not readily available in a public education institution. A pupil who participates in a LTCS program is eligible to generate Added Cost funding pursuant to State School Aid Act Section 61a and may be counted in membership if all of the following are met:

- The pupil is enrolled in grades 11 to 12.
- A signed, completed notification has been received by the OCTE by the Friday after the fall pupil membership count day.
- The experience is monitored by a vocationally (CTE) certificated teacher or coordinator employed by the school district.
- The pupil is eligible to receive credit towards a high school diploma for the work-based learning experience.
- The program shall be established for a time period as defined in the program standards for the CTE program.
- Instruction for pupils shall be provided by approved less-than-class-size vocationally (CTE) annually-authorized personnel under the jurisdiction of the employer.
- The LTCS contracted program shall have no more than four (4) pupils per vocationally (CTE) annually-authorized personnel per instructional site in the same time period.
- The district shall have a written training agreement. (See page 5P-2)
- The district shall have a written training plan. (See page 5P-3)

F. Regulatory References

Administrative Rule:

340.1(5)(j)  
340.1733(i)  
395.231-395.376

Youth Employment Standards Act:

1970 PA 90

Fair Labor Standards Act:

29 USC 201, et seq.

**Related academic class**

Q #1

The district has a group of work-based learning pupils who are allowed to leave school early and earn credit working. We are a small district and a small town. In the past, pupils have taken a general class where they learned about the work world, developed a work ethic and general employability skills. The class meets with a vocational education teacher on a daily basis; pupils have a training plan/agreement on file, weekly timecards, and employer evaluations every nine weeks. Phone calls and visits are made to each employer. The pupils are not reported as Capstone to collect added cost funding. May the district still count the FTE for these jobs?

A #1

No. While the district is meeting many of the requirements for work-based learning courses,

the work-based learning is not simply a job. Work-based learning is training for the pupil's desired future career. All pupils enrolled and participating in work based learning must have a training plan that correlates to the pupils EDP. The pupil must also have taken or be currently enrolled in an academic class that correlates to the job. There is no one course that fits all. While every pupil needs to know how to write a resume and a cover letter to that resume, allowable work-based learning must include job tasks specific to a certain career. Please visit the [www.onetcenter.org](http://www.onetcenter.org) for related academic courses.

### **Pupil counted in special education**

Q #2

If the special education pupil's IEP prescribes for work-based education 100% of the required 1,098 hours of pupil instruction, can the pupil be claimed for 1.0 FTE provided the work-based documentation is in place?

A #2

No. If this job placement is under the work activity center rule at a licensed sheltered workshop, the time spent in the placement must be incidental to the educational program for the student (i.e. it must be less than 50% of the instructional day). If this is just a paid work-based learning experience, the number of hours the pupil is in the work-based learning experience cannot exceed district policy for all pupils. In either situation, the pupil is not eligible for a full FTE count. Without further information, it appears that the maximum FTE would be less than .5 as the incidental amount. There appears to be no other instructional time at the local district.

### **Capstone 40-minute class time requirement through virtual delivery**

Q #3: Can vocationally (CTE) certificated teachers or coordinators use Blackboard, Moodle, or another web-managed tool for the 40-minute capstone requirement instead of the pupil returning to the related CTE program or a "capstone class?"

A #3: Yes. Through these venues, vocationally (CTE) certificated teachers can determine when the student logged in to the "class" to meet the 40-minutes per week requirement. Pupils can complete lessons assigned to them and the teachers and pupils can communicate electronically. Please note that this option is only for those students assigned to the vocationally (CTE) certificated teacher in this capstone program and all other Pupil Accounting rules must be met.