WORK-BASED LEARNING MANUAL

Entrepreneurship • Service Learning • Internship • Shadowing • Mentoring • Cooperative Education • School-Based Enterprise

EVERY CHILD
PROFICIENT & PREPARED FOR SUCCESS
KENTUCKY DEPARTMENT OF EDUCATION

Division of Career and Technical Education
Office of Career and Technical Education

Kentucky
UNBRIDLED SPIRIT

WORK-BASED LEARNING MANUAL

2008

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WORK-BASED LEARNING MANUAL

Work-Based Learning (WBL) is an approach used to provide students with real-life experiences. Often quoted, the 3R's in education are rigor, relevance, and relationships. Work-Based Learning provides opportunities to incorporate all three "R's" with special emphasis on relevance to students' career pathways. Work-Based Learning connects students to real-life experiences as identified in Kentucky School Board/Kentucky Department of Education "Goal 3—Strong and supportive environment for each school and every child" with emphasis on sub-goal 3.5 which stipulates that "every community involved in children's learning." These experiences are judged on performance criteria and personal achievements.

Work-based learnings are structured activities incorporated in the curriculum which apply knowledge and skills learned in class and connect these learnings to experiences at work.

The purpose of the *Manual* is to provide guidance and direction for schools to use in developing and implementing the components of work-based learnings outlined in 704 KAR 3:305, minimum requirements for high school graduation.

The *Manual* is designed to be a resource for planning and managing work-based learnings for cooperative education, entrepreneurial programs, mentoring, internships, job shadowing, school-based enterprises and service learning.

Specific administrative regulations are available for Career and Technical Education programs and cooperative education standards. Other areas do not have administrative regulations, so the guidelines in the Work-Based Learning Manual are designed to provide standards for all work-based learnings.

This *Manual* will serve as a valuable resource in planning and implementing work-based learning for all students and is available on the Kentucky Department of Education web page. Click on "Instructional Resources" on the horizontal bar and then on "Career and Technical Education" in the left margin. (http://www.kde.state.ky.us/KDE/)

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CHAPTER 1

LEGAL ISSUES

After extensive input from Kentucky school districts and other local stakeholders, in 2006 the Kentucky Board of Education (KBE) amended 704 KAR 3:305 (www.lrc.ky.gov/kar/704/003/305.htm) to establish new minimum high school graduation requirements to ensure that a system of high standards and high expectations are put in place for all students. At the heart of that action was the need to ensure every student persists to graduation—proficient and prepared to succeed at the next level of education and career. With the flexibility provided in the manner in which credits may be earned and how learning may be credentialed, performance-based credit offers an alternative to the traditional Carnegie-unit seat-time model. As school districts foster new learning environments that have greater capacity to engage the disengaged and to stretch the learning of every student, credit bearing work-based opportunities such as internships, cooperative learning experiences, and other school district supervised experiences in the school and community deserve serious consideration. As that process is launched, school districts are well-advised to first address key legal issues.

When looking at the relationship that exists between employers and employees, it is important to know and understand state and federal statutes and regulations that protect various aspects of the employment relationship, including wage and hour laws, child labor laws, safety and health laws, and workers' compensation. These are the primary areas highlighted in this chapter. State and federal documents are included as a reference at the end of this chapter.

Prior to placing any student in a work-based learning environment, it is important to become familiar with both state and federal requirements. This chapter provides information about both the state and federal laws that could impact work-based learning experiences. **It is also important to keep in mind that when both state and federal laws apply, in general the more stringent of the two must be followed.** This will ensure that all work-based learning efforts are operated within the guidelines of the law.

It is the responsibility of each administrator, principal, or director to be aware of and in compliance with all legal aspects related to student employment. It is the direct responsibility of the teacher/coordinators to promote compliance with all state and federal laws and regulations in the placement of students in work-based programs. This chapter provides guidelines for program operation and addresses a variety of requirements from equal access to labor laws. Guidelines will briefly outline key areas that need to be explored prior to implementing a work-based learning experience. This chapter is intended to facilitate discussions that need to take place before putting a student in an actual work-

based learning setting. The information is provided to inform **all responsible school personnel** of various legal issues. For the safety of all involved, when exploring work-based learning sites, only those sites that are in compliance with all existing laws should be considered.

Employer-Employee Relationship

Activities occurring in the workplace that do not involve the performance of work are not "employment" subject to the state and federal wage and hour and child labor laws. Some examples of these activities include career awareness and exploration, a field trip to a worksite, an employer and or employee classroom presentation and job shadowing whereby a student performs no work but follows and observes an employee in his or her daily activities. Students under age 14 may participate in the education and training activities specified above; **however, employment subject to state and federal laws cannot be a part of their work-based learning experience**.

Any work-based learning experience that creates an employment relationship must be in compliance with both state and federal child labor laws and wage and hour laws. An employee is defined by Kentucky law as "any person employed by or suffered or permitted to work for an employer." Kentucky law defines an employer as "any person, either individual, corporation, partnership, agency, or firm who employs an employee and includes any person, either individual, corporation, partnership, agency, or firm acting directly or indirectly in the interest of an employer in relation to an employee." (www.lrc.ky.gov/KRS/337-00/010.htm) Deciding whether an employer-employee relationship exists depends upon all the circumstances surrounding the relationship and must be looked at very closely to make an accurate determination.

803 KAR 1:005 (www.lrc.ky.gov/kar/803/001/005.htm) goes into detail outlining an employer-employee relationship and specifically addresses whether trainees and student-trainees are subject to the wage and hour laws. In order to determine whether an employment relationship exits, all factors surrounding the work-based learning experience have to be reviewed and evaluated according to the following set of criteria. When all six components of the criteria apply to a work-based learning experience, an employment relationship **does not exist**; therefore, the wage and hour and child labor laws would not apply to that particular experience. If all six components of the criteria do not apply to a work-based learning experience, an employment relationship **does exist**; therefore, the wage and hour and child labor laws would apply to that experience. The six criteria relating to trainees and student-trainees are as follows:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school;
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 students or trainees, and on occasion, his operation may actually be impeded;
5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period; and
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.

Even in the absence of an employment relationship, it is very important to closely monitor the activities of the student to assure that a safe working environment is maintained. It is important to remember that the safety of the student and individuals working in close proximity to the student is the most important factor in effective work-based learning.

Hours Restrictions

Once it has been determined that an employment relationship exists, there are certain restrictions on the employment of minors. The state's restrictions on hours are divided into two categories. There are specific hours restrictions for 14 and 15 year olds and there are other restrictions for 16 and 17 year olds. The state's hours restrictions are detailed in 803 KAR 1:100 (www.lrc.state.ky.us/kar/803/001/100.htm) and are as follows:

14 and 15 year olds may work…

- Outside school hours (a minor who is enrolled in a school supervised and administered work experience or career exploration program may work during school hours if the employment does not interfere with the minor's schooling, health or well-being)
- No more than 3 hours a day Monday through Friday when school is in session
- No more than 8 hours a day on Saturday and Sunday when school is in session
- No more than 18 hours total in any week in which school is in session
- No more than 8 hours a day and up to 40 hours total in any week in which school is not in session
- Between the hours of 7 a.m. and 7 p.m. (between June 1 and Labor Day they may work as late as 9 p.m.)

16 and 17 year olds may work…

- No more than 6 hours a day Monday through Friday when school is in session
- No more than 8 hours a day on Saturday and Sunday when school is in session
- No more than 30 hours total in any week in which school is in session (except that a minor may work up to forty (40) hours in any one (1) work week if a parent or legal guardian gives permission in writing, and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer's place of business.)
- No earlier than 6 a.m. when school is in session
- No later than 10:30 p.m. on school nights (Sunday through Thursday evening) when school is in session
- No later than 1 a.m. on Friday and Saturday nights when school is in session

- Unlimited hours when school is out of session

The definition of school in session is that time as established by local school district authorities pursuant to KRS 160.290 (www.lrc.state.ky.us/KRS/160-00/290.PDF). If a minor is required to be in school for any day or portion of a day, school is in session for the day and the entire week for purposes of child labor compliance.

The U.S. Department of Labor has the same hours restrictions for 14 and 15 year olds; however, they do not have any hours restrictions for 16 and 17 year olds.

Hazardous Duties

In addition to the hours restrictions for minors, there are some occupations and specific job duties that have been declared too hazardous for minors to perform at a place of employment. The Hazardous Occupations (HOs) are as follows:

HO 1	Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components
HO 2	Motor vehicle driver and outside helper
HO 3	Coal mine occupations
HO 4	Logging or sawmill operations
HO 5 *	Operation of power-driven woodworking machines, including the use of saws on construction sites
HO 6	Exposure to radioactive substances
HO 7	Operation of power-driven hoisting apparatus, including the use of fork lifts, cranes and nonautomatic elevators
HO 8 *	Operation of power-driven metal forming, punching and shearing machines (HO 8 does permit the use of a large group of machine tools used on metal, including lathes, turning machines, milling machines, grinding, boring machines and planing machines)
HO 9	Mining, other than coal
HO 10 *	Slaughtering, meat packing, processing, or rendering, including the operation of power-driven meat slicers in retail stores
HO 11	Operation of bakery machines
HO 12 *	Operation of paper products machines, including the operation and loading of scrap paper balers in grocery stores
HO 13	Manufacture of brick, tile and kindred products
HO 14 *	Operation of circular saws, band saws, and guillotine shears
HO 15	Wrecking, demolition, and shipbreaking operations
HO 16 *	Roofing operations
HO 17 *	Excavating operations
HO 18	In, about, or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption or dispensed
HO 19	Pool or billiard room

The U.S. Department of Labor has declared that the occupations from HO 1 through HO 17 are hazardous for employees under the age of 18 to perform. Hazardous Orders with a *

notation contain exemptions for 16 and 17 year old apprentices and student learners provided they are employed under the conditions outlined in Child Labor Bulletin 101 which can reviewed at www.dol.gov/esa/regs/compliance/whd/childlabor101.pdf.

In addition to the 19 Hazardous Occupations listed above, 14 and 15 year olds **are not allowed to work in the following occupations or specific duties:**

- Manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in work rooms or workplaces where goods are manufactured, mined or otherwise processed
- Occupations which involve the operation or tending of hoisting apparatus or of any power-driven machinery other than office machines
- Operation of motor vehicles or service as helpers on such vehicles
- Public messenger service
- Occupations in connection with the transportation of persons or property by rail, highway, air, water, pipeline, or other means
- Occupations in connection with warehousing and storage
- Occupations in connection with communications and utilities
- Construction (including demolition and repair)
- Work performed in or about boiler or engine rooms
- Work in connection with the maintenance or repair of the establishment, machine or equipment
- Outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds, or their substitutes
- Cooking and baking
- Occupations which involve operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers and cutters, and bakery type mixers
- Work in freezers and meat coolers and all work in preparation of meats for sale
- Loading and unloading goods to and from trucks, railroad cars or conveyers
- All occupations in warehouses except office and clerical work

Proof of Age

In the state of Kentucky, work permits are not required for the employment of individuals under the age of 18 (minors). Employers are however required to keep on file proof of age for each minor as outlined in KRS 339.450 (www.lrc.ky.gov/KRS/339-00/450.PDF). The employer should obtain a copy of a birth certificate, a driver's license or another official government document stating the date of birth for the minor to satisfy the state's proof of age requirement.

Recordkeeping

KRS 339.400 (www.lrc.ky.gov/KRS/339-00/400.PDF) requires that employers employing minors keep a record of the names, ages, and addresses of each minor, along with the time of the commencing and stopping of work for each day, and the time of the beginning and ending of the daily meal period. The employer is also responsible for posting the child labor laws in a conspicuous place for all minors to view. KRS 337.320 (http://www.lrc.state.ky.us/KRS/337-00/320.PDF) requires employers to maintain time and payroll records for all employees for one year from the date of entry.

Lunch Breaks

KRS 339.270 (www.lrc.ky.gov/KRS/339-00/270.PDF) states that employees under the age of 18 are not permitted to work more than five hours continuously without at least a thirty minute uninterrupted lunch break. A lunch break of anything less than thirty minutes does not satisfy the requirement. Minors do not have the opportunity to waive the required lunch break. It is important to reemphasize that it is the employer's responsibility to document the beginning and ending time of the minor's lunch break.

Miscellaneous

Minors who are participating in a work-based learning experience which is determined to be an employment relationship are entitled to minimum wage for the hours worked for the employer pursuant to KRS 337.275 (www.lrc.ky.gov/KRS/337-00/275.PDF). Kentucky's minimum wage was increased to $5.85 an hour on June 26, 2007 with a built-in incremental change to $6.55 an hour beginning July 1, 2008 and $7.25 an hour beginning July 1, 2009. Minors are also entitled to the other wage and hour protections afforded to adult employees such as overtime, rest breaks, timely payment of wages, a statement of deductions, etc.

This chapter is for informational purposes only. Due to statutory and regulatory changes, administrative proceedings, court decisions, and legal opinions, the information contained herein is subject to change. For current information on the child labor and wage and hour laws, please contact the following agencies:

Kentucky Labor Cabinet
Division of Employment Standards, Apprenticeship and Mediation
1047 U.S. 127 South, Suite 4
Frankfort, Kentucky 40601
502-564-3534

United States Department of Labor
ESA Wage and Hour Division
Gene Snyder US Courthouse and Customhouse, Room 31
601 West Broadway
Louisville, Kentucky 40202-9570
502-582-5226

Safety and Health Laws

While implementing work-based learning experiences it is important to remember that the safety and health of the students is of paramount importance. Each party involved must take every step necessary to ensure that students are participating in safe learning environments.

A Kentucky Occupational Safety and Health Program is established by Chapter 338 (http://www.lrc.state.ky.us/KRS/338-00/CHAPTER.HTM) of the Kentucky Revised Statutes. In 1973, the U.S. Department of Labor approved Kentucky's plan for providing job safety and health protection for workers across the state; therefore, in the state of Kentucky, the enforcement authority for all occupational safety and health laws is housed within the Kentucky Labor Cabinet.

Employers are required to provide each employee a place of employment free from recognized hazards that are causing or are likely to cause death, illness, or serious physical harm to any employee. Occupational safety and health standards are in effect to achieve this end result.

Parties interested in finding out specifics about the safety and health standards that are applicable can call:

Division of Education and Training
Kentucky Occupational Safety and Health Program
Kentucky Labor Cabinet
1047 U.S. 127 South, Suite 4
Frankfort, Kentucky 40601
(502) 564-3536

Workers' Compensation Laws

Prior to placing a student in a work-based learning experience, it is imperative that the issues related to workers' compensation be reviewed. Chapter 342 of the Kentucky Revised Statutes (http://www.lrc.state.ky.us/KRS/342-00/CHAPTER.HTM) requires employers with one or more employees to purchase workers' compensation insurance to cover an employee's income loss that occurs because of a work related injury. It is worth noting that it is the employer's responsibility to acquire and pay for the insurance coverage for each and every employee.

Work-based learning experiences will take a variety of forms. Depending upon the specifics of each instance, a determination can be made as to whether an employer is required to obtain the insurance coverage for a particular student. For example, it is clear that if a student is in a paid employment situation, the insurance requirement is applicable, whereas, if a student is strictly an observer and is not an employee of the establishment, the law does not require workers' compensation coverage for that student.

Because of the complexity of the issues related to workers' compensation, specific questions need to be directed to:

Office of Workers' Claims
Kentucky Labor Cabinet
657 Chamberlin Avenue
Frankfort, Kentucky 40601
502-564-5550

Work-Based Learning and Insurance

Liability issues include such areas as insurance, workers' compensation, and safety. It is critical that students, employers, school districts, and staff involved in work-based programs have accidental and liability coverage prior to students' placement at the work sites.

Three general categories of liability issues include the student's transportation to and from the work site, the time spent at the work site, and safety at the work site. Transportation insurance must be provided to cover transportation to and from the worksite. If the school is transporting the student by school bus, then school bus coverage applies. The same is true if the employer provides transportation. If a student drives to and from a work site, the student's personal or family insurance is to provide the necessary coverage.

Students may have coverage for accidental death and dismemberment as well as accidental medical expense benefits that will pay when other insurance is not available or does not respond for whatever reason. Students involved in paid work experience with an employer-employee relationship are to be covered under the employer's Workers' Compensation Coverage. The student's coverage would respond in those instances involving non-paid work experience.

Student's participation in a non-paid work-based learning program at work sites away from the school campus will need to be covered under a specific insurance policy that is provided by the school district.

In addition to insurance and workers' compensation, the workplace needs to provide adequate, safe equipment and a safe, healthful workplace in conformity with health and safety standards congruent with federal/state laws. The workplace environment is to provide all other safeguards identified by the Kentucky Labor Cabinet.

Please refer to the Work-Based Learning Liability Checklist in this chapter, pages 1-17 and 1-18.

Other Legislation Impacting Work-Based Learning

Carl D. Perkins Career & Technical Education Act of 2006 (PL 109.270)

Sec. 2. PURPOSE.

The purpose of this Act is to develop more fully the academic and career and technical skills of secondary education students and postsecondary education studentswho elect to enroll in career and technical education programs by---

(1) building on the efforts of States and localities to develop challenging academic and technical standards and to assist students in meeting such standards, including preparation for high wage, or high demand occupations in current or emerging professions;
(2) promoting the development of services and activities that integrate rigorous and challenging academic and career and technical instruction, and that link secondary education and postsecondary education for participating career and technical education students;
(3) increasing State and local flexibility in providing services and activities designed to develop, implement, and improve career andtechnical education, including tech prep education;
(4) conducting and disseminating national research and disseminating information on best practices that improve career and technical education programs, services, and activities;
(5) providing technical assistance that---
    a. promotes leadership, initial preparation, and professional development at the state and local levels; and
    b. improves the quality of career and technical education teachers, faculty, administrators, and counselors;
(6) supporting partnerships among secondary schools, postsecondary institutions, baccalaureate degree granting institutions, area career and technical education schools, local workforce investment boards, business and industry, and intermediaries; and
(7) providing individuals with opportunities throughout their lifetimes to develop, in conjunction with other education and training programs, the knowledge and skills needed to keep the United States competitive.

Sec. 3. DEFINITIONS

Career and Technical Education.---The term 'career and technical education' means organized education activities that---

(A) offer a sequence of courses that---
    (i) provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;
    (ii) provides technical skill proficiency, an industry-recognized credential, certificate, or an associate degree; and
    (iii) may include prerequisite courses (other than a remedial course) that meet the requirements of this subparagraph; and
(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability

skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.

Section 121

Each eligible agency desiring assistance from this legislation is required to develop a State Plan and submit to the U.S. Department of Education, Office of Vocational and adult Education

Section 134 stipulates that an eligible recipient desiring financial assistance under this part shall in accordance with requirements established by the eligible agency submit a local plan. Each local plan shall:

(1) describe how the career and technical education programs required under section 135(b) will be carried out with funds received under this title;
(2) describe how the career and technical education activities will be carried out with respect to meeting State and local adjusted levels of performance established under section 113;
(3) describe how the eligible recipient will---
   a. offer the appropriate courses of not less than 1 of the career and technical programs of study described in section 122(c)(1)(A);
   b. improve the academic and technical skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education programs to ensure learning in career and technical education subject
   c. provide students with strong experience in, and understanding of, all aspects of an industry;
   d. ensure that students who participate in such career and technical education programs are taught to the same coherent and rigorous content aligned with challenging academic standards as are taught to all other students; and
   e. encourage career and technical education students at the secondary level to enroll in rigorous and challenging courses in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965);
(4) describe how comprehensive professional development (including initial teacher preparation) for career and technical education, academic, guidance, and administrative personnel will be provided that promotes the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education (including curriculum development);
(5) describe how parents, students, academic and career and technical education teachers, faculty, administrators, career guidance and academic counselors, representatives of tech prep consortia (if applicable), representatives of the entities participating in activities described in section 117 of the Public Law 105-220 (if applicable), representatives of business (including small business) and industry, labor organizations, representatives of special populations, and other interested individuals are involved in the development, implementation, and evaluation of career and technical education programs assisted under this title, and how such individuals and entities are effectively informed about, and assisted in understanding, the requirements of this title, including career and technical programs of study;

(6) provide assurances that the eligible recipient will provide a career and technical education program that is of such size, scope, and quality to bring about improvement in the quality of career and technical education programs;
(7) describe the process that will be used to evaluate and continuously improve the performance of the eligible recipient;
(8) describe how the eligible recipient will---
   a. review career and technical education programs, and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the programs, for special populations;
   b. provide programs that are designed to enable the special populations to meet the local adjusted levels of performance; and
   c. provide activities to prepare special populations, including single parents and displaced homemakers, for high skill, high wage, or high demand occupations that will lead to self-sufficiency;
(9) describe how individuals who are members of special populations will not be discriminated against on the basis of their status as members of the special populations;
(10) describe how funds will be used to promote preparation for non-traditional fields;
(11) describe how career guidance and academic counseling will be provided to career and technical education students, including linkages to future education and training opportunities; and
(12) describe efforts to improve---
   a. the recruitment and retention of career and technical education teachers, faculty, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and
   b. the transition to teaching from business and industry.

Section 135. Local Uses of Funds

Eligible recipients are to develop a local plan for the use of funds provided through this legislation. The Act identifies required and permissive use of funds.

Required uses of Funds are:

1. Strengthen the academic and career and technical skills of students participating in CTE programs through the integration of academics with CTE programs.
2. Link CTE at the secondary level and the postsecondary level, including by offering the relevant elements of not less than one program of study described in Section 122 (c)(1)(A).
3. Provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences.
4. Develop, improve or expand the use of technology in career and technical education, which may include
   a. Training to use technology
   b. Providing students with the skills needed to enter technology fields
   c. Encouraging schools to collaborate with technology industries to offer internships and mentoring programs.
5. Provide in-service and pre-service professional development programs to teachers, faculty, administrators and career guidance and academic counselors who are involved in integrated CTE programs on topics including:
   a. Effective integration of academic and CTE
   b. Effective practices to improve parental and community involvement

c. Effective teaching skills based on research
d. Effective use of scientifically based research and data to improve instruction Professional development should also ensure that teachers and personnel stay current with all aspects of an industry; involve internship programs that provide relevant business experience; and train teachers in the effective use and application of technology.

6. Develop and implement evaluations of the CTE programs carried out with Perkins funds, including an assessment of how the needs of special populations are being met.
7. Initiate, improve, expand and modernize quality CTE programs, including relevant technology.
8. Provide services and activities that are of sufficient size, scope, and quality to be effective.
9. Provide activities to prepare special populations, including single parents and displaced homemakers who are enrolled in CTE programs, for high-skill, high-wage or high-demand occupations that will lead to self-sufficiency.

Having met the nine requirements, local educational agencies have options of using funds for programs and services identified in a permissive category. (Section 153 (c)

Components of the local plan including Work-Based Learning are to:

- Be based on current and/or emerging occupation.
- Show continuous improvement in students academic and technical skills
- Show and provide equitable access for students to participate in career and technical education work-based learning according to section 427 of the General Education Provisions Act (gender, race, color, national origin, disability or age)
- Not discriminated on the basis of race, gender, color, national origin, disability or age.
- Provide opportunities for students attending private, religious or home schools to participate in career and technical programs and activities.
- Identify that funds made available under the Act may be used to pay for the costs of career and technical education services required in an Individualized Education Program developed pursuant to Section 614(d) of the Individuals with Disabilities Education Act or to Section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to career and technical education. [Section 324(c)]

Equal Access Legislation

Discrimination on the basis of race, color, national origin, sex, and disability is prohibited in CTE programs, activities, and employment. The civil rights statutes and regulations apply in career and education programs. Discrimination is prohibited in admission, recruitment, academic requirements, financial and employment practices; nonacademic services or activities; and health, welfare, and social services. Such legislation includes:

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving federal financial assistance. The Department of Education issued directions for implementing Title VI. For additional information, contact local school district regarding plans for implementing Title VI per KRS 344.015. http://www.ed.gov/policy/rights/reg/ocr/index.html
2. Title VII of the Civil Rights Act of 1964 prohibits the use of an individual's race, color, religion, national origin, or sex as a basis for compensation, terms, condition, or privileges of employment where there are 15 or more employees ---344.040 of the Kentucky Civil Rights http://www.eeoc.gov/policy/vii.html

3. The Kentucky Civil Rights Act, KRS Chapter 344 prohibits the use of an individual's race, color, religion, national origin, sex, familial status, age forty (40) and over, or because the person is a qualified individual with a disability, or because the individual is a smoker or nonsmoker, as a basis for compensation, term s, condition, or privileges of employment where there are eight or more employees -344.040. Therefore, the Kentucky law is more stringent than the federal law. (amended1994) http://kchr.ky.gov/about/kycivilrightsact.htm
4. Age Discrimination in Employment Act of 1967protects employees 40 years of age or older. The law prohibits age discrimination in hiring, discharge, pay, promotions andother terms and conditions of employment. http://www.eeoc.gov/policy/adea.html
5. Equal Pay act of 1963protects men and women who perform substantially equal work inthe same establishment (sex-biased wage discrimination).http://www.eeoc.gov/policy/epa.html
6. Wage Discrimination Because of Sex, KRS 337.420 to 337.433 and KRS 337.990 (14).The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by different wage rates for comparable work on jobs which have comparable requirements. http://www.lrc.state.ky.us/KRS/337-00/423.PDF
7. Title IX is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity re ceiving Federal financial assistance. (1972). http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html

The Office for Civil Rights issued guidelines for elimination, discrimination, and denial of service in vocational education programs and activities on the basis of race, color, national origin, sex, and disability in eligibility and admission requirements to all programs and activities, Compliance reviews and surveys of enrollments are required for all education. http://www.ed.gov.about/offices/list/ocr/docs/vocre.html

Americans with Disabilities Act of 1990

1. Title I, Employment covers all aspects of employment, including the application process and hiring, on-the-job training, advancement wages, benefits and employer-sponsored social activities.
2. Title II, Public Service and Transportation prohibits state and local governments from discriminating against disabled people in their programs and activities. Itrequires bus and rail transportation to be accessible to disabled passengers. Airline transportation and public school transportation are not covered under TitleII. In addition, the Individuals with Disabilities Education Act (IDEA) presents specific requirements for public school transportation of children with disabilities.
3. Title III, Public Accommodations prohibits privately operated accommodations (i.e., inns, hotels, motels, restaurants, bars, motion picture houses, theaters, stadiums, auditoriums, convention centers, lecture halls, bakeries, grocery stores, clothing stores, hardware stores, shopping malls, laundromats, dry cleaners, banks, barber shops, beauty shops, travel services, shoe repair shops, funeral parlors, gas stations, lawyer offices, pharmacies, insurance offices, health care providers, hospitals, terminals, depot or other stations, museums, libraries, galleries, parks, zoos, amusement parks, nurseries, and PRIVATE elementary, secondary, undergraduate or post graduate schools) from denying goods, programs, and services to people based on theirdisabilities. Among these are private bus lines and hotel vans. Airline transportation is not covered under Title III.
4. Title IV, Telecommunications requires telephone companies to provide continuous voice transmission relay services that allow hearing and speech impaired people to communicate over the telephone. Federal funded television public service messages must be close-captioned for hearing impaired viewers.

5. Title V, Other Provisions include miscellaneous provisions such as accessibility standards fro architects and transportation boards, attorneys' fees, technical assistance and it is specific that currently illegal drug users are not protected under the act. http://www.workworld.org/wwwebhelp/americans_with_disabilities_act_ada_.htm

Rehabilitation Act of 1973 (revised 1998) PL 105-569

Section 503 of the Rehabilitation Act of 1973 prohibits discrimination and requires employers with federal contracts or subcontracts that exceed $10,000 to take affirmative action to hire, retain, and promote qualified individuals with disabilities. All covered contractors and subcontractors must also include a specific equal opportunity clause in each of their nonexempt contracts and subcontracts.

Section 504 of the Rehabilitation Act of 1973 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under "any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service." Each Federal agency has Section 504 regulations that apply to its own programs as well as any entities that receive Federal Aid.

http://www.ed.gov/policy/speced/leg/rehabact.doc

Technical Assistance

The offices of Work Force Development Cabinet and the Department of Education have designees to provide technical assistance regarding the various federal and state laws for civil rights.

Equal Educational Opportunity Coordinators (Updated 5-4-12)

Education Cabinet
(502) 564-3548
Division of Human Resources
2nd Floor Capital Plaza Tower
Frankfort, KY 40601

Department of Education (KDE)
(502) 564-3716
Room 1623, Capital Plaza Tower
Frankfort, KY 40601

Office of Career and Technical Education
(502) 564-4286
Room 2007, Capital Plaza Tower
Frankfort, KY 40601

Office of Employment and Training
(502) 564-5360
2nd Floor CHR Building
275 East Main Street
Frankfort, KY 40621

Kentucky Adult Education
(502) 573-5114
1024 Capital Center Drive
Frankfort, KY 40601

Office of Vocational Rehabilitation
(502) 564-4440
2nd Floor CHR Building
275 E. Main Street (Mail Stop 2EK)
Frankfort, KY 40621

Office for the Blind
(502) 564-4754
2nd Floor CHR Building
275 E. Main Street (Mail Stop 2EJ)
Frankfort, KY 40621

Commission of Deaf and Hard of Hearing
(502) 573-2604
632 Versailles Road
Frankfort, KY 40601

Americans with Disability Act
(502) 564-3850
State ADA Coordinator
Room 215 Capital Plaza Tower
Frankfort, KY 40601

Section 504 Rehabilitation Act
(502) 564-4286
Room 2015, Capital Plaza Tower
Frankfort, KY 40601

Division of Learning Services
(502) 564-4970
Room 1910 or 1815, Capital Plaza Tower
Frankfort, KY 40601

Individuals with Disabilities Education Act (IDEA) PL 108-446

IDEA is a federal law that that outlines rights for students with disabilities who require special education and related services as part of their educational program. IDEA first went into effect in 1975 as the Education of All Handicapped Children Act (PL 94-142). Prior to 1975, millions of students with disabilities were excluded from public school. The purpose of the 1975 law was to guarantee students with disabilities access to a Free Appropriate Public Education (FAPE) by ensuring that they were properly evaluated and placed in special education, in a setting appropriate to their needs.

Education for students with disabilities has dramatically changed over the past 30 years. The emphasis of the law has also changed, from one of ensuring school access to an emphasis on improving educational outcomes. The 2004 IDEA Reauthorization requires that States improve student outcomes in a variety of areas, such as proficiency on statewide assessments, graduation and dropout rates, and parent satisfaction. However, no outcome is ultimately more important than whether students with disabilities are achieving post-secondary success after graduation from high school.

Schools and parents begin considering post-secondary issues through a process called secondary transition. In Kentucky, secondary transition begins for students with disabilities in the eighth grade and no later than at age fourteen (and younger if appropriate). The student's educational plan, known as the Individualized Education Program (IEP), contains a statement of the student's transition service needs that is similar to a course of study. By looking at the student's needs in middle school, the process of putting educational services in place begins early enough to assist the student in making a successful transition to adult life.

By age sixteen, the student must have transition assessments resulting in transition goals on the IEP. The IEP transition goals must be measurable and related to employment, training, education and, if appropriate, independent living skills. The IEP must also contain transition services including specialized instruction or related services in order for the student to reach the IEP goals. Outside agencies have a critical role in assisting schools in providing appropriate transition services when the student reaches the age of sixteen.

IDEA also requires that students be invited to meetings in which the statement of transition services is developed. In Kentucky, students must also be invited to meetings in which the statement of transition service needs is addressed on the IEP when the student is in the eighth grade or turns fourteen. The gradual inclusion of students in the IEP decision-making process leads the student to be prepared to make his or her own decisions when reaching the age of eighteen.

More information on Individuals with Disabilities Education Act (IDEA) can be found at the federal statute (http://idea.ed.gov/download/statute.html) (20 USC §1400 *et al)*. The federal regulations are located at 34 CFR 300 *et al* (http://idea.ed.gov/download/finalregulations.pdf) with the corresponding state regulations at 707 KAR Chapter 1 (http://www.lrc.ky.gov/kar/TITLE707.HTM).

WORK-BASED LEARNING LIABILITY CHECKLIST

This information has been prepared to provide guidance to individuals responsible for implementing work-based learning. Accident and liability insurance coverage are essential for the protection of students, staff, and employers. However, there are various options available to provide such coverage. It is the responsibility of school district staff and participating employers to ensure that adequate insurance is provided.

I. Students participating in work-based learning

Participation of a student in work-based learning activities is contingent upon coverage of accident insurance. This coverage may be provided through school insurance purchased by the student or personal family insurance. Students being covered by personal family insurance must provide a certificate of insurance to school staff to certify in writing they have personal/family insurance and that the insurance will be active for the entire period of the student participation in the work-based learning activity.

Administrative Regulation 780 KAR 2: 110 authorizes "the Commissioner for the Department of Technical Education to provide medical and accident insurance for students enrolled in the state secondary area technology centers." This policy is to be a full access policy and is to serve as a secondary provider of insurance. Kentucky TECH means the system of state-operated secondary technical education programs **http://www.lrc.state.ky.us/kar/780/002/110.htm**

II. Checklist

____ 1. Students participating in work-based learning activities such as cooperative education and internship must be covered by accident insurance. This coverage may be provided through school insurance purchased by student or personal family insurance. Students being covered by personal family insurance must provide a certificate of insurance to school staff to certify that they have personal/family coverage.

____ 2. All students participating in paid work-based learning are to be covered by Workers' Compensation Insurance (KRS 342.620) while on the job.

____ 3. Students participating in non-paid work-based learning are not covered by Workers' Compensation. These students must be covered by parental health insurance, student accident insurance, or group coverage by the school per paragraph 1.

____ 4. Work sites must provide liability insurance and certify to the schools that they have such coverage.

____ 5. Students driving to a work-based learning site must provide proof of valid driver's license and auto liability insurance.

____ 6. Students being transported to the work site by a vehicle owned by the school board are to be covered by the provisions of the insurance coverage of the local school board.

____ 7. In addition to insurance and Workers' Compensation, the workplace needs to provide adequate and safe equipment and a safe, healthy workplace in conformity with health and safety standards congruent with federal/state laws.

____ 8. Training Plans/Agreements are to be reviewed for completeness, signed by all parties, and a copy kept on file at the school.

____ 9. It is recommended that school/district policies determine the need for a criminal background check for the individual who will serve as a work site supervisor/mentor for students participating in work-based learning.

KENTUCKY CHILD LABOR LAWS

HOURS OF WORK PERMITTED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE

AGE	MAY NOT WORK BEFORE	MAY NOT WORK AFTER	MAXIMUM HOURS WHEN SCHOOL IS IN SESSION	MAXIMUM HOURS WHEN SCHOOL IS NOT IN SESSION
14 & 15 Yrs.	7:00 A.M.	7:00 P.M. (9:00 P.M. June 1 through Labor Day)	3 Hours per day on a school day 8 Hours per day on a nonschool day 18 Hours per week	8 Hours per day 40 Hours per Week
16 & 17 Yrs.	6:00 A.M.	10:30 P.M. preceding a school day/1:00 A.M. preceding a nonschool day	6 Hours per day on a school day 8 Hours per day on a nonschool day *30 Hours per week (see asterisk below)	NO RESTRICTIONS

* A minor 16 or 17 years of age cannot work more than thirty (30) hours in any one (1) workweek when school is in session, except that a minor may work up to forty (40) hours in any one (1) workweek if a parent or legal guardian gives permission in writing and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer's place of business.

Minors under 18 years of age shall not be permitted to work more than five (5) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employer.

Definitions: Section 1. (1) "School in session" means that time as established by local school district authorities, pursuant to KRS 160.290.

Minors 14 but not yet 16 years of age may NOT be employed in: Any manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed; occupations which involve the operation or tending of hoisting apparatus or any power-driven machinery other than office machines; operation of motor vehicles or service as helpers on such vehicles; public messenger service; occupations in connection with: Transportation of persons or property by rail, highway, air, water, pipeline, or other means, warehousing and storage, communications and public utilities, construction (including demolition and repair).

OCCUPATIONS PROHIBITED FOR ALL MINORS UNDER 18 YEARS OF AGE

1. Occupations in or about Plants or Establishments Manufacturing or Storing Explosives or Articles Containing Explosive Components.
2. Motor-vehicle Driver and outside helper on a motor vehicle.
3. Coal Mine Occupations.
4. Logging or Sawmill Operations.
5. Operation of Power-Driven Woodworking machines.
6. Exposure to Radioactive Substances.
7. Power-driven hoisting apparatus, including forklifts.
8. Operation of Power-Driven Metal Forming, punching, and shearing machines.
9. Mining, other than coal mining.
10. Operating power-driven meat processing equipment, including meat slicers and other food slicers, in retail establishments (such as grocery stores, restaurants, kitchens and Delis), wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.
11. Operation of Power-driven bakery machines including vertical dough or batter mixers.
12. Power-driven paper products machines including scrap paper baler and cardboard box compactors.
13. Manufacturing bricks, tile, and kindred products.
14. Power-driven circular saws, band saws, and Guillotine shears.
15. Wrecking, demolition, and shipbreaking operations.
16. Roofing operations and all work on or about a roof.
17. Excavating Operations.
18. In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption or dispensed unless permitted by the rules and regulations of the Alcoholic Beverage Control Board (except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted).
19. Pool or Billiard Room.

PROOF OF AGE REQUIRED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE
Drivers License, Birth Certificate, Government Document with Date of Birth

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."

FOR FURTHER INFORMATION CALL:
Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381
Phone (502) 564-3070 Fax (502) 564-2248
Website: www.labor.ky.gov

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Ley de Labor para Menores en Kentucky

Horas de trabajo permitidas para menores de 14 años y que no han cumplido los 18 años de edad

EDAD	NO DEBE TRABAJAR ANTES DE	NO DEBE TRABAJAR DESPUES DE	HORAS MAXIMAS CUANDO LA ESCUELA ESTA EN SESION	HORAS MAXIMAS CUANDO LA ESCUELA NO ESTA EN SESION
14 Y 15AÑOS	7:00AM	7:00PM (9:00PM del 1 de Junio hasta el día de la labor)	3 horas por día en un día de escuela 8 horas por día en un día de no escuela 18 horas por semana	8 horas por día 40 horas por semana
16 Y 17 AÑOS	6:00AM	10:30PM noche anterior a día de escuela 1:00AM noche anterior a un día de no escuela	6 horas por día en un día de escuela 8 horas por día en un día de no escuela *30 horas por semana (mirar asterisco debajo)	NO RESTRICCIONES

*Un menor de 16 o 17 años de edad no debe trabajar mas de 30 horas a la semana cuando la escuela esta en sesión, a excepción de un menor que puede trabajar 40 horas en una semana y que los padres o guardianes le hayan dado permiso por escrito para trabajar las 40 horas; además, el director o cabeza principal de la escuela a la cual el menor asiste debe hacer una certificación escrita de que el menor mantiene por lo menos un promedio académico de 2.0 en el reporte de calificaciones mas reciente. Esta certificación escolar debe ser valida por un año a menos que las autoridades escolares la suspendan antes. El permiso de los padres o guardianes y la certificación escolar debe permanecer en el lugar de negocios del empleador.

A menores de 18 años de edad no se les debe permitir trabajar más de 5 horas continuas sin un intervalo de por lo menos 30 minutos de almuerzo.

Definiciones: Sección 1. (1) "Escuela en Sesión" significa que el tiempo establecido por las autoridades distritales de la escuela local sigue a la KRS 160.290.

Menores de 14 años que no llegan a los 16 anos de edad no deben ser empleados en: ninguna fabrica, mina, u ocupación de procesos, incluyendo ocupaciones que requieren la realización de funciones en cuartos de trabajo o lugar de trabajo donde los productos son fabricados, explotados, o procesados; ocupaciones que envuelvan la operación o atención de aparatos o de levantamientos o ninguna maquina de poder que no sea maquinas de oficina; operación de vehículos de motor o como ayudante con esos vehículos; servicio de mensajero publico; ocupaciones conectadas con: transportación de personas o propiedades por tren, autopista, aire, aguas, tuberías, u otros almacenes y almacenamientos, comunicaciones y utilidades publicas, y construcciones (incluyendo demoliciones y reparaciones).

Ocupaciones Prohibidas para todos los menores de 18 años de edad

1) Ocupaciones cerca de plantas o establecimientos de fábricas o almacenes de explosivos, o artículos que contengan componentes explosivos.
2) Conductor de vehículos de motor y ayudante de conductor.
3) Ocupaciones en minas de carbón.
4) Operaciones de troncos/maderas o aserraderos.
5) Operaciones de maquinarias de poder que trabajen con madera.
6) Exposición a sustancias radioactivas.
7) Operación de aparatos de poder.
8) Operación de maquinas de poder de formación de metales, perforadoras, y cortadoras.
9) Minas, otras que no sean de carbón.
10) Matanza, procesamiento, o empacamiento de carnes.
11) Operación de maquinarias de horno.
12) Operación de maquinarias de productos de papel.
13) Fabricación de ladrillos, techos, pisos, paredes, y productos parecidos.
14) Operación de serruchos circulares, serruchos de bandas, y tijeras de guillotina.
15) Operaciones de destrucción, demolición, y rompimiento de barcos.
16) Operaciones de techos.
17) Operaciones de excavaciones.
18) Dentro, cerca, o en conexión con cualquier establecimiento donde bebidas alcohólicas están siendo destiladas, rectificadas, mezcladas, manufacturadas, embotelladas, y vendidas para consumo o distribución, a menos que sea permitido por las reglas y regulaciones del panel de control de bebidas alcohólicas (excepto que los menores deben ser empleados en lugares donde la venta de bebidas alcohólicas por paquetes es irrelevante al negocio principal del empleador).
19) Cuarto de mesa de billar.

Prueba de edad es requerida a menores de 14 años y los que aun no cumplen 18 años de edad

Para mas información contacte al:

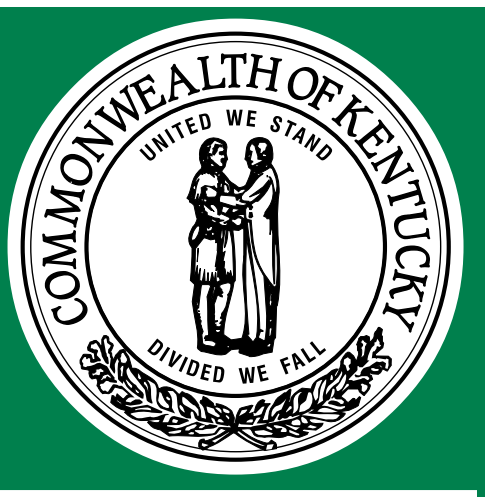
KENTUCKY DEPARTMENT OF LABOR
DIVISION OF EMPLOYMENT STANDARDS, APPRENTICESHIP AND TRAINING
1047 US HWY 127 S STE 4
FRANKFORT, KY 40601-4381
PHONE (502)564-3070 FAX (502)564-2248
www.labor.ky.gov

PONGA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

Pagada con recursos del estado
"Ningún individuo en los Estados Unidos debe, por motivos de raza, color, religión, sexo, nacionalidad, origen, edad, incapacidad, partido político, o creencia, ser excluido de participar en, o ser negado de los beneficios de, o ser sujeto a discriminación en, ningún programa o actividad en la jurisdicción del Departamento de Trabajo de Kentucky"

REV 2002

WAGE DISCRIMINATION BECAUSE OF SEX



(KRS 207.140 to 207.240 - KRS 337.420 to 337.433 and KRS 337.990 (14))

DEFINITIONS

EMPLOYEE-

Any individual employed by any employer, including but not limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political subdivisions.

EMPLOYER-

A person who has two or more employees within the State in each of twenty or more calendar weeks in the current or preceding calendar year and an agent of such a person.

WAGE RATE-

All compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the Executive Director in regulations issued under this Act.

PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:

The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by paying different wage rates for comparable work on jobs which have comparable requirements. This prohibition covers any employee in any occupation in Kentucky. Any employer violating this Act shall not reduce the wages of any employee in order to comply with the Act.

No employer can discharge or discriminate against any employee for the reason that the employee sought to invoke or assist in the enforcement of the Act.

EXEMPTIONS FROM COVERAGE:

A differential paid through an established seniority system or merit increase system is permitted by the Act if it does not discriminate on the basis of sex.

Employers subject to the Fair Labor Standards Act of 1938, as amended, are excluded "when that act imposes comparable or greater requirements than contained" in this Act. However, to be excluded, the employer must file with the Executive Director of the Kentucky Office of Workplace Standards a statement that he is covered by the Fair Labor Standards Act of 1938, as amended.

ENFORCEMENT OF LAW AND POWER TO INSPECT:

The Executive Director or his authorized agent has the power to enter the employer's premises to inspect records, compare character of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce this Act. The Executive Director or his authorized representative may examine witnesses under oath, and require by subpoena the attendance and testimony of witnesses and the production of any documentary evidence relating to the subject matter of any investigation undertaken pursuant to this Act. If a person fails to obey a subpoena, the Circuit Court of the Judicial District wherein the hearing is being held may issue an order requiring the subpoena to be obeyed. Failure to obey the court order may be punished as contempt of that court.

COLLECTION OF UNPAID WAGES:

Any employer who violates this Act is liable to the employee or employees affected in the amount of the unpaid wages. If the employer violates this Act willfully, he is liable for an additional equal amount as liquidated damages. The court may order other appropriate action, including reinstatement of employees discharged in violation of this Act.

The employee or employees affected may maintain an action to collect the amount due. At the written request of any employee, the Executive Director may bring any legal action necessary to collect the claim for unpaid wages in behalf of the employee.

An agreement between an employer and employee to work for less than the wage to which such employee is entitled will not bar any legal action or voluntary wage restitution.

STATUTE OF LIMITATIONS:

Court action under this Act may be commenced no later than six months after the cause of action occurs.

POSTING OF LAW:

All employers subject to the Act shall post this abstract in a conspicuous place in or about the premises wherein any employee is employed.

PENALTIES:

Any person who discharges or in any other manner discriminates against an employee because such employee has:

(a) made any complaint to his employer, the Executive Director or any other person, or
(b) instituted or caused to be instituted any proceeding under or related to this Act, or
(c) testified or is about to testify in any such proceedings, shall be assessed a civil penalty of not less than $100 nor more than $1,000.

FOR FURTHER INFORMATION CONTACT:

Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."

Kentucky UNBRIDLED SPIRIT™

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DISCRIMINACIÓN DE SALARIO DEBIDO A SEXO

[KRS 337.420 y KRS 337.990(14)]

***DEFINICIONES*:**

EMPLEADO

Cualquier individuo empleado por cualquier empleador, incluyendo pero no limitado a individuos empleados por el Estado o cualquiera de sus subdivisiones políticas, funcionalidades, o funcionalidades de subdivisiones políticas.

EMPLEADOR

Una persona que tiene dos o más empleados dentro del Estado por veinte o más semanas del año en curso o del año precedente o un agente de tal persona.

TASA DE SALARIO

Todas las compensaciones del empleo, incluyendo pagos de salario y sumas pagadas por los empleadores en beneficio del empleado, como ha sido definido por el Comisionado en regulaciones emitidas por esta Acta.

PROHIBICIÓN DE PAGOS Y SALARIOS QUE ESTEN BASADOS EN SEXO:

Se prohíbe que el empleador discrimine entre empleados de sexo opuesto en el mismo establecimiento pagando diferentes tasas de salario por trabajo comparable o por trabajo que tienen requerimientos comparables. Esta prohibición cubre cualquier ocupación en Kentucky. Cualquier empleador que viole esta Acta no deber reducir salarios con el objeto de cumplir con esta Acta. Ningún empleador podrá despedir o discriminar en contra de ningún empleado por razones que el empleado haya tratado de convocar o ayudar en la aplicación de esta Acta.

***EXCEPCIONES DE CUBRIMIENTO*:**

Un pago diferencial establecido por el sistema de antigüedad o de mérito es permitido por esta Acta siempre que no sea discriminatorio sobre la base de sexo. Empleadores que están regidos por las Normas de Trabajo Equitativo (Fair Labor Standards) Acta de 1938, con modificaciones, están excluidos "Cuando aquella acta impone requerimientos comparables o mayores que los especificados" en esta Acta. Sin embargo, para ser excluido, el empleador deber registrar con el Comisionador de Normas del Trabajo del Departamento de Kentucky (Commissioner of the Kentucky Department of Workplace Standards) una declaración indicando que él está protegido por las Normas de Trabajo Equitativas de 1938 (Fair Labor Standards Act of 1938) con sus modificaciones.

***EJECUCIÓN DE LA LEY Y DEL DERECHO DE INSPECCIÓN*:**

El Comisionado o su agente autorizado tiene el poder de entrar a las premisas del empleador para inspeccionar los registros, comparar la clase de trabajo y operaciones de los empleados, y de obtener cualquier información necesaria para la administración y aplicación de esta Acta. El Comisionado o su representante autorizado puede interrogar testigos bajo juramento, y demandar legalmente (subpoena) la concurrencia y testimonio de testigos y la producción de cualquiera documentación de evidencia relacionada con la materia de cualquiera investigación en cumplimiento de esta Acta. Si una persona no obedeciera a la demanda legal (subpoena), la Corte del Circuito (Circuit Court) del distrito judicial en el cual el proceso se está llevando a cabo puede emitir una orden demandando que la citación legal (subpoena) sea obedecida. La falta de obediencia a la orden de la Corte podrá a ser castigada como un desafío (contempt) a esa Corte.

***COBRANZA DE SALARIOS QUE NO SE HAYAN PAGADO*:**

Cualquier empleador que haya violado esta Acta tiene la responsabilidad del empleado o de los empleados afectados por la suma de salarios no pagados. En el caso que empleador haya violado intencionalmente esta Acta, él es entonces responsable por una suma adicional igual a la suma a los daños incurridos. La Corte puede ordenar otra acción apropiada, incluyendo la reincorporación de empleados despedidos en violación de esta Acta.

El empleado o los empleados afectados pueden instituir una acción para cobrar la suma adeudada. Sobre la base de una solicitud por escrito de cualquier empleado, el Comisionado puede, en representación del empleado, ejecutar cualquiera acción legal necesaria para cobrar la demanda por salarios no pagados.

Un acuerdo entre un empleador y empleado para trabajar por menos que el salario al cual el empleado tiene derecho no impide una acción legal o voluntaria de restitución de salarios.

***LIMITACIONES LEGALES*:**

La acción legal sobre la base de esta Acta debe ser iniciada en no más de seis meses después que la razón por esta acción haya ocurrido.

***EXHIBICIÓN DE LA LEY*:**

Todos los empleadores sujetos a esta Acta deberán exhibir este abstracto en un lugar visible, cercano, o en la premisa donde el empleado ha sido contratado.

***PENALIDADES*:**

Cualquiera persona que actúa, o en cualquier forma discrimina, en contra de un empleado debido a que el empleado haya:

a) Hecho cualquiera queja a su empleador, al Comisionado, o a cualquiera otra persona, o
b) Instituido o haya causando ser instituido de cualquier procedimiento contemplado o relacionado con esta Acta, o
c) Haya testificado o que esté por testificar en cualquiera de tales procedimientos,

se le asignará una multa civil de no menos de $100, pero no mayor de $1000.

Para mayor información dirigirse a:

Kentucky Department of Labor
Division of Employment Standards, Apprenticeship and Training
1047 U. S. HWY 127 S., STE 4
Frankfort, KY 40601-4381
Teléfono: (502)564-3070
FAX: (502) 564-2248
www.labor.ky.gov

EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

Pagado con fondos del Estado

**Ningún individuo en los Estados Unidos, sobre la base de raza, color, religión, sexo, nacionalidad de origen, edad, incapacidad física, afiliación política o creencia, podrá ser excluido de gozar o de negarle beneficios, o ser sometido a discriminación en cualquier programa o actividad bajo la jurisdicción del Departamento del Trabajo (Labor Department).*

KENTUCKY WAGE AND HOUR LAWS

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

MINIMUM WAGE:
Minimum wage rates and effective dates are as follows: $5.85 per hour effective June 26, 2007, $6.55 per hour effective July 1, 2008, and $7.25 per hour effective July 1, 2009. Should the federal minimum wage rate as prescribed by 29 U.S.C. Section 206(a)(1) be higher, Kentucky's minimum wage rate will adjust to match the federal rate.

OVERTIME:
No employer shall employ any employee for a workweek longer than forty hours unless such employee receives compensation for employment in excess of forty hours in a workweek at a rate of not less than one and one-half times the hourly rate employed. This section does not apply to employees of retail stores engaged in work connected with selling, purchasing and distributing merchandise, wares, goods, articles or commodities, or to employees of restaurant, hotel and motel operations, to employees as defined and exempted from the overtime provision of the Fair Labor Standards Act in section 213(b)(1), 213(b)(10) and 213(b)(17) of Title 29, U.S.C. (KRS 337.285 Sec. (2)(d), (2)(e) and (4) County Employees).

EXEMPTIONS:
Minimum Wage (KRS 337.275) and Overtime (KRS 337.285) do not apply to: the following list of employees: (1) Any individual employed in agriculture; (2) Any individual employed in a bona fide executive, administrative, supervisory or professional capacity, or in the capacity of outside salesman, or as an outside collector as such terms are defined by administrative regulations of the Executive Director; (3) Any individual employed by the United States; (4) Any individual employed in domestic service in or about a private home. The provisions of this section shall include individuals employed in domestic service in or about the home of an employer where there is more than one domestic servant regularly employed; (5) Any individual classified and given a certificate by the Executive Director of Workplace Standards showing a status of handicapped worker or sheltered workshop employee under administrative regulations promulgated by the Executive Director of Workplace Standards; (6) Employees of retail stores, service industries, hotels, motels, and restaurant operations whose average annual gross volume of sales made for business done is less than ninety-five thousand dollars for the five preceding years exclusive of excise taxes at the retail level or if the employee is the parent, spouse, child, or other member of the employer's immediate family; (7) Any individual employed as a babysitter in the employer's home or as a companion by a sick, convalescing or elderly person or by the person's immediate family, to care for that sick, convalescing or elderly person and whose principal duties do not include housekeeping; (8) Any individual engaged in the delivery of newspapers to the consumer; (9) Any individual subject to the provisions of KRS Chapters 7, 16, 27A, 30A, and 18A provided that the secretary of the Personnel Cabinet shall have the authority to prescribe by administrative regulation those emergency employees, or others, who shall receive overtime pay rates necessary for the efficient operation of government and the protection of affected employees; (10) Any employee employed by an establishment which is an organized nonprofit camp, religious, or nonprofit educational conference center, if it does not operate for more than seven months in any calendar year; (11) Any employee whose function is to provide 24 hour residential care on the employer's premises in a parental role to children who are primarily dependent, neglected and abused and who are in the care of private nonprofit childcaring facilities licensed by the Cabinet for Health and Family Services under KRS Chapter 199; or (12) Any individual whose function is to provide 24 hour residential care in his or her own home as a family caregiver and who is approved to provide family caregiver services to an adult with a disability through a contractual relationship with a community mental health-mental retardation board established under KRS 210.370 to 210.460, or is certified or licensed by the Cabinet for Health and Family Services to provide adult foster care. (KRS 337.101(2))

TIPPED EMPLOYEES:
Any employee engaged in an occupation in which more than $30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of $2.13 per hour if the employer's records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. Subsequently, the tipped rate will adjust in accordance with the federal minimum tipped rate as prescribed by 29 U.S.C. Sec. 206(a)(1). No employer shall use all or part of any tips or gratuities received by employees toward the payment of the minimum wage. (KRS 337.275(2)) No employer shall require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law. No employer shall require an employee to participate in a tip pool whereby the employee is required to remit to the pool any gratuity, or any portion thereof, for distribution among employees of the employer. Employees may voluntarily enter into an agreement to divide gratuities among themselves. The employer may inform the employees of the existence of a voluntary pool and the customary tipping arrangements of the employees at the establishment. Upon petition by the participants in the voluntary pool, and at the employer's own option and expense, an employer may provide custodial services for the safekeeping of funds placed in the pool if the account is properly identified and segregated from the other business records and open to examination by pool participants. (KRS 337.065)

RECORDS:
Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information: (a) Name, address, and Social Security Number of each employee; (b) Hours worked each day and each week by each employee; (c) Regular hourly rate of pay; (d) Overtime hourly rate of pay for hours in excess of forty hours in a workweek; (e) Additions to cash wages at cost, or deductions (meals, board, lodging, etc.) from stipulated wages in the amount deducted, or at cost of the item for which deductions are made; (f) Total wages paid for each workweek and date of payment. Such records shall be kept on file for at least one year after entry. No particular form or order is prescribed for these records provided that the information required is easily obtainable for inspection purposes. (KRS 337.320)

REST PERIODS:
No employer shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked except those employees who are under the Federal Railway Labor Act. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees. (KRS 337.365)

LUNCH PERIODS:
Employers, except those subject to the Federal Railway Labor Act, shall grant their employees a reasonable period for lunch, and such time shall be as close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences. This section shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer. (KRS 337.355)

PAYMENT OF WAGES:
Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or voluntary leaving whichever last occurs. (KRS 337.055)

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES:
No employer shall withhold from any employee's wages any part of the agreed wage rate; unless (a) the employer is required to do so by local, state, or federal law; or (b) when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues; or (c) other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or (d) deductions for union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representatives. No employer shall deduct the following from the wages of employees: (a) Fines; (b) Cash shortages in a common money till, cash box or register used by two (2) or more persons; (c) Breakage; (d) Losses due to acceptance by an employee of checks which are subsequently dishonored if such employee is given discretion to accept or reject any check; or (e) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit or nonpayment for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest. (KRS 337.060)

TIME AND A HALF FOR WORK DONE ON SEVENTH DAY OF WEEK:
Any employer who permits any employee to work seven days in any one workweek shall pay the rate of time and a half for the time worked on the seventh day. The above shall not apply in any case in which the employee is not permitted to work more than forty hours during the workweek; or to telephone exchanges having less than five hundred subscribers; stenographers, bookkeepers or technical assistants of professions such as doctors, accountants, lawyers and other professions licensed under the laws of this state; employees subject to the Federal Railway Labor Act and seamen or persons engaged in operating boats or other water transportation facilities upon navigable streams; persons engaged in icing railroad cars; common carriers under the supervision of the Department of Vehicle Regulation; and any officer, superintendent, foreman or supervisor whose duties are principally limited to directing or supervising other employees. (KRS 337.050)

PERFORMANCE BONDS:
Except for employers who have been doing business in the state for five (5) consecutive years, every employer engaged in construction work, or the severance, preparation, or transportation of minerals, shall furnish on a form prescribed by the Executive Director a performance bond to assure the payment of all wages due from the employer. Surety for the bond shall be an amount of money equal to the employer's gross payroll operating at full capacity for four (4) weeks. (KRS 337.200)

ADDITIONAL INFORMATION:
Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381
Phone (502) 564-3070 Fax (502) 564-2248
Website: www.labor.ky.gov

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."

Kentucky UNBRIDLED SPIRIT

DEPARTMENT OF LABOR Kentucky MCMXLII

PAID FOR WITH STATE FUNDS

LEYES DEL SALARIO Y PAGO POR HORA EN EL ESTADO DE KENTUCKY

EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

SALARIO MINIMO –La tarifa y fechas tomaran lugar en las siguientes fechas: $5.85 por hora a partir del 26 de Junio del 2007, $6.55 por hora a partir del 1 de julio del 2008, y $7.25 por hora a partir del 1 de Julio del 2009. Si la tarifa federal de salario mínimo preescrita por el Código de los estados Unidos Sección 206 (a) (1) es mas alta, la tarifa de salario mínimo en Kentucky se ajustara a la tarifa federal

TIEMPO EXTRA – Ningún empleador deberá emplear trabajadores por una jornada semanal de trabajo de mas de cuarenta horas, a menos de que el trabajador reciba compensación por trabajar mas de cuarenta horas en una semana a una tarifa no menos de hora y media por cada hora extra contratada. Esta sección no se aplica a trabajadores de tiendas de menudeo involucrados con trabajo relacionado a ventas, compras y distribución de mercancías, bienes y artículos de consumo, o a trabajadores en operaciones de restaurantes, hoteles o motéeles, tampoco se aplica a los trabajadores que se encuentren clasificados y exentos de la provisión de tiempo extra como lo define el Acta de Normas Equitativas del Trabajo (Fair Labor Standards Act) en sus secciones 213 (b) (1), 213 (b) (10) y 213 (b) (7) del Titulo 29, U.S.C. (KRS 337.285)

EXCEPCIONES – Ninguna parte en KRS 337.275 y en KRS 337.285 se aplicara a: (1) Cualquier individuo empleado en agricultura, (2) cualquier individuo empleado legal en la capacidad ejecutiva, administrativa, supervisora o profesional, en la capacidad de vendedor de campo o como cobrador de campo, como tales términos son definidos por las regulaciones administrativas del Comisionado; (3) Cualquier individuo empleado en los Estados Unidos; (4) Cualquier individuo empleado en el servicio domestico o en una casa privada si existen menos de tres empleados domésticos regularmente empleados; (5) Cualquier individuo clasificado y que se le haya dado un certificado por el Comisionado de Normas en el Lugar de Trabajo (Workplace Standards); (6) Empelados de tiendas de menudeo, industrias de servicios, hoteles, motéeles, y operaciones de restaurantes cuyo ingreso promedio anual de ventas realizadas en sus transacciones es menos de noventa y cinco mil dólares en los últimos cinco años exclusivos de impuestos indirectos en el nivel menudeo o si el empleado es el padre, madre, cónyuge, hijo (a) u otro miembro de la familia inmediata del empleador; (7) cualquier individuo empleado como niñera o niñero en la casa del empleador o como acompañante de un enfermo, convaleciente o persona de la tercera edad o por un familiar inmediato de la persona, que cuida al enfermo, convaleciente o persona de la tercera edad y cuyos deberes principales no incluyen la limpieza de la casa; (8) Cualquier individuo encargado en la entrega de periódicos al consumidor; (9) Cualquier trabajador empleado por algún establecimiento que esta organizado como no lucrativo, religioso o un centro para conferencias educacionales no lucrativo, si no opera por mas de siete meses en cualquier calendario anual; o (10) un empleado cuyas funciones es de proveer cuidado residencial las 24 horas con el permiso del empleador desempeñando el papel de los padres a los hijos que son ante todo dependientes, descuidados y abusados y quienes están en el cuidado de instalaciones privadas no lucrativas para niños aprobados por el Gabinete de Familias y niños bajo el capitulo 199 de KRS. (KRS 337.010(2))

EMPLEADOS QUE RECIBEN PROPINAS – Efectivo a partir del 15 de Julio, 1998, para cualquier empleado dedicado a una ocupación en donde es costumbre recibir regularmente mas de $30 dolares al mes en propinas, el empleador puede pagar un minimo de $2.13 dolares por hora si los registros del empleador pueden establecer por cada semana donde fue acreditado, cuando se agregan las propinas recibidas al salario, no menos del salario mínimo debe de ser recibido por el empleado. En consecuencia, la tarifa que se aplica a las propinas se ajustara de acuerdo con la tarifa que se aplica a las propinas mínimas a nivel federal, como es establecido por U.S.C. 29 Sección 206 (a) (1). Ningún empleador usara todo o parte de cualquier propina o gratificación recibida por los empleados para el pago del salario mínimo. (KRS 337.275(2)) Ningún empleador requerirá al empleado reportar al empleador cualquier gratificación, o alguna porción de esta, a excepción de que el propósito sea retener las cantidades que se requieran por la ley federal o estatal. Ningún empleador requerirá al empleado que participe en un fondo de propinas donde el empleado sea requerido reportar al fondo cualquier gratificación o parte de ella, para la distribución entre los empleados o el empleador. Los empleados pueden voluntariamente ser parte de un acuerdo para dividir las gratificaciones entre ellos mismos. El empleador puede informar a los empleados de la existencia de un fondo voluntario y de los arreglos que se acostumbran en la distribución de las propinas de los empleados del establecimiento. Con la petición de los participantes del fondo voluntario, y a opción y responsabilidad de gastos del propio empleador, el empleador puede proveer servicios de seguridad para poner bajo custodia los recursos que se destinen para el fondo si la cuenta se identifica apropiadamente y separada de otros archivos del negocio y abierta a ser examinada por los participantes del fondo (KRS 337.065)

ARCHIVOS - Cada empleador que este sujeto a las provisiones establecidas por la Ley del Salario Mínimo en el Estado de Kentucky deberá registrar y conservar sus archivos que contengan la siguiente información: (a) Nombre y dirección de cada trabajador, (b) Horas trabajadas cada día de cada semana por cada trabajador; (c) La tarifa regular que se paga por hora; (d) La tarifa que se paga por hora por trabajar horas adicionales a la jornada semanal de cuarenta horas; (e) Agregados al salario que se pago de contado al costo, o deducciones (comidas, pensión, alojamiento, etc.) de los salarios que se estipulen en la cantidad que se deduzca, o al costo del producto por el cual las deducciones se aplicaron; (f) Salarios totales pagados por cada semana de trabajo y fecha del pago. Dichos archivos deberán ser conservados en un expediente por lo menos un año después de su ingreso. Ninguna forma en particular u orden es necesaria asumiendo que la información requerida se obtenga fácilmente para propósitos de inspección. (KRS 337.320)

PERIODOS DE DESCANSO - Ningún empleador requerirá a ningún empleado trabajar sin tomar su periodo de descanso por lo menos diez (10) minutos por cada cuatro (4) horas de trabajo, a excepción de aquellos trabajadores que se encuentran bajo el Acta Federal de Trabajo Ferroviaria (Federal Railway Labor Act.) Esto se establecerá adicionalmente al periodo programado para su almuerzo. Ninguna deducción en compensación deberá hacerse a los empleados salariados o que son pagados por hora. (KRS 337.365)

PERIODOS DE ALMUERZO - Los empleadores, a excepción de aquellos sujetos al Acta Federal de Trabajo Ferroviario, darán a sus empleados un periodo de almuerzo razonable, y tal periodo debe de darse lo mas cercano posible a la mitad de la jornada de trabajo programada del trabajador. En ningún caso se le requerirá al trabajador tomar su periodo de almuerzo antes de tres (3) horas después de haber iniciado su jornada de trabajo, tampoco se le requerirá tomar su almuerzo cinco (5) horas después de haber comenzado su jornada de trabajo. Esta sección no debe ser interpretada para negar cualquier provisión de un acuerdo colectivo o acuerdo mutuo entre el empleado y el empleador. (KRS 337.355)

PAGO DE SALARIOS - Cualquier empleado que deja o es despedido de su trabajo se le deberá pagar enteramente todas las compensaciones o salario que se haya ganado a más tardar antes de la fecha del siguiente pago normal a partir de la fecha del despido o abandono voluntario del trabajo o a los catorce (14) días siguientes a tal fecha de despido o abandono voluntario del trabajo lo que ocurra primero. (KRS 337.055)

ES ILEGAL PARA EL EMPLEADOR RETENER SALARIOS - Ningún empleador deberá retener ninguna parte de los salarios acordados del empleado, al menos (a) que al empleador le requieran hacerlo por parte de la ley local, estatal o federal; o (b) Cuando una deducción es explícitamente autorizada por escrito por el empleado para cubrir primas de seguro, deudas medicas o de hospital; u (c) otras deducciones que no corresponden a una rebaja o descuento del salario normal acordadas en las negociaciones colectivas o según al acuerdo salarial o estatuto; o (d) deducciones por cuotas del sindicato donde dichas deducciones son autorizadas por un conjunto de acuerdos o contratos colectivos de salarios negociados entre empleador y empleados o sus representantes. Ningún empleador deberá deducir de los salarios de los empleados lo siguiente: (a) Fianzas; (b) carestía de dinero de contado en una caja colectiva, caja de ahorro o caja registradora que es utilizada por dos (2) o mas personas; (c) Quiebra; (d) perdidas debidas a la aceptación de cheques sin fondos por parte del empleado, los cuales son posteriormente inválidos si a tal empleado se le da a discreción aceptar o rechazar cualquier cheque; o (e) Perdidas que se atribuyan a defectos o mal funcionamiento del equipo de trabajo, perdida o propiedad robada, daño a propiedad, falta de crédito del cliente o de pago por bienes o servicios recibidos por el cliente si dichas perdidas no se atribuyen a la voluntad del empleado, o indiferencia intencional en contra de los intereses del empleador. (KRS 337.060)

TIEMPO Y MEDIO POR TRABAJAR EL SEPTIMO DIA - Cualquier empleador que permita a sus empleados trabajar siete días a la semana debe de pagar la tarifa de tiempo y medio por cada hora que se trabaje en el séptimo día. Lo anterior, no se aplica a algún caso donde al empleado no se le permita trabajar mas de cuarenta horas a la semana; o a centrales telefónicas que tenga menos de quinientos suscriptores; taquígrafos, contadores o asistentes técnicos de profesionistas como doctores, contadores, abogados y otros profesiones autorizados bajo las leyes de este Estado; empleados sujetos al Acta Federal de Trabajo de Empleados Ferroviarios (Federal Railway Labor Act) y marineros o personas involucradas en operaciones de embarcaciones u otras instalaciones de transportación naval y ríos navegables.; personas que manejen carros ferroviarios que cuentan con sistema de congelación; transportistas comunes bajo la supervisión del Departamento de Regulación Vehicular (Department of Vehicle Regulation); cualquier oficial, conserje, capataz o supervisor cuyas responsabilidades son principalmente limitadas a dirigir o supervisar a otros empleados. (KRS 337.200)

DEPOSITO POR REALIZACION DE TRABAJO - Excepto para los empleadores que han estado haciendo negocios en el Estado por cinco (5) años consecutivos, cada empleador involucrado en el trabajo de construcción, o en el corte, preparación, o transportación de minerales, deberá proveer una forma preescrita por el Comisionado un deposito por realización de trabajo para garantizar el pago de todos los salarios que el empleador tenga que pagar. Este deposito debe de ser una cantidad de dinero equivalente a la nomina total operando en toda su capacidad por cuatro (4) semanas. (KRS 337.200)

GABINETE DEL MEDIO AMBIENTE Y PROTECCION PÚBLICA DEPARTAMENTO DEL TRABAJO
OFICINA DE REGULACIONES EN EL LUGAR DE TRABAJO
1047 US HWY 127 S STE 4
FRANKFORT KY 40601-4381

http://www.kylabor.net/

TELEFONO (502) 564 3070 FAX (502) 564 2248

Pagado con fondos del Estado

"Ningún individuo en los Estados Unidos por motivos de raza, color, religión, sexo, origen nacional, edad, incapacidad, afiliación política o creencia, será excluido de participar o le serán negados beneficios o ser sujeto a discriminación bajo cualquier programa o actividad que se encuentre bajo la jurisdicción del Gabinete del Medio ambiente y Protección Publica."

Kentucky
UNBRIDLED SPIRIT

LEYES DEL SALARIO Y PAGO POR HORA EN EL ESTADO DE KENTUCKY

EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

Youth Employment Provisions for Nonagricultural Occupations Under the Fair Labor Standards Act

CHILD LABOR BULLETIN 101

U. S. Department of Labor
Employment Standards Administration
Wage and Hour Division

WH-1330
Revised February 2005

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TTY/TDD callers may dial toll-free 1-877-889-5627 to ask for information or request materials in alternative format. A customer service representative is available to assist you with referral information from 8am to 5pm **in your own time zone**.

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FEDERAL YOUTH EMPLOYMENT PROVISIONS

The Federal youth employment provisions, also known as the child labor laws, are authorized by the Fair Labor Standards Act (FLSA) of 1938. These provisions were enacted to ensure that when young people work, the work is safe and does not jeopardize their health, well-being or educational opportunities. By knowing, understanding and complying with these provisions, employers, parents, and teachers can help working teens enjoy those safe, positive, early work experiences that can be so important to their development.

CHILD LABOR BULLETIN No. 101

This booklet is a guide to the provisions of the FLSA (also known as the "Wage-Hour Law") which applies to minors employed in *nonagricultural* occupations. In addition to youth employment provisions, the FLSA contains provisions on minimum wage, overtime, and recordkeeping.

See *Child Labor Bulletin No. 102* for information regarding the employment of minors in agriculture.

OTHER LAWS THAT IMPACT YOUTH EMPLOYMENT

Other Federal and State laws may have higher standards. When these apply, the more stringent standard must be observed. All States have youth employment provisions, compulsory school attendance laws, and establish the minimum ages and conditions under which youths may operate motor vehicles.

Unless otherwise exempt, a covered minor employee is entitled to receive the same minimum wage, overtime, safety and health, and nondis-crimination protections as adult workers.

Coverage of the Youth Employment Provisions

Who is Covered?

Enterprise Coverage:

All employees of certain enterprises having workers engaged in interstate commerce, producing goods for interstate commerce, or handling, selling, or otherwise working on goods or materials that have been moved in or produced for such commerce by any person are covered by the FLSA. A covered enterprise is the related activities performed through unified operation or common control by any person or persons for a common business purpose and:

1. whose annual gross volume of sales made or business done is not less than $500,000 (exclusive of excise taxes at the retail level that are separately stated); or
2. is engaged in the operation of a hospital, an institution primarily engaged in the care of those who are physically or mentally ill or disabled or aged, and who reside on the premises, a school for children who are mentally or physically disabled or gifted, a preschool, an elementary or secondary school, or an institution of higher education (whether operated for profit or not for profit); or
3. is an activity of a public agency.

Construction and laundry/dry cleaning enterprises, which were previously covered regardless of their annual dollar volume of business, are now subject to the $500,000 test.

Any enterprise that was covered by the FLSA on March 31, 1990, and that ceased to be covered because of the increase in the enterprise coverage dollar volume test must continue to pay its employees not less than $3.35 an hour, and continues to be subject to the overtime pay, youth employment, and recordkeeping provisions of the FLSA.

Individual Coverage:

Employees of firms which are not covered enterprises under the FLSA may still be subject to its minimum wage, overtime, and youth employment provisions if they are individually engaged in interstate commerce or in the production of goods for interstate commerce. Such employees include those who: work in communications or transportation; regularly use the mail, telephone, computer e-mail system and/or facsimile machine to communicate with persons in another State; make deposits in banks; use an electronic device which authorizes a credit card purchase; keep records of interstate transactions; handle, ship, or receive goods moving in interstate commerce; regularly cross State lines in the course of employment; or work for independent employers who contract to do clerical, custodial, maintenance, or other work for firms engaged in interstate commerce or the production of goods for interstate commerce.

Young entrepreneurs who use the family lawnmower to cut their neighbor's grass or perform babysitting on a casual basis are not covered under the FLSA.

The Federal Youth Employment Provisions <u>Do Not</u>:

- require minors to obtain "working papers" or "work permits," though many States do;
- limit the number of hours or times of day that workers 16 years of age and older may legally work, though many States do;
- apply to any employee whose services during the workweek are performed in a workplace within a foreign country or within a territory named in section 13(f) of the FLSA.

Check with the applicable State Department of Labor for guidance concerning State laws.

Exemptions from the Youth Employment Provisions of the FLSA

The federal youth employment provisions do not apply to:

- Children under 16 years of age employed by their parents in occupations other than manufacturing or mining, or occupations declared hazardous by the Secretary of Labor.
- Children employed as actors or performers in motion pictures, theatrical, radio or television productions.
- Children engaged in the delivery of newspapers to the consumer.
- Homeworkers engaged in the making of wreaths composed principally of natural holly, pine, cedar, or other evergreens (including the harvesting of the evergreens).

Minimum Age Standards for Nonagricultural Employment

14 Minimum age for employment in specified occupations outside of school hours for limited periods of time each day and each week.

16 BASIC MINIMUM AGE FOR EMPLOYMENT. At 16 years of age, youth may be employed for unlimited hours in any occupation other than one declared to be hazardous by the Secretary of Labor.

18 Minimum age for employment in nonagricultural occupations declared hazardous by the Secretary of Labor.

Wage Payments to Young Workers

Unless otherwise exempt or employed under conditions discussed below, covered minor employees must be paid at least the statutory minimum wage for all hours worked.

Employees under 20 years of age may be paid $4.25 per hour during their first consecutive 90 calendar days of employment with an employer.

Certain full-time students, student learners, apprentices and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

Employers of "tipped employees" must pay a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligations. If an employee's tips combined with the employer's cash wage of at least $2.13 do not equal the minimum hourly wage, the employer must make up the difference.

Employment Standards for 14- and 15-Year-Olds in Nonagricultural Employment

These requirements are published in Subpart C of Part 570 of Title 29 of the Code of Federal Regulations, Child Labor Regulation No. 3.

Employment of youths of this age group is limited to certain occupations and under conditions that do not interfere with their schooling, health or well-being.

Hours-Time Standards for 14- and 15-Year-Olds

14- AND 15-YEAR-OLDS MAY NOT BE EMPLOYED:

1. DURING SCHOOL HOURS, *except* as provided in Work Experience and Career Exploration Programs.[1]
2. BEFORE 7 a.m. or AFTER 7 p.m. *except* from June 1 through Labor Day when the evening hour is extended to 9 p.m. (time is based on local standards; i.e., whether the locality has adopted daylight savings time).
3. MORE THAN 3 HOURS A DAY ON A SCHOOL DAY, INCLUDING FRIDAYS.
4. MORE THAN 8 HOURS A DAY ON A NONSCHOOL DAY.
5. MORE THAN 18 HOURS A WEEK DURING A SCHOOL WEEK.
6. MORE THAN 40 HOURS A WEEK DURING NONSCHOOL WEEKS.

Limited exemption for professional sports attendants:

Section 570.35(b) of Regulations 29 CFR Part 570 grants a partial waiver from the hours standards limitations for 14- and 15-year-olds who are employed as professional sports attendants and performing the traditional duties of that position. These minors are still precluded from working during school hours.

[1] "School hours" are determined by the local public school in the area the minor is residing while employed – this is true even if the minor does not attend the public school (i.e., attends a private school or is home schooled). Special provisions apply to students participating in a State sponsored Work Experience and Career Exploration Program authorized by the Department of Labor in accordance with section 570.35(a) of Regulations 29 CFR Part 570. See Page 5 of this bulletin for more information.

Occupation Standards For 14- and 15-Year-Olds

Fourteen- and 15-Year-Olds May Not Be Employed in:

1. Any MANUFACTURING occupation.[2]
2. Any MINING occupation.
3. Most PROCESSING occupations such as filleting of fish, dressing poultry, cracking nuts, laundering as performed by commercial laundries, bulk or mass mailings (*except* certain occupations expressly permitted in retail, food service and gasoline service establishments as discussed below).
4. Occupations requiring the performance of any duties in WORKROOMS or WORKPLACES WHERE GOODS ARE MANUFACTURED, MINED OR OTHERWISE PROCESSED (*except* to the extent expressly permitted in retail, food service, or gasoline service establishments as discussed below; and as discussed in footnote 2 below).
5. PUBLIC MESSENGER SERVICE.
6. OPERATION OR TENDING OF HOISTING APPARATUS or of ANY POWER-DRIVEN MACHINERY, including lawnmowers, trimmers, and "weedwhackers," but not including office machinery and those machines in retail, food service and gasoline service establishments that are expressly permitted and discussed below.
7. ANY OCCUPATION FOUND AND DECLARED TO BE HAZARDOUS BY THE SECRETARY OF LABOR (see Page 6).
8. OCCUPATIONS IN CONNECTION WITH:
   a. TRANSPORTATION of persons or property by rail, highway, air, on water, pipeline, or other means.
   b. WAREHOUSING and STORAGE.
   c. COMMUNICATIONS and PUBLIC UTILITIES.
   d. CONSTRUCTION (including repair).
   Except office or sales work in connection with a., b., c., and d. above when not performed on transportation media or at the actual construction site.

[2] Section 13(c)(7) of the FLSA, enacted in 2004, permits the employment of certain minors between the ages of 14 and 18, who have been excused from compulsory school attendance, inside and outside of places of business where machinery is used to process wood products. This provision, however, does not permit such minors to operate, or assist in the operation of power-driven woodworking machines. See Page 18 for more information about this provision.

Special provisions apply to 14- and 15-year-olds employed in Retail, Food Service, and Gasoline Service Establishments.

Fourteen- and 15-year-olds MAY be employed to perform the following in Retail, Food Service, and Gasoline Service Establishments:

1. OFFICE and CLERICAL WORK, including operation of office machines.
2. CASHIERING, SELLING, MODELING, ART WORK, WORK IN ADVERTISING DEPARTMENTS, WINDOW TRIMMING and COMPARATIVE SHOPPING.
3. PRICE MARKING and TAGGING by hand or by machine. ASSEMBLING ORDERS, PACKING and SHELVING.
4. BAGGING and CARRYING OUT CUSTOMER ORDERS.
5. ERRAND and DELIVERY WORK by foot, bicycle, and public transportation.
6. CLEANUP WORK, including the use of vacuum cleaners and floor waxers. The CLEANING OF KITCHEN EQUIPMENT, including the filtering, transporting, and disposal of oil and grease, is permitted as long as the temperatures of the surfaces and the oil and grease do not exceed 100° F.
7. MAINTENANCE of GROUNDS, but not including use of power-driven mowers or cutters.
8. KITCHEN WORK and other work involved in preparing and serving food and beverages, including the operation of machines and devices used in the performance of such work, such as, but not limited to, dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, coffee grinders and microwave ovens that do not have the capacity to warm above 140° F.
9. WORK IN CONNECTION WITH CARS AND TRUCKS if confined to the following:
   - Dispensing gasoline and oil.
   - Courtesy service on premises of gasoline service station.
   - Car cleaning, washing, and polishing.
   - Other occupations permitted by this section.

   BUT NOT INCLUDING WORK involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.
10. CLEANING VEGETABLES and FRUITS, and WRAPPING, SEALING, LABELING, WEIGHING, PRICING, and STOCKING GOODS when performed in areas physically separate from areas where meat is prepared for sale and outside of freezers and meat coolers.

Fourteen- and 15-year-old employees MAY NOT be employed to perform the following in Retail, Food Service, and Gasoline Service Establishments:

1. Work performed IN or ABOUT BOILER or ENGINE ROOMS.
2. Work in connection with MAINTENANCE or REPAIR OF THE ESTABLISHMENT, MACHINES, or EQUIPMENT.
3. OUTSIDE WINDOW WASHING that involves working from windowsills, and all work requiring the use of LADDERS, SCAFFOLDS, or their substitutes.
4. COOKING (*except* with electric or gas grilles that do not involve cooking over an open flame and with deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets into and out of the oil or grease).
5. BAKING.
6. Occupations which involve OPERATING, SETTING UP, ADJUSTING, CLEANING, OILING, or REPAIRING power-driven FOOD SLICERS and GRINDERS, FOOD CHOPPERS and CUTTERS, and BAKERY-TYPE MIXERS.
7. Work in FREEZERS and MEAT COOLERS and all work in PREPARATION OF MEATS FOR SALE (*except* wrapping, sealing, labeling, weighing, pricing, and stocking when performed in other areas).
8. LOADING and UNLOADING GOODS to and from trucks, railroad cars, or conveyors.
9. All occupations in WAREHOUSES *except* office and clerical work.

Work Experience and Career Exploration Programs (WECEP)

Some of the provisions of Child Labor Regulation No. 3 are varied for 14- and 15-year-old participants in approved school-supervised and school- administered WECEPs. Enrollees in WECEP may be employed:

- During school hours.
- For as many as 3 hours on a school day, including Fridays.
- For as many as 23 hours in a school week.
- In occupations otherwise prohibited but only after a specific variance has been granted by the Administrator of the Wage and Hour Division.

The State Educational Agency must obtain approval from the Administrator of the Wage and Hour Division before operating a WECEP program.

Employment Standards For 16- and 17-Year-Olds in Nonagricultural Employment

The Hazardous Occupations Orders for Nonagricultural Employment (HOs)

These Orders are published in Subpart E of Part 570 of Title 29 of the Code of Federal Regulations.

The FLSA provides a minimum age of 18 years for any nonagricultural occupations which the Secretary of Labor "shall find and by order declare" to be particularly hazardous for 16- and 17-year-old persons, or detrimental to their health and well-being. This minimum age applies even when the minor is employed by the parent or person standing in place of the parent.

The 17 HOs apply either on an industry basis, specifying the occupations in the industry that are not permitted, or an occupational basis irrespective of the industry in which found. Some of the HOs contain limited exemptions.

HO 1 Manufacturing and storing of explosives.

HO 2 Motor-vehicle driving and outside helper on a motor vehicle.

HO 3 Coal mining.

HO 4 Logging and sawmilling.

HO 5* Power-driven woodworking machines.

HO 6 Exposure to radioactive substances.

HO 7 Power-driven hoisting apparatus, including forklifts.

HO 8* Power-driven metal-forming, punching, and shearing machines.

HO 9 Mining, other than coal mining.

HO 10* Operating power-driven meat processing equipment, including **meat slicers and other food slicers**, in retail establishments (such as grocery stores, restaurants, kitchens and delis), wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.

HO 11 Power-driven bakery machines including vertical dough or batter mixers.

HO 12* Power-driven paper-products machines including scrap paper balers and cardboard box compactors.

HO 13 Manufacturing bricks, tile, and kindred products.

HO 14* Power-driven circular saws, bandsaws, and guillotine shears.

HO 15 Wrecking, demolition, and shipbreaking operations.

HO 16* Roofing operations and all work on or about a roof.

HO 17 * Excavation operations.

**These HOs provide limited exemptions for 16- and 17-year-olds who are bona-fide student-learners and apprentices.* *See Page 18 for more information.*

HO 1 - Manufacturing or Storage Occupations Involving Explosives

The following occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components are prohibited:

1. All occupations in or about any plant or establishment (other than retail establishments or plants or establishments of the type described in subparagraph 2. below) manufacturing or storing explosives or articles containing explosive components *except* where the occupation is performed in a "nonexplosives area" as defined in subparagraph 3. below.
2. The following occupations in or about any plant or establishment manufacturing or storing small arms ammunition not exceeding .60 caliber in size, shotgun shells, or blasting caps when manufactured or stored in conjunction with the manufacture of small arms ammunition:
    a. All occupations involved in the manufacturing, mixing, transporting, or handling of explosive compounds in the manufacture of small arms ammunition and all other occupations requiring the performance of any duties in the explosives area in which explosive compounds are manufactured or mixed.
    b. All occupations involving the manufacturing, transporting, or handling of primers and all other occupations requiring the performance of any duties in the same building in which primers are manufactured.
    c. All occupations involved in the priming of cartridges and all other occupations requiring the performance of any duties in the same workroom in which rimfire cartridges are primed.
    d. All occupations involved in the plate loading of cartridges and in the operation of automatic loading machines.
    e. All occupations involved in the loading, inspecting, packing, shipping, and storage of blasting caps.

Definitions

1. The term *plant or establishment manufacturing or storing explosives or articles containing explosive components* means the land with all the buildings and other structures thereon used in connection with the manufacturing or processing or storing of explosives or articles containing explosive components.
2. The terms *explosives* and *articles containing explosive components* mean and include ammunition, black powder, blasting caps, fireworks, high explosives, primers, smokeless powder, and all explosives and explosive materials as defined in 18 U.S.C.841(c)-(f) and the implementing regulations at 27 CFR Part 555. The terms included any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion, as well as all goods identified in the most recent list of explosive materials published by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice. This list may be found through the ATF website at www.aft.gov.
3. An area meeting the following criteria shall be deemed a *nonexplosives area*:
    a. None of the work performed in the area involves the handling or use of explosives;
    b. The area is separated from the explosives area by a distance not less than that prescribed in the American Table of Distances for the protection of inhabited buildings;
    c. The area is separated from the explosives area by a fence or is otherwise located so that it constitutes a definite designated area; and
    d. Satisfactory controls have been established to prevent employees under 18 years of age within the area from entering any area in or about the plant which does not meet criteria a through c.

HO 2 – Motor-Vehicle Occupations

The occupation of motor-vehicle driver and outside helper on any public road, highway, in or about any mine (including open pit mine or quarry), place where logging or sawmill operations are in progress, or in any excavation of the type identified in HO 17 are prohibited for minors between 16 and 18 years of age *except* that 17-year-olds may drive automobiles and trucks on an incidental and occasional basis if all of the criteria listed in the following exemption are met.

Exemption

Limited exemption from HO 2 for 17 year old employees:

Seventeen-year-olds, but no one under 17 years of age, may drive automobiles and trucks on public roads as part of their employment on an occasional and incidental basis if all the following requirements are met:

- the automobile or truck does not exceed 6,000 pounds gross vehicle weight;
- the driving is limited to daylight hours;
- the 17-year-old holds a State license valid for the type of driving involved;
- the 17-year-old has successfully completed a State-approved driver education course and has no record of any moving violations at the time of hire;
- the driving takes place within a thirty (30) mile radius of the minor's place of employment;
- the automobile or truck is equipped with a seat belt for the driver and any passengers and the employer has instructed the youth that the seat belts must be used when driving the vehicle;
- the driving may not involve:
  - towing vehicles;
  - route deliveries or route sales;
  - transportation for hire of property, goods, or passengers;
  - urgent, time-sensitive deliveries;
  - transporting more than three passengers, including employees of the employer;
  - more than two trips away from the primary place of employment in any single day to deliver the employer's goods to a customer (other than urgent, time-sensitive deliveries which are prohibited);
  - more than two trips away from the primary place of employment in any single day to transport passengers, other than employees of the employer.

Definitions

1. The term *motor vehicle* shall mean any automobile, truck, truck tractor, trailer, semitrailer, motorcycle, or similar vehicle propelled or drawn by mechanical power and designed for use as a means of transportation but shall not include any vehicle operated exclusively on rails.
2. The term *driver* shall mean any individual who in the course of employment, drives a motor vehicle at any time.
3. The term *outside helper* shall mean any individual, other than a driver, whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivering goods.
4. The term *gross vehicle weight* includes the truck chassis with lubricants, water, and full tank or tanks of fuel, plus the weight of the cab or driver's compartment, body, and special chassis and body equipment, and payload.
5. The term *urgent, time-sensitive deliveries* shall mean trips which, because of such factors as customer satisfaction, the rapid deterioration of the quality or change in temperature of the product, and/or economic incentives, are subject to timelines, schedules, and/or turnaround times which might impel the driver to hurry in the completion of the delivery. Prohibited trips would include, but are not limited to, the delivery of pizzas and prepared foods to the customer; the delivery of materials under a deadline (such as deposits to a bank at closing); and the shuttling of passengers to and from transportation depots to meet transport schedules. *Urgent, time-sensitive deliveries* do not depend on the delivery's points of origin and termination, and include the delivery of people and things *to* the employer's place of business as well as *from* that business to some other location.
6. The term *occasional and incidental* shall mean no more than one-third of the 17-year-old driver's worktime in any workday and no more than 20 percent of the 17-year-old driver's worktime in any workweek.

HO 3 - Coal Mining Occupations

All occupations in or about any coal mine are prohibited *except* the occupations of slate or other refuse picking at a picking table or picking chute in a tipple or breaker and occupations requiring the performance of duties solely in offices or in repair or maintenance shops located in the surface part of any coal mining plant.

Definitions

1. The term *coal* shall mean any rank of coal, including lignite, bituminous, and anthracite coals.
2. The term *all occupations in or about any coal mine* shall mean all types of work performed in any underground working, open pit, or surface part of any coal mining plant that contributes to the extraction, grading, cleaning, or other handling of coal.

HO 4 - Logging and Sawmilling Occupations

All occupations in logging and all occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill[3] are prohibited *except* the following:

1. Exceptions applying to logging:
   a. Work in offices or in repair or maintenance shops.
   b. Work in the construction, operation, repair, or maintenance of living and administrative quarters of logging camps.
   c. Work in timber cruising, surveying, or logging-engineering parties; work in the repair or maintenance of roads, railroads, or flumes; work in forest protection, such as clearing fire trails or roads, piling and burning slash, maintaining firefighting equipment, constructing and maintaining telephone lines, or acting as fire lookout or fire patrolman away from the actual logging operations – *Provided*, that the provisions of this paragraph shall not apply to the felling or bucking of timber, the collecting or transporting of logs, the operation of power-driven machinery, the handling or use of explosives, and work on trestles.
   d. Peeling of fenceposts, pulpwood, chemical wood, excelsior wood, cordwood, or similar products, when not done in conjunction with and at the same time and place as other logging occupations declared hazardous by this section.
   e. Work in the feeding or care of animals.

2. Exceptions applying to the operation of any permanent sawmill or the operation of any lath mill, shingle mill, or cooperage-stock mill – *Provided*, that these exceptions do not apply to a portable sawmill the lumber yard of which is used only for the temporary storage of green lumber and in connection with which no office or repair or maintenance shop is ordinarily maintained; and *Further Provided*, that these exceptions do not apply to work which entails entering the sawmill building:
   a. Work in offices or in repair or maintenance shops.
   b. Straightening, marking, or tallying lumber on the dry chain or the dry drop sorter.
   c. Pulling lumber from the dry chain.
   d. Cleanup in the lumberyard.
   e. Piling, handling, or shipping of cooperage stock in yards or storage sheds, other than operating or assisting in the operation of power-driven equipment.
   f. Clerical work in yards or shipping sheds, such as done by ordermen, tallymen, and shipping clerks.
   g. Cleanup work outside shake and shingle mills, *except* when the mill is in operation.
   h. Splitting shakes manually from pre-cut and split blocks with a froe and mallet, *except* inside the mill building or cover.
   i. Packing shakes into bundles when done in conjunction with splitting shakes manually with a froe and mallet, *except* inside the mill building or cover.
   j. Manual loading of bundles of shingles or shakes into trucks or railroad cars – *Provided* that the employer has on file a statement from a licensed doctor of medicine or osteopathy certifying the minor capable of performing this work without injury to himself or herself.

Definitions

1. The term *all occupations in logging* shall mean all work performed in conjunction with the felling of timber, the bucking or converting of timber into logs, poles, piles, ties, bolts, pulpwood, chemical wood, excelsior wood, cordwood, fenceposts, or similar products; the collecting, skidding, yarding, loading, transporting, and unloading of such products in conjunction with logging; the constructing, repairing, and maintaining of roads, railroads, flumes, or camps used in connection with logging; the moving, installing, rigging, and maintenance of machinery or equipment used in logging; and other work performed in connection with logging. The term shall not apply to work performed in timber culture, timber stand improvement, or in emergency firefighting.
2. The term *all occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill* shall mean all work performed in or about any such mill in connection with storing of logs and bolts; converting logs or bolts into sawn lumber, laths, shingles, or cooperage stock, or other products of such mills; and other work performed in connection with the operation of any sawmill, lath mill, shingle mill, or cooperage-

[3] Section 13(c)(7) of the FLSA, enacted in 2004, permits the employment of certain minors between the ages of 14 and 18, who have been excused from compulsory school attendance, inside and outside of places of business where machinery is used to process wood products. This provision, however, does not permit such minors to operate, or assist in the operation of power-driven woodworking machines. See Page 18 for more information about this provision.

stock mill. The term shall not include work performed in the planing-mill department or other remanufacturing department of any sawmill, or in any planing-mill or remanufacturing plant not a part of a sawmill.

HO 5 - Power-Driven Woodworking Machine Occupations

The following occupations involved in the operation of power-driven woodworking machines are prohibited:

1. The occupation of operating power-driven woodworking machines including supervising or controlling the operation of such machines, feeding material into such machines, and helping the operator to feed material into such machines, but not including the placing of material on a moving chain or in a hopper or slide for automatic feeding.
2. The occupations of setting up, adjusting, repairing, oiling, or cleaning power-driven woodworking machines.
3. The operations of off-bearing from circular saws and from guillotine-action veneer clippers.

Exemption

The exemption for student-learners and apprentices applies to HO 5.

Definitions

1. The term *power-driven woodworking machines* shall mean all fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire-stitching, fastening, or otherwise assembling, pressing, or printing wood or veneer.
2. The term *off-bearing* shall mean the removal of material or refuse directly from a saw table or from the point of operation. Operations not considered as off-bearing within the intent of this section include:
   a. the removal of material or refuse from a circular saw or guillotine-action veneer clipper where the material or refuse has been conveyed away from the saw table or point of operation by a gravity chute or by some mechanical means such as a moving belt or expulsion roller, and
   b. the following operations when they do not involve the removal of material or refuse directly from a saw table or from a point of operation:
      - the carrying or moving or transporting of materials from one machine to another or from one part of a plant to another;
      - the piling stacking or arranging of materials for feeding into a machine by another person; and,
      - the sorting, tying, bundling, or loading of materials.

HO 6 - Occupations Involving Exposure to Radioactive Substances and to Ionizing Radiation

The following occupations are prohibited:

1. Any work in any workroom in which:
   a. radium is stored or used in the manufacture of self-luminous compound;
   b. self-luminous compound is made, processed, or packaged;
   c. self-luminous compound is stored, used, or worked upon;
   d. incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged;
   e. other radioactive substances are present in the air in average concentrations exceeding 10 percent of the maximum permissible concentrations in the air recommended for occupations exposure by the National Committee on Radiation Protection, as set forth in the 40-hour week column of Table One of the National Bureau of Standards Handbook No. 69 entitled *Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and In Water for Occupational Exposure* issued June 5, 1959.
2. Any other work which involves exposure to ionizing radiations in excess of 0.5 rem per year.

Definitions

1. The term *self-luminous compound* shall mean any mixture of phosphorescent material and radium, mesothorium, or other radioactive element.
2. The term *workroom* shall include the entire area bounded by walls of solid material and extending from floor to ceiling.
3. The term *ionizing radiations* shall mean alpha and beta particles, electrons, protons, neutrons, gamma, and x-ray and all other radiations which produce ionizations directly or indirectly, but does not include electromagnetic radiations other than gamma and X-ray.

HO 7 - Power-Driven Hoisting Apparatus Occupations

The following occupations involved in the operation of power-driven hoisting apparatus are prohibited:

1. Work of operating an elevator, crane, derrick, hoist, or highlift truck (including a forklift), *except* operating an unattended automatic elevator or an electric or air-operated hoist not exceeding one ton capacity.
2. Work which involves riding on a manlift or on a freight elevator, *except* a freight elevator operated by an assigned operator.
3. Work of assisting in the operation of a crane, derrick, or hoist performed by crane hookers, crane chasers, hookers-on, riggers, rigger helpers, and like occupations.

Exemption

This section shall not prohibit the operation of an automatic elevator and an automatic signal operation elevator provided that the exposed portion of the car interior (exclusive of vents and other necessary small openings), the car door, and the hoistway doors are constructed of solid surfaces without any opening through which a part of the body may extend; all hoistway openings at floor level have doors which are interlocked with the car door so as to prevent the car from starting until all such doors are closed and locked; the elevator (other than hydraulic elevators) is equipped with a device which will stop and hold the car in case of overspeed or if the cable slackens or breaks; and the elevator is equipped with upper and lower travel limit devices which will normally bring the car to rest at either terminal and a final limit switch which will prevent the movement in either direction and will open in case of excessive overtravel by the car.[4]

Definitions

1. The term *elevator* shall mean any power-driven hoisting or lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction. The term shall include both passenger and freight elevators (including portable elevators or tiering machines) but shall not include dumbwaiters.
2. The term *crane* shall mean a power-driven machine for lifting and lowering a load and moving it horizontally, in which the hoisting mechanism is an integral part of the machine. The term shall include all types of cranes, such as cantilever gantry, crawler, gantry, hammerhead, ingotpouring, jib, locomotive, motor truck, overhead traveling, pillar jib, pintle, portal, semigantry, semiportal, storage bridge, tower, walking jib, and wall cranes.
3. The term *derrick* shall mean a power-driven apparatus consisting of a mast or equivalent members held at the top by guys or braces, with or without a boom, for use with a hoisting mechanism and operating ropes. The term shall include all types of derricks, such as A-frame, breast, Chicago boom, gin-pole, guy, and stiff-leg derricks.
4. The term *hoist* shall mean a power-driven apparatus for raising or lowering a load by the application of a pulling force that does not include a car or platform running in guides. The term shall include all types of hoists, such as base-mounted electric, clevis suspension, hook suspension, monorail, overhead electric, simple drum, and trolley suspension hoists.
5. The term *highlift truck* shall mean a power-driven industrial type of truck used for lateral transportation that is equipped with a power-operated lifting device usually in the form of a fork or platform capable of tiering loaded pallets or skids one above the other. Instead of a fork or platform, the lifting device may consist of a ram, scoop, shovel, crane, revolving fork, or other attachments for handling specific loads. The term shall mean and include highlift trucks known under such names as forklifts, forklift trucks, tiering trucks, or stacking trucks, but shall not mean low-lift trucks or low-lift platform trucks that are designed for the transportation of, but not the tiering of, material.
6. The term *manlift* shall mean a device intended for the conveyance of persons which consists of platforms or brackets mounted on, or attached to, an endless belt, cable, chain, or similar method of suspension; such belt, cable, or chain operating in a substantially vertical direction and being supported by and driven through pulleys, sheaves or sprockets at the top and bottom.

[4] For purposes of this exception the term *automatic elevator* shall mean a passenger elevator, a freight elevator or a combination passenger-freight elevator, the operation of which is controlled by pushbuttons in such a manner that the starting, going to the landing selected, leveling and holding, and the opening and closing of the car and hoistway doors are entirely automatic. The term *automatic signal operation elevator* shall mean an elevator which is started in response to the operation of a switch (such as a lever or pushbutton) in the car which when operated by the operator actuates a starting device that automatically closes the car and hoistway doors – from this point on, the movement of the car to the landing selected, leveling and holding when it gets there, and the opening of the car and hoistway doors are entirely automatic.

HO 8 - Power-Driven Metal Forming, Punching, and Shearing Machine Occupations

The following occupations are prohibited:

1. The occupations of operator of or helper on the following power-driven metal forming, punching, and shearing machines:
   a. All rolling machines, such as beading, straightening, corrugating, flanging, or bending rolls; and hot or cold rolling mills.
   b. All pressing or punching machines, such as punch presses *except* those provided with full automatic feed and ejection and with a fixed barrier guard to prevent the hands or fingers of the operator from entering the areas between the dies; power presses; and plate punches.
   c. All bending machines, such as apron brakes and press brakes.
   d. All hammering machines, such as drop hammers and power hammers.
   e. All shearing machines, such as guillotine or squaring shears; alligator shears; and rotary shears.
2. The occupations of setting-up, adjusting, repairing, oiling, or cleaning these machines including those with automatic feed and ejection.

Exemption

The exemption for student-learners and apprentices applies to HO 8.

Definitions

1. The term *operator* shall mean a person who operates a machine covered by this HO by performing such functions as starting or stopping the machine, placing materials into or removing them from the machine, or any other functions directly involved in the operation of the machine.
2. The term *helper* shall mean a person who assists in the operation of a machine covered by the HO by helping place materials into or removing them from the machine.
3. The term *forming, punching, and shearing* shall mean power-driven metalworking machines, other than machine tools, which change the shape of or cut metal by means of tools, such as dies, rolls, or knives which are mounted on rams, plungers, or other moving parts. Types of forming, punching and shearing machines enumerated in this section are the machines to which the designation is by custom applied. Not included in this term are metalworking machines known as *machine tools*.
4. The term *machine tools* shall mean power-driven complete metalworking machines having one or more tool- or work-holding devices and used for progressively removing metal in the form of "chips." Since the HO does not apply to machine tools, the 18-year minimum age does not apply. The following is a list of common machine tools:

<u>Milling Function Machines</u>
- Horizontal Milling Machines
- Vertical Milling Machines
- Universal Milling Machines
- Planer-type Milling Machines
- Gear Hobbing Machines
- Profilers
- Routers

<u>Turning Function Machines</u>
- Engine Lathes
- Turret Lathes
- Hollow Spindle Lathes
- Automatic Lathes
- Automatic Screw Machines

<u>Planing Function Machines</u>
- Planers
- Shapers
- Slotters
- Broaches
- Keycasters
- Hack Saws

<u>Grinding Function Machines</u>
- Grinders
- Abrasive Wheels
- Abrasive Belts
- Abrasive Disks
- Abrasive Points
- Polishing Wheels
- Buffing Wheels
- Stroppers
- Lapping Machines

<u>Boring Function Machines</u>
- Vertical Boring Mills
- Horizontal Boring Mills
- Jig Borers
- Pedestal Drills
- Radial Drills
- Gang Drills
- Upright Drills
- Drill Presses
- Centering Machines
- Reamers
- Honers

HO 9 - Occupations in Connection with Mining, Other than Coal

All occupations in connection with mining, other than coal (see HO 3), are prohibited *except* the following:

1. Work in offices, in the warehouse or supply house, in the change house, in the laboratory, and in repair or maintenance shops not located underground.
2. Work in the operation and maintenance of living quarters.
3. Work outside the mine in surveying, in the repair and maintenance of roads, and in general cleanup about the mine property such as clearing brush and digging drainage ditches.
4. Work of track crews in the building and maintaining of sections of railroad track located in those areas of opencut metal mines where mining and haulage activities are not being conducted at the time and place that such building and maintenance work is being done.
5. Work in or about surface placer mining operations other than placer dredging operations and hydraulic placer mining operations.
6. The following work in metal mills other than in mercury-recovery mills or mills using the cyanide process:
   a. Work involving the operation of jigs, sludge tables, flotation cells, or drier-filters.
   b. Work of handsorting at picking table or picking belt.
   c. General cleanup work.

Provided, however, that nothing in this section shall be construed as permitting employment of minors in any occupation prohibited by any other HO issued by the Secretary of Labor.

Definitions

The term *all occupations in connection with mining, other than coal* shall mean all work performed:

- underground in mines and quarries;
- on the surface at underground mines and underground quarries;
- in or about opencut mines, open quarries, clay pits, and sand and gravel operations;
- at or about placer mining operations;
- at or about dredging operations for clay, sand, or gravel; at or about borehole mining operations;
- in or about all metal mills, washer plants, or grinding mills reducing the bulk of the extracted minerals; and
- at or about any other crushing, grinding, screening, sizing, washing, or cleaning operations performed upon the extracted minerals *except* where such operations are performed as part of a manufacturing process.

The term shall not include work performed in subsequent manufacturing or processing operations, such as work performed in smelters, electro-metallurgical plants, refineries, reduction plants, cement mills, plants where quarried stone is cut, sanded, and further processed, or plants manufacturing clay, glass, or ceramic products. Neither shall the term include work performed in connection with coal mining, in petroleum production, in natural-gas production, nor in dredging operations which are not a part of mining operations, such as dredging for construction or navigation purposes.

HO 10 - Occupations Involving the Operation of Power-Driven Meat-Processing Machines and Occupations Involving Slaughtering, Meatpacking, Processing, or Rendering

The following occupations in retail establishments, wholesale establishments, service establishments, slaughtering and meatpacking establishments, or rendering plants are prohibited:

1. All occupations involved in the operation or feeding of the following power-driven machines, including setting-up, adjusting, repairing, oiling, or cleaning such machines, regardless of the product being processed by these machines (including, for example, the slicing in a retail delicatessen of meat, poultry, seafood, bread, vegetables, or cheese, etc.): meat slicers, meat patty forming machines, meat and bone cutting saws, knives (*except* bacon-slicing machines[5]).
2. All occupations involved in the operation or feeding of the following power-driven machines, including setting-up, adjusting, repairing, oiling, or cleaning such machines, regardless of the product being processed by these machines: headsplitters, and guillotine cutters; snoutpullers and jawpullers; skinning machines; horizontal rotary washing machines; casing-cleaning machines; and presses (*except* belly-rolling machines).

[5] The term *bacon slicing machine* as used in this HO refers to those machines which are designed solely for the purpose of slicing bacon and are equipped with enclosure or barrier guards that prevent the operator from coming in contact with the blade or blades, and with devices for automatic feeding, slicing, shingling, stacking, and conveying the sliced bacon away from the point of operation.

3. All boning operations.
4. All operations on the killing floor, in curing cellars, and in hide cellars, *except* the work of messengers, runners, handtruckers, and similar occupations which require entering such workrooms or workplaces infrequently and for short periods of time.
5. All occupations involved in the recovery of lard and oils, *except* packaging and shipping of such products and the operations of lard-roll machines.
6. All occupations involved in tankage or rendering of dead animals, animal offal, animal fats, scrap meats, blood, and bones into stockfeeds, tallow, inedible greases, fertilizer ingredients, and similar products.
7. All occupations that involve the pushing or dropping of any suspended carcass, half-carcass, or quarter-carcass of beef.
8. All occupations involving hand-lifting or hand-carrying any carcass or half-carcass of beef, pork, or horse, or any quarter-carcass of beef or horse.

Exemptions

The exemption for student-learners and apprentices applies to HO 10.

HO 10 shall not apply to the killing and processing of poultry, rabbits, or small game in areas physically separated from the killing floor.

Definitions

1. The term *slaughtering and meatpacking establishments* shall mean places in or about which cattle, calves, hogs, sheep, lambs, goats, or horses are killed, butchered, or processed. The term shall also include establishments which manufacture or process meat products or sausage casings from such animals.
2. The term *rendering plants* shall mean establishments engaged in the conversion of dead animals, animal offal, animal fats, scrap meats, blood and bones into stock feeds, tallow, inedible greases, fertilizer ingredients, and similar products.
3. The term *killing floor* shall include that workroom or workplace where cattle, calves, hogs, sheep, lambs, goats, or horses are immobilized, shackled, or killed, and the carcasses are dressed prior to chilling.
4. The term *curing cellar* shall include that workroom or workplace which is primarily devoted to the preservation and flavoring of meat by curing materials. It does not include that workroom or workplace where meats are smoked.
5. The term *hide cellar* shall include that workroom or workplace where hides are graded, trimmed, salted, and otherwise cured.
6. The term *boning occupations* shall mean the removal of bones from meat cuts. It shall not include work that involves cutting, scraping, or trimming meat from cuts containing bones.

HO 11 - Power-Driven Bakery Machine Occupations

The following occupations involved in the operation of power-driven bakery machines, no matter where performed, are prohibited:

1. The occupations of operating, assisting to operate, or setting-up, adjusting, repairing, oiling, or cleaning any horizontal or vertical doughmixer; battermixer[6]; bread dividing, rounding, or molding machine; doughbrake; doughsheeter; combination breadslicing and wrapping machine; or cake-cutting bandsaw.
2. The occupation of setting-up or adjusting a cooky or cracker machine.

HO 11 does not apply to the following list of bakery machines which may be operated by 16- and 17-year-olds minors:

<u>Ingredient Preparation and Mixing</u>
- Flour-sifting Machine Operator
- Flour-blending Machine Operator
- Sack-cleaning Machine Operator

<u>Product Forming and Shaping</u>
- Roll-dividing Machine Operator
- Roll-making Machine Operator
- Batter-sealing Machine Operator
- Depositing Machine Operator
- Cooky or Cracker Machine Operator
- Wafer Machine Operator
- Pretzel-stick Machine Operator
- Piedough Rolling Machine Operator
- Piedough Sealing Machine Operator
- Pie-crimping Machine Operator

<u>Finishing and Icing</u>
- Depositing Machine Operator
- Enrobing Machine Operator
- Spray Machine Operator
- Icing Mixing Machine Operator

[6] HO 11 prohibits minors from operating any vertical or horizontal mixer (including countertop models) when used to mix dough, batter, and items such as vegetables, meat mixtures and other heavier products that require the use of the same strength or design of agitators, whips, or beaters as those used to mix dough or batter. HO 11 does not prohibit minors from using such equipment to mix lighter fare such as meringues and light icings when the agitators or whips used are designed solely for such use.

Slicing and Wrapping
- Roll Slicing and Wrapping Machine Operator
- Cake Wrapping Machine Operator
- Carton Packing and Sealing Machine Operator

Panwashing
- Spray-type Panwashing Machine Operator
- Tumbler-type Panwashing Machine Operator

HO 12 - Power-Driven Paper-Products Machine Operations Including Scrap Paper Balers and Paper Box Compactors

The following occupations are prohibited in any type of establishment (manufacturing, nonmanufacturing, retail, wholesale, service, etc.):

1. The occupations of operating or assisting to operate any of the following power-driven paper-products machines:
   a. Arm-type wire stitcher or stapler, circular or bandsaw, corner cutter or mitering machine, corrugating and single- or double-facing machine, envelope die-cutting press, guillotine papercutter or shear, horizontal bar scorer, laminating or combining machine, sheeting machine, or vertical slotter.
   b. Scrap paper balers and paper box compactors, including those machines that process other materials in addition to paper.
   c. Platen diecutting press, platen printing press, or punch press which involves hand feeding of the machine.
2. The occupations of setting-up, adjusting, repairing, oiling or cleaning these machines including those which do not involve hand feeding.

Exemptions

1. The exemption for student-learners and apprentices applies to HO 12.
2. Section 13(c)(5) of the FLSA permits 16- and 17-year-old employees to load, but not operate or unload, certain scrap paper balers and paper box compactors if all of the following conditions are met:
   a. the scrap paper balers meet the American National Standard Institute's (ANSI) Standard ANSI Z245.5-1990 or ANSI Z245.5-1997; and the paper box compactors meet the American National Standard Institute's Standard ANSI Z245.2-1992 or ANSI 245.2-1997;[7]
   b. the scrap paper balers and paper box compactors cannot be operated while being loaded;
   c. the scrap paper balers and paper box compactors include an on-off switch incorporating a key-lock or other system and the control of the system is maintained in the custody of employees who are 18 years of age or older;
   d. the on-off switch of the scrap paper balers and paper box compactors is maintained in an off position when the equipment is not in operation; and
   e. the employer provides notice and posts notice on each scrap paper baler and each paper box compactor that 16- and 17-year-olds will be loading which states:
      - the equipment meets an appropriate ANSI Standard mentioned above, or a more recent applicable ANSI Standard that the Secretary of Labor has certified as being as protective of minors as those listed above – *Note: the specific standard must be listed on the notice in its entirety*;
      - Sixteen- and 17-year-old employees may only load the scrap paper baler and paper box compactor; and
      - any employee under the age of 18 may not operate or unload the scrap paper baler and paper box compactor.[8]

Definitions

1. The term *operating or assisting to operate* shall mean all work that involves starting or stopping a machine covered by this section, placing or removing materials into or from the machine, or any other work directly involved in operating the machine. The term does not include the stacking of materials by an employee in an area nearby or adjacent to the machine where such employee does not place the materials into the machine.

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[7] The FLSA also allows the equipment to meet more recent ANSI standards that the Secretary of Labor has certified to be at least as protective of the safety of minors as the Standards listed above.

[8] There is no prescribed format for the notice but it must contain all the information as stated in subparagraph 2e. Posting a notice will satisfy the requirement that employers also provide notice.

2. The term *paper products machine* shall mean all power-driven machines used in:
   - the remanufacture or conversion of paper or pulp into a finished product, including the preparation of such materials for recycling; or
   - the preparation of such material for disposal. The term applies to such machines whether they are used in establishments that manufacture converted paper or pulp products, or in any other type of manufacturing or nonmanufacturing establishment.
3. Note: There are many machines not covered by HO 12. The most important of these machines are the following:

   Bag Machine, Bagmaking Machine
   Bottoming Machine (Bags)
   Boxmaking Machine (Collapsible Boxes)
   Bundling Machine
   Calendar Roll and Plating Machines
   Cigarette Carton Opener and Tax Stamping Machine
   Clasp Machine
   Counting, Stacking and Ejecting Machine
   Corner Stayer
   Covering, Lining, or Wrapping Machines (Setup Boxes)
   Creping Machine
   Dornbusch Machine (Wallpaper)
   Ending Machine (Setup Boxes)
   Envelope Machine
   Folding Machine
   Gluing, Scaling, or Gumming Machine
   Interfolding Machine
   Jogging Machine
   Lacer Machine
   Parchmentizing, Waxing, or Coating Machines
   Partition Assembling Machine
   Paper Cut Machine
   Quadruple Stayer
   Rewinder
   Rotary Printing Press
   Ruling Machine
   Slitting Machine
   Straw Winder
   Stripping Machine
   Taping Machine
   Tubecutting Machine
   Tubewinder
   Tube Machine (Paper Bags)
   Window Patch Machine
   Wire- or Tag- Stringing Machine

HO 13 - Occupations Involved in the Manufacture of Brick, Tile, and Kindred Products

The following occupations involved in the manufacture of clay construction products and of silica refractory products are prohibited:

1. All work in or about establishments in which clay construction products are manufactured, *except*
   a. work in storage and shipping;
   b. work in offices, laboratories, and storerooms; and
   c. work in the drying departments of plants manufacturing sewer pipe.
2. All work in or about establishments in which silica brick or other silica refractories are manufactured *except* work in offices.
3. Nothing in this section shall be construed as permitting employment of minors in any occupations prohibited by any other HO issued by the Secretary of Labor.

Definitions

1. The term *clay construction products* shall mean the following clay products: brick, hollow structural tile, sewer pipe and kindred products, refractories, and other clay products such as architectural terra cotta, glazed structural tile, roofing tile, stove lining, chimney pipes and tops, wall coping, and draintile. The term shall not include the following non-structural-bearing clay products: ceramic floor and wall tile, mosaic tile, glazed and enameled tile, faience, and similar tile, nor shall the term include non-clay construction products such as sand-lime brick, glass brick, or non-clay refractories.
2. The term *silica brick or other silica refractories* shall mean refractory products produced from raw materials containing free silica as their main constituent.

HO 14 - Occupations Involved in the Operation of Power-Driven Circular Saws, Bandsaws, and Guillotine Shears

The following occupations are prohibited in any type of establishment (manufacturing, non-manufacturing, retail, wholesale, service, etc.):

1. The occupations of operator of or helper on the following power-driven fixed or portable machines *except* for machines equipped with full automatic feed and ejection: circular saws, band saws, and guillotine shears.
2. The occupations of setting-up, adjusting, repairing, oiling, or cleaning circular saws, bandsaws, and guillotine shears.

Exemption

The exemption for student-learners and apprentices applies to HO 14.

Definitions

1. The term *operator* shall mean a person who operates a machine covered by this HO by performing such functions as starting or stopping the machine, placing materials into or removing them from the machine, or any other functions directly involved in operation of the machine.
2. The term *helper* shall mean a person who assists in the operation of a machine covered by this HO by helping place materials onto or removing them from the machine.
3. The term *machine equipped with full automatic feed and ejection* shall mean machines covered by this HO which are equipped with devices for full automatic feeding and ejection and with a fixed barrier guard to prevent completely the operator or helper from placing any part of his or her body in the point-of-operation area.
4. The term *circular saw* shall mean a machine equipped with a thin steel disc having a continuous series of notches or teeth on the periphery, mounted on shafting, and used for sawing materials.
5. The term *bandsaw* shall mean a machine equipped with an endless steel band having a continuous series of notches or teeth, running over wheels or pulleys, and used for sawing materials.
6. The term *guillotine shears* shall mean a machine equipped with a movable blade operated vertically and used to shear materials. The term shall not include other types of shearing machines, using a different form of shearing action, such as alligator shears or circular shears.

HO 15 - Occupations Involved in Wrecking, Demolition, and Shipbreaking Operations

All occupations in wrecking, demolition, and shipbreaking operations are prohibited.

Definitions

The term *wrecking, demolition, and shipbreaking operations* shall mean all work, including cleanup and salvage work, performed at the site of the total or partial razing, demolishing, or dismantling of a building, bridge, steeple, tower, chimney, or other structure, ship or other vessel.

HO 16 - Occupations in Roofing Operations and All Work On or About a Roof

All occupations in roofing operations and all work on or about a roof are prohibited.

Exemption

The exemption for student-learners and apprentices applies to HO 16.

Definitions

1. The term *roofing operations* means all work performed in connection with the installation of roofs, including related metal work such as flashing, and applying weatherproofing materials and substances (such as waterproof membranes, tar, slag or pitch, asphalt prepared paper, tile, composite roofing materials, slate, metal, translucent materials, and shingles of asbestos, asphalt, wood or other materials) to roofs of buildings or other structures. The term also includes all jobs on the ground related to roofing operations such as roofing laborer, roofing helper, materials handler and tending a tar heater.
2. The term o*n or about a roof* includes all work performed upon or in close proximity to a roof, including carpentry and metal work, alterations, additions, maintenance and repair, including painting and coating of existing roofs; the construction of the sheathing or base of roofs (wood or metal), including roof trusses or joists; gutter and downspout work; the installation and servicing of television and communication equipment such as cable and satellite dishes; the installation and servicing of heating, ventilation

and air conditioning equipment or similar appliances attached to roofs; and any similar work that is required to be performed on or about roofs.

HO 17 - Occupations in Excavation Operations

The following occupations in excavation operations are prohibited:

1. Excavating, working in, or backfilling (refilling) trenches, *except*
   - manually excavating or manually backfilling trenches that do not exceed four feet in depth at any point, or
   - working in trenches that do not exceed four feet in depth at any point.
2. Excavating for buildings or other structures or working in such excavations, *except*
   - manually excavating to a depth not exceeding four feet below any ground surface adjoining the excavation, or
   - working in an excavation not exceeding such depth, or
   - working in an excavation where the side walls are shored or sloped to the angle of repose.
3. Working within tunnels prior to the completion of all driving and shoring operations.
4. Working within shafts prior to the completion of all sinking and shoring operations.

Exemption

The exemption for student-learners and apprentices applies to HO 17.

Special Provisions Permitting the Employment of Certain Minors in Places of Business that Use Machinery to Process Wood Products

Section 13(c)(7) of the FLSA permits the employment of certain minors between the ages of 14 and 18, inside and outside of places of businesses where machinery is used to process wood products.

This exemption applies only to a minor who is:

1. exempt from compulsory school attendance beyond the eight grade either by statute or judicial order, <u>and,</u>
2. is supervised in the work place by an adult relative or adult member of the same religious sect or division as the minor.

Although a minor meeting these requirements maybe employed inside and outside of places of businesses that use machinery to process wood products – activities normally prohibited by Child Labor Regulation No. 3 and HO 4 – the minor is still prohibited from operating, or assisting to operate, any power-driven woodworking machines. This prohibition includes the starting and stopping of the machines and the feeding of materials into the machines as well as the off-bearing of materials from the machines.

Such minors are also prohibited from cleaning, oiling, setting-up, adjusting and maintaining the machines. In addition, such minors must be protected from wood particles or other flying debris within the workplace by a barrier appropriate to the potential hazard of such wood particles or flying debris or by maintaining a sufficient distance from machinery in operation. The minors are also required to use personal protective equipment to prevent exposure to excessive levels of noise and sawdust.

Exemptions from Certain HOs for Apprentices and Student-Learners

Hazardous Occupations Orders Nos. 5, 8, 10, 12, 14, 16, and 17 contain exemptions for 16- and 17-year-old apprentices and student-learners provided they are employed under the following conditions:

<u>Apprentices:</u>

1. the apprentice is employed in a craft recognized as an apprenticeable trade;
2. the work of the apprentice in the occupations declared particularly hazardous is incidental to his or her training;
3. such work is intermittent and for short periods of time and is under the direct and close supervision of a journeyman as a necessary part of such apprentice training; and
4. the apprentice is registered by the Bureau of Apprenticeship and Training of the U. S. Department of Labor as employed in accordance with the standards established by that Bureau, or is registered by a State agency as employed in accordance with the standards of the State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, or is employed under a written apprenticeship agreement and conditions which are found by the Secretary of Labor to conform substantially with such Federal or State standards.

Student-Learners:

1. the student-learner is enrolled in a course of study and training in a cooperative vocational training program under a recognized State or local educational authority or in a course of study in a substantially similar program conducted by a private school; and
2. such student-learner is employed under a written agreement which provides:
   a. that the work of the student-learner in the occupations declared particularly hazardous shall be incidental to the training,
   b. that such work shall be intermittent and for short periods of time, and under the direct and close supervision of a qualified and experienced person,
   c. that safety instruction shall be given by the school and correlated by the employer with on-the-job training, and
   d. that a schedule of organized and progressive work processes to be performed on the job shall have been prepared.

   Each such written agreement shall contain the name of the student-learner, and shall be signed by the employer and the school coordinator or principal. Copies of each agreement shall be kept on file by both the school and the employer. This exemption for the employment of student-learners may be revoked in any individual situation where it is found that reasonable precautions have not been observed for the safety of minors employed thereunder.

   A high school graduate may be employed in an occupation in which training has been completed as provided in this paragraph as a student-learner, even though the youth is not yet 18 years of age.

Although the regulations do not provide definitions of the terms *intermittent* and *short periods of time*, the Wage and Hour Division interprets those terms to mean that an apprentice or student-learner may not be the principal operator of prohibited machinery. He or she must work under the close supervision of a fully qualified and experienced adult, such as a journeyman. Further, the duties assigned the minor may not be such that he or she is constantly operating the prohibited machinery during the work shift, but only doing so as part of the training experience. This would preclude an apprentice or student-learner from being a production worker, responsible for spending a significant portion of the workday operating prohibited machinery or performing prohibited tasks. The Wage and Hour Division considers the continuous performance of otherwise prohibited work that exceeds one hour a day to be more than *intermittent* and more than for *short periods of time*. The Wage and Hour Division also considers the performance of otherwise prohibited work which totals more than 20% of the student-learner's work shift to be more than for *short periods of time*.

The regulations do not define the term *direct and close supervision*. The Wage and Hour Division's interpretation of *direct and close supervision* as it applies to apprentices and student-learners is based on guidance received from the Bureau of Apprenticeship and Training (BAT) which is part of the U. S. Department of Labor's Employment and Training Administration. BAT establishes ratios governing the number of journeymen and apprentices that may be employed on the job site in order to ensure worker safety and that the apprentices receive both proper training and supervision. BAT has advised the Wage and Hour Division that the most widely used ratio is one apprentice for the first journeyman on-site, and one apprentice for every three additional journeymen thereafter. The Wage and Hour Division considers the requirement of *direct and close supervision* to be met when there is one journeyman or experienced adult working with the first apprentice/student-learner on-site, and at least three journeymen or experienced adults working alongside each additional apprentice/student-learner. Of course, the requirement for *direct and close supervision* applies only during the periods when the apprentice/student-learner is actually performing work that would otherwise be prohibited by the HO.

Age Certificates

Employers may protect themselves from unintentional violation of the youth employment provisions by keeping on file an employment or age certificate for each minor employed to show that the minor is the minimum age for the job. Certificates issued under most State laws are acceptable for purposes of the FLSA.

Enforcement of the Federal Youth Employment Provisions

The Wage and Hour Division, which is part of the Department of Labor's Employment Standards Administration, administers and enforces the youth employment, minimum wage, overtime and recordkeeping provisions of the Fair Labor Standards Act. The Wage and Hour Division also has enforcement responsibility for programs covering such things as prevailing wages for government contracts, the payment of special minimum wages, farm labor, family and medical leave, immigration and polygraph testing. Wage and Hour Division Investigators, who are stationed across the United States, are authorized to conduct investigations and gather data on wages, hours of work, and compliance with the all the provisions of the FLSA, including the youth employment provisions.

Penalties for Violation

Civil Money Penalties

Employers may be subject to a civil money penalty of up to $11,000 for each employee who is the subject of a youth employment violation. When a civil money penalty is assessed against an employer for a youth employment violation, the employer has the right, within 15 days after receipt of the notice of such penalty, to file an exception to the determination that the violation or violations occurred. When such an exception is filed with the office making the assessment, the matter is referred to the Chief Administrative Law Judge, and a formal hearing is scheduled. At such a hearing, the employer may, or an attorney retained by the employer may, present such witnesses, introduce such evidence and establish such facts as the employer believes will support the exception. The determination of the amount of any civil money penalty becomes final if no exception is taken to the administrative assessment thereof, or if an exception if filed pursuant to the decision and order of the administrative law judge.

Hot Goods Injunction

The FLSA authorizes the Department of Labor to seek injunctions to halt interstate commerce of goods tainted by "oppressive child labor." Section 12(a)(29 U.S.C. 212(a)) prohibits interstate commerce in such "hot" goods, stating that "[n]o producer, manufacturer, or dealer shall ship or deliver for shipment in commerce any goods produced in an establishment in the United States in or about which within 30 days prior to the removal of such goods therefrom any oppressive child labor [as defined in section 3(l), 29 U.S.C. 203(l)] has been employed." It is not necessary for the employees to be working on the goods that are removed for shipment in order for those goods to be considered "hot goods."

Injunction to Compel Compliance

The FLSA authorizes the Department of Labor to seek injunctions against violators of the youth employment provisions to compel their compliance with the law. Further violations could result in sanctions against such persons for contempt of court.

Criminal Sanctions

The FLSA also provides, in the case of willful violation, for a fine up to $10,000; or, for a second offense committed after the conviction of such person for a similar offense, for a fine of not more than $10,000 or imprisonment for not more than 6 months, or both.

Additional Information

Inquiries about the Fair Labor Standards Act or any other law administered by the Wage and Hour Division may be addressed to any local office of the Wage and Hour Division. Additional information is available on our Home Page located at http://www.dol.gov/dol/esa/public/whd_org.htm. To locate the Wage and Hour Division office nearest to you, telephone our toll-free information and helpline at 1-866-4US-WAGE (1-866-487-9243): a customer service representative is available to assist you with referral information from 8am to 5pm **in your own time zone**; or log onto the nationwide listing of Wage-Hour District Offices located at: http://www.dol.gov/dol/esa/public/contacts/whd/america2.htm.

CHAPTER 2

COOPERATIVE EDUCATION

Definition

Cooperative Education is a paid educational program consisting of in-school instruction combined with program related on-the-job work experience in a business or industrial establishment. These are planned experiences supervised by the school and the employer to ensure that each phase contributes to the student's Individual Learning Plan (ILP).

Rationale

The fundamental purposes of cooperative education are to provide opportunities for students to learn under real-life work conditions and to develop occupational competencies (attitudes, technical skills, and knowledge) needed to be successful in their chosen career. The school selects as a training agency a firm that will provide and coordinate occupational experiences that will further the students' technical education and employability skills. The program provides students with an opportunity to graduate as individuals who have adjusted to the world of work. Cooperative Education also serves to reinforce the students' understanding of "all aspects of an industry" and gives the student a chance to observe first hand "high skill, high wage, or high demand" career areas (both important components of the federal Carl D. Perkins Act).

Steps in Planning a Cooperative Education Program

- The student must be enrolled in a related career and technical education program within the current school year.
- The cooperative program is to be an integral part of the school's program of studies and be described in the local school catalog.
- On-the-job training must supplement the planned program of in-school instruction.
- The school arranges with the employer for on-the-job training utilizing the Work-Based Learning Plan/Agreement (See Forms section for a sample document.)
- The school coordinates the training during the on-the-job phases of instruction.
- Credit is granted for the cooperative education training as approved by the Local School District.

- The parent or guardian agrees to accept responsibility for the student's safety and conduct while traveling to and from school, place of employment, and/or home.
- The program teacher will visit the employer's site prior to sending students to ensure the proper safety and training conditions exist.
- Each work site/student should be visited periodically to check student's progress, attendance, appropriate work assignments, safety, etc.
- A Work-Based Learning Plan/Agreement is on file for each student.
- The student is paid wages, in accordance with Kentucky Wage and Hour Laws, for the on-the-job phase of instruction.
- Student must be covered by employer's Workers' Compensation Insurance.
- Employer must comply with all related Labor Laws, Kentucky Child Labor Laws and Federal Child Labor Bulletin 101.
- The Addendum for Student Learner in Hazardous Occupations form must be on file for each student if they are working in sectors identified in the Federal Child Labor Bulletin 101.
- An Employer Evaluation Report is on file for each student.
- A Student Co-op Experience Evaluation is on file for each student.
- Follow Local School District policy.
- Co-op information must be entered into the Technical Education Database System (TEDS).

Required Forms

- Work-Based Learning Plan/Agreement (See Appendix A, *Forms*)
- Log of Work-Based Learning Employer Contact (page 2-31)
- Work-Based Learning Employer Evaluation Report (page 2-46)
- Student Co-op Experience Evaluation (page 2-47)
- If applicable—Addendum for Student Learner in Hazardous Occupations (See Appendix A, *Forms*)

Legal Issues

The teacher/coordinator shall obtain a copy of and understand the most recent Kentucky Child Labor Laws and Federal Child Labor Laws. Cooperative Education is a paid work experience; the employer and student have an employer-employee relationship making the employer subject to all State and Federal Labor Laws. The teacher/coordinator must check with and follow Local District Policy as it relates to Cooperative Education.

As best practice, policy statement(s) regarding off-campus experiences for work-based learning should be components of the curriculum outlined by the School Based Decision Making council (SBDM).

- Kentucky Child Labor Law (See Chapter 1, *Legal Issues*)

- Federal Child Labor Law Bulletin 101, www.dol.gov/esa/regs/compliance/whd/childlabor101.pdf
- 705 KAR 4:041 Cooperative Education Program Standards (See Appendix B, *Resources*)
- 705 KAR 4:231 General Program Standards, Secondary Career and Technical Education (See Appendix B, *Resources*)
- 704 KAR 3:305 Minimum Requirements for High School Graduation (See Appendix B, *Resources*)

Coordination

Coordination is an educational activity directed toward the improvement of instruction by combining the efforts of all who influence the learner. Coordination involves selecting training stations, placing students, and evaluating student progress on the job.

In some program areas one person serves as coordinator while another teaches; in such cases, communication and cooperation between two individuals must take place.

The cooperative education teacher/coordinator has many responsibilities. It is a complex role that involves teaching, coordination, guidance and counseling, public relations, and administration (see page 2-4, Roles of Teacher/Coordinator).

The primary role of the teacher/coordinator is teaching. Teaching involves directing a learning program that will permit students/trainees to master the skills, knowledge, and employability skills necessary for success in the world of work. In addition to teaching, the teacher/coordinator must

- Help students make the transition from school to work and/or postsecondary education
- Help students form work ethics from their learning experiences outside of the classroom
- Guide students in developing critical thinking and problem-solving skills

The teacher/coordinator is the key to a successful cooperative education program. The success of the program depends upon

- How effectively the teacher/coordinator performs the tasks included in these roles
- How effectively the teacher/coordinator is able to plan and organize the work to maintain balance among the various functions

The teacher/coordinator's effort should always be directed toward the primary program goal—preparing students to enter and advance in their careers. When assigning priority to tasks, the teacher/coordinator must constantly keep this objective in mind.

ROLES OF TEACHER/COORDINATOR

Teaching	Coordinating Activities	Guidance/ Counseling	Public Relations	Operation/ Administration
Safety of student Develops instructional plans. Follows plans and timetables for the instructional program. Determines program objectives. Reviews and updates objectives. Identifies instructional objectives and content. Correlates instructional content with work-based learning experiences and student career objectives. Expands related instruction to meet changing technology. Evaluates student performance and progress. Utilizes activities appropriate for the objectives, content, and students. Maintains resources files. Directs learning process. Obtains assistance from others. Evaluates the results of his/her teaching.	Safety of student Selects appropriate Work-Based Learning agencies. Prepares a Work-Based Learning Plan/Agreement with each student. Coordinates classroom activities with on-the-job work-based learning. Evaluates student progress on the job with employer. Makes on-the-job coordination and home visits and keeps records of them. Gives needed information to work-based learning sponsors. Makes sure safety provisions and labor laws are followed at work-based learning stations. Evaluates work-based learning stations.	Explains cooperative education program to students, parents, and school officials. Selects students for the cooperative education program and keeps records of each one. Places students in appropriate work-based learning stations. Counsels with students. Acts as a work-based learning consultant to business and industry. Follows up on student progress. Works cooperatively with school guidance counselors. Assists students in making adjustments. Maintains student records.	Explains program to business, labor, civic, and school groups. Participates in local community functions. Plans and prepares publicity. Takes part in extracurricular activities and other school duties. Keeps in direct contact with school principal, superintendent, parents, business, industry, labor, and community. Arranges and directs special events related to the program. Develops promotional materials regarding the program. Plans and conducts special events.	Plans a well-rounded program of work. Arranges for adequate classroom facilities. Makes a community survey. Organizes and supervises student organization. Works with advisory committee. Prepares necessary reports and budgets. Conducts practical research. Evaluates cooperative education programs.

BENEFITS OF COOPERATIVE EDUCATION

STUDENTS have an opportunity to

- Learn, both in class and on the job, through significant experiences
- Develop a greater sense of responsibility and dependability
- Obtain an understanding of employment opportunities and responsibilities through direct on-the-job experience
- Acquire attitudes, skills, and knowledge necessary for success in chosen career
- Develop employability skills that are better taught in the work setting
- Develop work habits necessary for individual maturity and job competence
- Obtain work-based learning that can lead to full-time employment for the student after graduation from high school or any postsecondary institution
- Engage in activities that contribute to school-to-work adjustment
- Enter the full-time employment market with work experience, thus enhancing chances of success and advancement
- Secure a higher salary when employed on a permanent job than would be received without the experience
- Achieve a positive attitude toward work and co-workers as well as improve interpersonal skills resulting from work-based learning with experienced workers
- Develop self-motivation for education and work-based learning
- Develop self-confidence and self-esteem

SCHOOLS benefit because the cooperative education program

- Allows utilization of community resources to expand the curriculum and provides individualized instruction
- Enriches the curriculum by providing school-to-work experiences needed in the effective preparation of specific career major goals
- Provides a means of evaluating the efficiency and success of the curriculum
- Assists students in clarifying career goals and providing a practical means of reaching them
- Provides an opportunity for school personnel to stay up to date on constantly changing procedures and practices; thus, course content can be updated accordingly
- Uses the facilities of cooperating employers in the community as a laboratory for practical work-based learning
- Enables a stronger school-to-work system to be developed by combining the efforts of employers and school personnel in work-based learning
- Furthers and maintains a close relationship between school and community
- Furnishes the school with an excellent method of giving students a better understanding of the elements of good human relations in the work environment

EMPLOYERS have an opportunity to

- Reduce future orientation costs by facilitating student transition
- Obtain a highly motivated part-time worker who is receptive to instruction
- Participate in a community endeavor to prepare people for occupation and adult citizenship
- Receive assistance in selecting qualified personnel
- Benefit from better communication between educators and employers
- Improve the public image of the firm
- Participate in planning the work-based learning for the student

THE COMMUNITY benefits because cooperative education

- Introduces local employment opportunities to students
- Helps reduce the number of unemployed students at the conclusion of their instructional program
- Encourages students to stay in the community
- Provides constant labor resources
- Encourages a number of youth to stay in school and thus decreases the dropout rate
- Provides a means for developing good community-school relations

INITIATING A COOPERATIVE EDUCATION PROGRAM

Planning for the cooperative phase of an education program should begin at least a year in advance. Administrative approval must be obtained for initiating a new program as well as the adoption of necessary local policies. Operational procedures need also to be adopted. Occupational surveys of the community must be made and student interest determined. The curriculum may need to be determined and/or revised, and enrollment procedures must be identified.

The cooperative education program may be initiated by an interested teacher, coordinators, school administrators, and/or business and industry representatives.

<u>Administrative Responsibilities</u>

1. Secure permission from all necessary school officials to investigate the need.
2. Learn how cooperative education operates, who is responsible for organization and administration, and determine the responsibilities and functions of teacher/ coordinator and related subject teachers.
3. Contact program area state staff for appropriate information about state requirements.

4. Prepare a basic out line of the plan and schedule you intend to follow in determining the need for cooperative e ducation and submit to appropriate administrative officials.
5. Appoint a planning committee. (Thi s may be your program area advisory committee.)
6. Conduct a student survey to determi ne student needs and int erests (and to determine businesses that already employ students as part-time workers). Factors to consider are
   a. Students' career plans and interests
   b. Students' plans for further education
   c. Students' interests in occupations for which work-based learning can be provided
   d. Students' type of part-time employment, hours worked, and income earned
   e. Students' perceived relevance of school's offerings for personal needs
   f. Cumulative records such as resu lts of aptitude, achievement, and interest assessments, as well as student's pr ogress and adjustment to the schoo l environment.
8. Conduct a local occupational survey to determine the number and types of work-based learning stations available.
   a. Planning committee
   b. Department for Employment Services
   c. Comprehensive human resource planning committee for local area
   d. Chamber of Commerce
   e. United States Census
   f. Labor marketing contact
   g. Labor groups
   h. Counselors
   i. Trade associations
   j. School placement and follow-up officer
9. Determine whether cooper ative education will fit into the total school program by answering the following questions:
   a. Are sufficient physic al facilities, room, and equipme nt available for related instruction?
   b. Can instructional materials be obtained?
   c. Are instructional personnel available in the occupational area?
   d. Is the school close to the employm ent community so that students can get to the work-based learning stations from school and hom e without undue difficulty?
   e. How many students are currently employed?
   f. What courses, if any, must be added for effective program operation?

10. Determine the feasibility of of fering cooperative education using the following sources of data:
    a. Student interest survey
    b. Parent interest survey
    c. School board recommendations

d. Guidance counselor recommendations
e. Faculty recommendations
f. Employment data

Responsibilities of Teacher/Coordinator

1. Identify prerequisites.
2. Specify how students' grades will be determined for both the related instruction and on-the-job experiences.
3. Describe characteristics of students to be served.
4. Identify occupations for which training will be available.
5. Secure space, classrooms, telephone, office, instructional materials, etc.
6. Plan the appointment of an advisory committee. (This may be your program area advisory committee.)
7. Publicize continuous progress in the development of the co-op program.
8. Inform school faculty of cooperative education objectives and how the program will operate.
9. Inform parents and community about cooperative education.
10. Identify individual students who would benefit from and be interested in cooperative education. Survey other faculty members who can provide this type of information as well as information relative to students' strengths and weaknesses.

Local Cooperative Education Guidelines

The cooperative method of education must place each student in a job that will further develop his/her occupational goal. While other forms of work experience may be worthwhile in teaching work values or helping to alleviate economic problems of the student, unless the educational objectives of the occupation for which they are in training can be met by the work activities, the placement is not justifiably called cooperative education. The need for the student to become employable in the phase of an occupation for which that student is most suited must be the uppermost goal of each co-op placement.

1. **Participating Student Requirements:**
   a. Students must have proof of age on file with the employer. This may be a birth certificate, a baptismal record, Bible record, driver's license, or other comparable record. Students under 18 must comply with special labor laws. For information see the Kentucky Child Labor Bulletin and the Federal Wage and Hour Publication #101.
   b. Enrollees must complete the basic skill prerequisites required by the occupational program they are pursuing and be recommended by their teacher before placement in a cooperative training station.
   c. A student in the cooperative program must be enrolled in a related class during the school year.

d. Co-op will provide employment opportunities for all students, regardless of race, color, national origin, sex, disability, age, religion, or marital status.

2. Student Attendance Accounting

a. Each program area may establish a minimum amount of class time for which credit may be received.
b. To receive attendance credit, co-op students must be on the job at least as many hours as they would have been in school in full-time attendance.
c. Each co-op teacher/coordinator is to have a system for documenting the hours worked by each student who is to be counted in school attendance for the time on the job. A system is to be provided for an employer to report student non-attendance at the worksite.

3. Student Evaluation

A system for evaluating the performance of the student should be incorporated into all programs.

4. Awarding Credit

Credit is contingent upon two factors: related class and time spent on the job during school hours or an equivalent amount of time based on daily work schedules identified in the Learning Plan/Agreement. Credit is to be awarded for both the related class and work-site experiences. The credit for work-site experiences may be awarded based on the number of class hours spent at the work site on an hour-for-hour basis for a maximum of two (2) credits per related class.

5. Work-Based Learning Plan/Agreement

Each student is to have a Work-Based Learning Plan/Agreement that explains what is needed to learn and practice while at the co-op training station. There must be a Work-Based Learning Plan/Agreement written and signed by the student, the parent/guardian, the employer, and the school. The plan/agreement will explain the responsibilities of each party and serve as a basis for the employer's complying with the plan. <u>Each student's Work-Based Learning Plan/Agreement is to be kept on file and available for review by office staff and Federal and State auditors</u>.

6. Program Reporting

Co-op data is reported electronically through the Technical Education Database System (TEDS) for reporting career/technical enrollments. It is crucial that all students participating in co-op be identified via this system.

7. Approvable Expenditures

Funds may be available to reimburse teacher travel for supervision, as well as purchase equipment and materials, if identified in the Comprehensive School Improvement Plan.

8. Teacher/Coordinator Requirements

a. Help the students understand the duties they will be expected to perform, and introduce the students and employers to one another.
b. Help the students acquire the proper attitude and maturity to be successful employees.
c. Serve as a communication link between the school and the community.
d. Develop Work-Based Learning Plans/Agreements between the students and the employers.
e. Inform employers of the appropriate State and Federal Laws (i.e., Child Labor, Wage and Hour, Revenue, Equal Rights, etc.).
f. Work closely with the administration and faculty members to promote the co-op program.
g. Keep up to date with the professional duties and responsibilities of the job such as
   1) continuing education and training
   2) professional in-service opportunities sponsored by the Kentucky Department of Education, the Division of Career and Technical Education and the Office of Career and Technical Education
   3) membership in professional associations

9. Requirements for an Approvable Co-op Plan

a. Each program utilizing cooperative education as an instructional method should submit or update its local Comprehensive School Improvement Plan.
b. Local plans must consider the following:
   1) Purpose and objectives of the program
   2) Plan of operation
   3) Number of students expected to be served
   4) Occupational area(s) to be served
   5) Funds available to operate program
   6) Evidence of seeking input from the community including an active advisory committee
   7) Development of evaluation procedures

10. Sources of Further Information

a. Comprehensive School Improvement Planning (See http://www.education.ky.gov/KDE/Administrative+Resources/School+Improvement/Comprehensive+Improvement+Planning/)
b. Division of Career and Technical Education (502) 564-3775
c. Office of Career and Technical Education (502) 564-4286
d. Program Assessment (See Standard 14, Work-Based Learning) http://www.kytech.ky.gov/pa21standards.htm

CO-OP ADVISORY COMMITTEE

(Consider using your program area advisory committee if you think it will be too difficult to seat another committee for Co-op.)

In cooperative education, program goals involve the preparation of individuals for specific careers. Therefore, the teacher/coordinator increases the effectiveness of the cooperative education program by working closely with an advisory committee for advice and information concerning the nature of the programs to be offered.

The major purpose of the advisory committee is to advise the teacher/coordinator and other decision makers regarding planning and implementing programs. The educational institution, however, remains the governing body for establishing policy.

Functions

An effective advisory committee may serve as a sounding board, advising on such topics as

- Goals and objectives of the program
- Public relations programs
- Resources for employment/work-based learning opportunities
- Job performance standards
- Follow-up studies
- Criteria for evaluation of programs
- Evaluation materials (e.g., forms)
- Recommendations to the administration
- Relating instruction to the needs of the community
- Curriculum development
- Development of a program of work

Membership

Members of the advisory committee should be selected from individuals within the community who represent

- Employers in business and industry
- Governmental agencies
- News media
- Workers from the occupational area
- Civic organizations
- Students (current or former)
- Unions (if appropriate)
- Occupationally related organizations
- School personnel (ex-officio member)
- Parents/guardians

Advisory committee members should be appointed for a specific term. Terms should rotate so that some new members are added each year while others remain to provide continuity. The following procedures are recommended for appointing members:

- The teacher/coordinator should recommend proposed committee members to the school administrator for consideration. A list of alternates should be prepared for consideration in the event the person cannot serve or is unwilling to serve.
- After receiving the approval of the administrator, the teacher/coordinator prepares a letter of invitation (*see sample letter, page 2-13 of this chapter*) asking the individual to serve. This mailing should include information relative to purpose, function, etc., of the advisory committee. This letter is prepared for the administrator's signature.
- Shortly after the letter has been received by the prospective member, visit and briefly explain the purpose of the committee.
- After receiving notification of acceptance from each member, an agenda with a cover letter is sent to the members. The letter should include an expression of appreciation as well as time, date, place, etc., of the upcoming meeting.

Role of Teacher/Coordinator in Establishing an Advisory Committee

- Help select members
- Inform members of the meetings
- Serve as temporary chairperson until a chairperson is selected
- Serve as recorder (*see sample meeting minutes on page 2-15 of this chapter*)
- Plan agenda for the committee meetings

Steps in Planning Advisory Committee Meeting

- Prepare the agenda (*see sample agenda, page 2-14 of this chapter*)
- Prepare materials to be presented
- Reserve a meeting room
- Notify the members of meeting date
- Mail agenda with supporting papers to committee members

NOTE: Program needs should dictate the frequency of meetings. There should be at least two formal meetings per school year.

Guidelines For a Successful Advisory Committee Meeting

- Respect the committee members' limited time; stay within the time scheduled.
- Be prompt in the preparation of records (such as minutes, etc.).
- Inform the committee of facts about the program.
- Set a realistic scope of objectives for the advisory committee.
- Keep the committee within the scope of its original objectives.
- Consider the committee's recommendations. Appropriate action should be taken as soon as possible on appropriate suggestions. Committee members should be told why any of the proposals are not adopted.

SAMPLE
INVITATION LETTER

February 25, 20--

Mr. John Andrews, President
Chamber of Commerce
845 Park Avenue
Somewhere, KY 53000

Dear Mr. Andrews:

It is my pleasure to ask you to serve as a member of our Cooperative Business Education Program Advisory Committee. You have been selected because of your extensive knowledge of business and office procedures. Your appointment has been approved by the Board of Education of the Somewhere School District #1 for a term of one year.

This Cooperative Business Education Program has been established to help prepare students for careers in office occupations.

Your acceptance of this appointment will be of great value to the students in our school district. Through the activities of the members of this committee, assistance will be given to the promotion and acceptance of this program by the business people and other members of the community.

Sincerely,

Richard Gordon
Superintendent of Schools

Enclosed (Advisory Committee Brochure)

SAMPLE
AGENDA

COOPERATIVE EDUCATION
ADVISORY COMMITTEE MEETING

BUSINESS EDUCATION

GOLDBLUME CENTER

FEBRUARY 25, 20--

1. Introduction of committee members
2. Explanation of cooperative education program and the need for an advisory committee
3. Responsibilities of advisory committee
4. Functions of advisory committee
5. Term of appointment
6. Selection of meeting place
7. Election of chairperson
8. Appointment of committees
9. Other business

SAMPLE

MINUTES

Cooperative Business Education
Advisory Committee Meeting
April 19, 20--

The following individuals were in attendance at the second luncheon meeting held in the Burgundy Room at the Holiday Inn on April 19, 20--.

June Ashman, Personnel Director, A.E.R.P. Co.
Susan Ching, Unit Director, V.O.C. Co.
Lucinda Dickens, Department Head, South Co.
Tom Garcia, President, S.O.W. Co.

The meeting was called to order by Melanie Rae, Chairperson.

1. June Ashman mentioned that the Business Education Department does not have a medical or legal program now because of lack of funds for cooperative education.

2. Lucinda Dickens proposed the development of a cooperative work station at the local hospital. Tom Garcia will contact Mr. Tom Wesley regarding this possibility and will report to June Ashman.

3. A discussion of fund-raising ideas to obtain money for sending students to national meetings followed. It was suggested that we look to individual businesses and clubs such as Business and Professional Women for funds. Various money-raising projects were suggested, including selling candy, car washes, and concessions.

4. A discussion of the length of terms for committee members was postponed until the next meeting.

5. Fletcher Norman of First National Bank was suggested as a prospective member representing the downtown area. Dick Wagner will call Mr. Norman, who he knows personally.

6. John Lawrence discussed the possibility of developing a handbook for training sponsors. A subcommittee—Don Richards, Bill Zoby, and Carol Sutherland—was appointed to develop an outline of topics for the handbook. These will be considered at our next meeting.

7. Teachers/Coordinators will report on action taken in previous recommendations.

8. The committee wishes to express its thanks for the luncheon provided through the Memorial Fund.

9. The next meeting will be in August or September.

Tom Garcia, Secretary

PUBLIC RELATIONS

The cooperative education program must have public support. A well-planned public relations and promotional program is an important element that aids in obtaining this support.

A sound program that produces entry and advancement level positions is the basis for an effective public relations program. Public relations involve being knowledgeable about the product and communicating this knowledge to others.

1. **Program Image**
   Despite all the new technologies and the media, the most effective means of advertising continues to be word of mouth. Therefore, the public image of a program is created through what various groups feel and say.

   a. **Through the Students**: The program image is largely a reflection of the students—their job and their school performance. Employers judge the merits of the program by the success they have in hiring satisfactory workers. Students' appearances before various groups in the community are usually much more effective than anything the coordinator can report.
   b. **Through Teamwork**: Satisfied employers, co-workers, faculty members, students, advisory committee members, and parents who are convinced of the program's merits are much more effective in developing a program image than the teacher/coordinator's single-handed efforts in publicizing the program. Printed materials and letters bearing the endorsement of employers and other groups, in addition to those of school officials, emphasize the cooperative feature of the program. Recognition of the contributions made by all groups to the development of students is an important means of maintaining teamwork that gives the program a good image.
2. **Develop a Publicity Plan**
   A plan is necessary to formalize the public relations program. Developing a good public relations plan involves a series of steps, often called the Eight-point Plan. The steps are:
   1. Establish Objectives
   2. Research the Subject
   3. Re-evaluate Objectives
   4. Determine Theme
   5. Select Strategy
   6. Organize Campaign
   7. Plan Activities
   8. Select Tactics

   Publicity must be well planned and delivered continuously. Therefore, organize a yearly plan and then schedule it on a monthly calendar.

3. **Guidelines for Publicity Campaign**
   a. Adjust all publicity to fit the audienc e. Stress the benef its of the co-op program to a specific audience.
   b. Give recognition for c ontributions in as many formats as poss ible and to all appropriate audiences.
   c. Maintain a resource file (i.e., (1) web sites, photographs, and videos of student activities and projects for use in articles, displays, etc.; (2) a listing of resource people; and (3) information on careers and other literature).
   d. Evaluate activities.
4. **Teacher/Coordinator's Responsibilities**
   a. Maintain a sound program that results in well-trained employees.
   b. Maintain continuous contact with the business and industrial community.
   c. Get individuals or groups (suc h as trade and professional or ganizations) involved in publicizing the program.
   d. Give visibility to student activities and achievements.
   e. Plan and implement a system for giving recognition to all individuals or groups who contribute to the development of students.
5. **Employer Appreciation and Recognition**

   People like to be recogniz ed and appreciated for the work they do. A variety of methods may be used for showing apprec iation to employers. Many programs sponsor an employer appreciation even t such as a banquet, picnic, potluck supper, breakfast, or luncheon.

   The appreciation event is used to achieve se veral goals. Whether this event is a banquet or other type of activity, its arrangement should reflect these goals:
   a. Acquaint individuals with the scope of the program
   b. Aid others in becoming acquainted with the program
   c. Keep the school administration in touch with the relationships of the program
   d. Recognize individuals and groups who have made outstanding contributions
   e. Recognize student leadership
   f. Develop pride and group spirit

   The most widely us ed professional activi ty for employer appre ciation is t he Employer/Employee Banquet. This projec t is used more than any other single activity to create goodwill in the comm unity. A successful Employer/Employee Banquet is the result of thorough plan ning and the assignment of specific responsibilities.

The program for the Employer/Employee Banquet should be as follows:

1. A Master of Ceremonies (student) should be carefully selected and trained. Also, an alternate should be selected and trained.
2. Students should be prepared an d practice speeches. Notes or index cards may be used.
3. Program activities may include the following:
   a. Speaker

   b. Student skits, plays, talent shows, and entertainment
   c. Brief talks by several students or several training sponsors
   d. Visuals of training stations (if time permits)
4. Use a speaker from outside the school environment. Recognition of training sponsors, however, can be equally effective.
5. A speaker should be selected who will inform (within 20 minutes) as well as entertain the audience. Speakers should include males, females, minority, and individuals with disabilities. Consider as speakers:
   a. Company representatives
   b. State Senators and State Representatives
   c. Advisory Committee members
   d. Local civic club representatives
6. The speaker is not to be paid as this is a public service. All necessary arrangements should be made, however, for the speaker. For example, a student may arrange transportation.
7. The speaker's biographical sketch and picture should be secured for publicity.
8. Publicize the appreciation event in the local newspaper. Be sure the names of all training sponsors, as well as their company and student/trainee, are identified.
9. Present Certificates of Appreciation to all employers.
10. Present a few Outstanding Service Awards to individuals who have made a special contribution in support of your program this year.

RELATED CAREER/TECHNICAL INSTRUCTION

Students participating in cooperative education are to be enrolled in a related class during the school year. The instruction is designed to provide individuals with learning experiences that enable them to progress toward a career objective. The related class is individualized and related to the student's WBL Learning Plan/Agreement.

In cooperative education, <u>three environments</u> are conducive to achieving the balanced pattern needed by all students—the classroom/laboratory, the work site, and the student organization. Classroom instruction involves the organized presentation and application of knowledge, skills, and attitudes. Supervised occupational experiences (co-op) require students to apply knowledge, skills, and attitudes in an actual employment setting, utilizing the WBL Learning Plan/Agreement to ensure that students have opportunities to apply the theoretical concepts in the job setting. Student organizations make teaching more effective by providing experiences in group dynamics which enable students to accept themselves within the total group situation.

The teacher/coordinator is a <u>director of learning</u> who coordinates the learning experiences in the classroom, at the training station, and through the student organization. The teacher/coordinator tailors the instruction to the individual's needs and learning styles. Utilizing appropriate resources for achieving the desired outcomes, the coordinator individualizes the <u>instructional plan</u> for each student.

Under certain circumstances, the correlation between the on-the-job training and the classroom related instruction may be jointly developed by a full-time coordinator working with a related-subject teacher. In such cases, there is an increased need for communication and cooperation in determining responsibilities and sequencing for instruction and job activities.

Programs of instruction are built around the needs of the students. In order to design such a program, student needs and characteristics must be clearly defined. The skills, knowledge, interests, attitudes, and other attributes of students must be known in order to plan appropriate instruction. No other factor is more important in the planning process than the students' needs—both those that are common to all group members and those that are individual.

Types of Instructional Content

In cooperative education programs, the goal is to assist students in developing career competencies. The instruction is said to be correlated; that is, there is a direct relationship between the study in school and the activities of the training job, both of which are based on a career objective. This correlation involves both (1) the sequence of learning (what is studied when) and (2) the application of learning (what is learned in school and then applied on the job, with the results being reported to the classroom). In addition, the student will have some individual instruction in school; that is, the student will study some things not studied by other students due to individual job needs and an individual career goal.

Criteria for Related Instruction

- A student in cooperative education shall be enrolled in a related class in the current school year.
- Enrollees shall have taken basic skill prerequisites required by the occupational program they are pursuing.
- The student shall work in a salaried position which provides work experience directly related to the student's Individual Learning Plan.
- Instructional materials should be provided to supplement the teaching of a related class.
- Enrollment in a related class or a supervised out-of-school setting should not exceed 31 students or the number of available work stations.

Specific Related Competencies

This instruction includes the teaching of specific skills, knowledge, and attitudes required to progress in a career field. The instruction is directed toward the following kinds of competencies:

- Manipulating tools or equipment
- Gathering, processing, communicating, or applying technical information

- Constructing, assembling, or combining elements
- Performing a service

General Related Competencies (Occupational/Adjustment Competencies)

General related instruction is classified into the following groups:

1. **Occupational Adjustment and Career Development Capabilities**
   Occupational adjustment abilities relate to the ability to adjust to employment environments and personalities at the plant, office, store, or institution. By teaching students to interact effectively with other employees, supervisors, and the conditions under which they must work, the students will acquire capabilities which will persist as they progress in their careers and take positions in other employment environments. Occupational adjustment capabilities include the following:
   a. Learning how to learn at the training station
   b. Interacting with co-workers, supervisors, and employers
   c. Participating in groups as a member and leader
   d. Developing desirable employment habits and attitudes
   e. Making rational economic decisions about employment, spending, saving, and participating in a private enterprise economy
   f. Preparing for future employment
   g. Managing employment time and leisure time
   h. Keeping abreast with current developments in the occupation
   i. Drawing from the environments where the occupation is found

Career development capabilities enable students to find satisfying occupational roles in which they can get a sense of achievement and self-realization. The instruction focuses on learning about the occupational field and the lives of individuals in the occupation and on looking at one's potential needs, abilities, and aspirations as they relate to occupations and careers. These capabilities include the following:

- Assess and analyze one's own needs, interests, abilities, and aspirations
- Assess and analyze the potential opportunities and satisfactions of an occupational field
- Predict chances of being successful and satisfied in the occupational field
- Make decisions and plans to achieve goals and aspirations

2. **Employability Skills**
   Every student needs to acquire at least a minimum level of competence in employability skills. Some students may need considerable assistance in developing these skills while others do not. Utilize lessons for the various topics for individuals who need to improve in such areas as choosing a job, searching for a job, applying for a job, entering a new job, succeeding on the job, changing jobs, economics awareness, and occupational safety.

Instruction should be organized to produce competencies which are (1) needed by all employees, (2) needed by employees in an occupational field, (3) needed by employees of a specific occupation only, and (4) needed by a particular employee at a specific place of employment. This may be achieved through tutoring or small group activities in addition to specific instructions for the particular position.

Basic Skills Competencies

Teacher/coordinator has an opportunity to assist students in attaining practical competencies needed to function in society. Emphasis can be placed on basic skills, career awareness, and decision making as they relate to the student's career goal.

Experienced teacher/coordinators have found that students see "reading, writing, and math" competencies as relevant and necessary when related to the training station learning experiences. Like all educators, teacher/coordinators need to keep basic skill competencies in mind when teaching the related class.

The student should be able to read, comprehend, and interpret materials an adult encounters in daily living, such as newspapers, magazines, income tax instructions, credit contracts, instructions for operating or maintaining equipment or household appliances, and job descriptions.

The student should be able to use basic computational skills such as computing interest, making change, balancing a check book against a bank statement, computing miles driven per gallon of gasoline, constructing a budget, and computing income tax in the context of everyday tasks and problems encountered by adults.

The student should have the ability to listen and communicate in employment situations, demonstrating skills in organizing and presenting ideas or solutions to problems, giving informative answers to questions, comprehending and giving directions, and listening effectively.

The student should have the ability to write an acceptable report, essay, or resume. Emphasis should be placed on structure, spelling, grammatical correctness, punctuation, clarity, and organization.

Career Awareness and Decision Making

The student needs to acquire substantial information about employment in one or more career fields. The information should include the following:

- The roles and functions of the position and its relation to other positions
- How one qualifies for entry and advancement (education, experience, aptitudes) and possible routes of entry and advancement in a career

- The employment conditions associated with the position, including physical environment, social setting, hours of work, how the position affects the employee's lifestyle, and other conditions
- The monetary, psychological, and other rewards which employees receive from employment
- The current and projected demands for employees in the field, opportunities for advancement, and lateral movement within the career
- A personal evaluation of the occupation in relation to the student's interests, values, goals, and abilities

Instructional Methods and Materials

Personnel responsible for the related instruction are expected to select instructional methods that are appropriate for the student and contribute to the development of employment qualifications. In addition to providing occupational experiences which lead to mastery of the technical content, the teacher/coordinator must also be able to stimulate student interest and use a variety of techniques that develop multiple skills necessary for success on the job.

Guidelines for Selecting Appropriate Methods

- Choose activities that develop multiple capabilities and competencies.
- Use adult techniques with students.
- Use applied methods. *(See applied learning strategies on page 2-23.)*
- Use appropriate instruction materials. A variety of books, periodicals, occupational materials, plus other media and materials should be available.
- Correlate job and related instruction.

Guidelines for Correlating Job and School

- Select related instruction activities that are job based
- Involve the training sponsor in developing course content
- Use career-oriented resources and references
- Exchange resources and references from school to job and vice versa

APPLIED LEARNING STRATEGIES FOR TEACHING RELATED INSTRUCTION

A. Occupational Contact
1. Job performance activities
2. Field observation
3. Field interview
4. Field trip
5. Resource visitor
6. Fashion show
7. Shopping reports

B. Active Problem Solving
1. Case problem or study
2. Role playing
3. Socio-drama
4. Conference method
5. Buzz sessions
6. Brainstorming
7. Questioning
8. Quiz games

C. Demonstration and Practice
1. Demonstration by teacher
2. Demonstration by students
3. Demonstration and skit
4. School store
5. Practice and drill

D. Audio-visual
1. DVDs, CDs
2. Internet
3. Overhead projectors
4. Chalkboard
5. Smart/white boards
6. Tapes (audio, video, cassette)
7. Charts, maps, pictures, and posters
8. Video

E. Individual Instruction
1. Programmed instruction
2. Performance contract
3. Competency-based instruction

F. Auditory-Verbal
1. Informal discussion
2. Symposium
3. Forum
4. Debate
5. Panel
6. Dialogue
7. Round table
8. Lecture
9. Committee

G. Reading and Writing
1. Themes, essays, and written reports
2. Survey of literature
3. Trade publication of activities
4. Magazine and newspaper activities
5. Reference book activities
6. Resource files
7. Research files
8. Workbooks
9. Manuals, notebooks, and scrapbooks

H. Measuring and Evaluating
1. Pre-test/post-test
2. Classroom test
3. Classroom test designed by student
4. Standardized test
5. Performance Tests
6. Contest
7. Judging others and their work
8. Self-appraisal
9. Measuring goal performance

I. Miscellaneous
1. Team teacher
2. Simulation
3. Class chairperson
4. Student reporter
5. Student organizations
6. Rotation plan
7. Project methods

Coordinating Visits

Timing the Visits. The number of visits, as well as their timing, must be carefully planned for effectiveness and efficiency. Once a student has been placed in a co-op position, coordination visits are necessary for

- Assessing the student's learning progress
- Improving the quality of the training stations
- Correlating related instruction and job experiences
- Making changes in training plans when necessary

Some coordination visits are conducted throughout the entire school year while other types are "seasonal" or occur only at specific intervals. Some types should be considered "constant"—such as the public relations visit, the identification and evaluation of work-based learning stations, and the student progress visits. Anticipate and plan time carefully.

Frequency of Visits. Visitations should be made frequently and for specific purposes, thus avoiding visits for only crisis situations or problems.

The actual number of visits to each work-based learning station will depend primarily upon the conditions and nature of the work-based learning station and the maturity and ability of the student.

Stagger visits so that the student is observed through the full spectrum of working hours; in other words, don't visit the work-based learning station at the same hour on the same day each week.

Guidelines to Observe

- Conduct visits in a manner that promotes effectiveness and enhances efficiency.
- Make visits at a time convenient to the work-based learning sponsor.
- Make an appointment for any visit requiring the work-based learning sponsor's time.
- Make the purpose of the visit clear to the work-based learning sponsor when making the appointment and/or arriving at the work-based learning station.
- Plan for the visit carefully.
- Do not interfere with the student's work.
- Summarize and maintain records of all visits.
- Keep all information and records concerning the work-based learning station and the student confidential.
- Discuss the student's problems and/or weaknesses only in a private session with the work-based learning sponsor (mentor) and/or student.
- Take a few minutes to see the employer or a designated representative first when making a call and again when leaving as a common courtesy.

- Know and adhere to any legal regulations and/or company policies concerning your movement within the work-based learning station.
- Comment on any strengths or successes observed. Positive reinforcement encourages and motivates the person to even more and better work.

Initial Visits. A series of coordination calls are made prior to the opening of school. Some of these calls may be made during the preceding spring or during extended employment time in the summer to:

- Evaluate a company as a potential training station including safety evaluation.
- Seek cooperation as a work-based learning station
- Develop a Work-Based Learning Plan/Agreement
- Orient the work-based learning sponsor (mentor) to his/her cooperative program responsibilities. Discuss legal issues—Workers' Compensation Insurance, Child Labor Laws, Wage and Hour regulations.

First Visit Following Placement. Visit the work-based learning station during the first week the student starts to work to ensure that the student and work-based learning sponsor (mentor) are getting started in the right direction. Observe and discuss the following work related activities with the student and/or work-based learning sponsor:

- Purpose of related instruction
- Punctuality of student
- Dress and behavior guidelines of the company
- Work-Based Learning Plan/Agreement review
- Future visits for discussing job related activities

Provide the work-based learning sponsor with a file folder at this time. A folder should contain a full set of information about the cooperative program, including items such as the following:

- Benefits of the program (company, student, and school)
- Work-Based Learning Plan/Agreement
- Student's school schedule
- Business card and how you can be reached
- Sample copy of the Employer Evaluation form
- School's policy regarding co-op
- Other items you feel will promote the work-based learning sponsor's interest and knowledge of the program

Periodic Visits. Visits to check on student progress, supervision by a work-based learning sponsor (mentor), and job-related issues may be made as often as once every two weeks. During these visits you may check on a variety of things such as

- Working situation/Safety conditions

- Attitudes of student, co-workers, and work-based learning sponsor
- Use of skills and knowledge from related instruction
- Need for additional related instruction
- Attendance
- Exploitation of students
- Training provided by training sponsor
- Need to readjust the Learning Plan/Agreement

If the work-based learning sponsor has little or no previous supervisor experience and/or has not been involved with the cooperative program before, visit more frequently to ensure a successful partnership.

Some visits may be termed public relations visits; they occur on various occasions as time permits. Some visits may involve visiting members of the advisory committee, civic and community leaders, and parents.

Coordination visits to training stations on a regular basis are very important to a successful co-op program. However, keep visits short and businesslike. Business and industry personnel are busy people.

Problem Visit. Problems do arise at times. You may detect early signs of these from daily contact with the student in the related instruction class, from the student's attendance and evaluation reports, and by requested visits to the training station.

These visits are usually made in addition to the regularly scheduled visits. Or you may receive a phone call or letter from the training station about an emergency. Problems should be dealt with as soon as possible.

Working with Job-Related Issues

One important purpose of evaluation is to uncover problems/issues the student may be experiencing. Teacher/coordinators should be aware of the many types of issues that may arise. Some problems can be avoided altogether or reduced considerably if the various techniques described in this manual are utilized.

From time to time, students have problems at the work-based learning station and/or at school. Your program plan, as well as the general school policies and regulations, should specify in advance the appropriate actions for handling most problems. Also, general school policies should specify due process guidelines to be followed. The recommended student's Work-Based Learning Plan/Agreement provides additional policies and regulations.

Ways to Handle Problems/Issues. Regardless of the source or causes of the problems, handle them calmly and give fair treatment to all parties. Publish all rules and regulations in advance and follow them. Such rules prohibit certain problem situations from

occurring. If an unusual case occurs, follow established procedures as far as possible and act only after ensuring each party due process.
Follow these guidelines whenever problems do arise either with students at the work-based learning station or in school:

- Apply rules and regulations, policies, and procedures stated by school for all students.
- Act as the student's representative when appropriate.
- Work with the student and then let the student try to work out the problem independently but under your supervision.
- Be a referee and/or arbitrator when necessary. Serve as the representative for the school.
- Inform administrators of problems.
- Involve parents when appropriate.

The Referee Process. Refereeing means determining what the issue/problem is, what caused it, and how to solve it; then the referee assists in gaining the cooperation of both parties in taking action to solve it. Balancing the needs, interests, and problems of the student/learner, the training sponsor, and the school's responsibility demands many refereeing and arbitration skills of the teacher/coordinator. This aspect of the teacher/coordinator's job is equally as important as the development of the technical skills for a specific occupation.

The referee role is a difficult one to fulfill—it takes finesse and persuasion, calmness, and an understanding of human beings.

STEPS IN THE REFEREE PROCESS

1. Determine what the problem is by
   a. Questioning the supervisor
   b. Questioning the student
2. Summarize the facts to
   a. Separate conflicting ideas
   b. Avoid jumping to conclusions
3. Try to determine the cause(s) of problems, such as
   a. Misunderstanding
   b. Failure of trainee to do work properly
   c. Attitude
   d. Failure of supervisor to teach necessary job skills
   e. Failure of supervisor to inform students
   f. Student's schedule conflicts
   g. Violation of law or work-based learning plan
   h. Other employees at fault
4. Plan alternatives by
   a. Thorough review and analysis of facts

   b. Determining what you think will be feasible in terms of policy of school and work-based learning station
   c. Discussing alternatives with supervisor and student
5. Reach a decision satisfactory to all parties and
   a. Summarize a plan of action in writing
   b. Give each party a copy of the decision and plan of action
6. Follow up soon to determine if plan of action is working or needs adjustment.

Absenteeism. The school teacher/coordinator is required by law to account for students' attendance in school and, consequently, at the work-based learning station.

Written procedures are built into the cooperative program to address absenteeism.

- Students sign an agreement form at enrollment time.
- Students submit attendance and work reports on which employers certify the work hours.
- Students are to call both the work-based learning sponsor and the teacher/coordinator when an illness or emergency occurs.
- The work-based learning sponsor is to phone the teacher/coordinator when the student is absent without prior excuse.
- A system is developed in advance for the teacher/coordinator to secure an excused absence from the employer for doctor's appointments, funerals for immediate family, etc.
- Absent from school means absent from co-op unless prior approval is obtained from the teacher/coordinator.

Transfers. Once students are placed at a work-based learning station, they should not be transferred to another company without good cause. Rotations from job to job or between departments within the same company are usually part of the work-based learning plan. Transfers should be made only after the situation becomes unsolvable by other means. Transfers may be necessary if the student is unable to do the work the work-based learning sponsor requires, if a safety or health problem occurs, or if there is a serious personality conflict between the student and the work-based learning sponsor.

Also, the work-based learning sponsor may refuse to follow the WBL Plan/Agreement (they may not always rotate student at a specified time, but this is not usually serious enough to cause a transfer) or simply have no work for the student.

As part of your local program plan, specify the procedures for making transfers—when they may or should be made, who is responsible for initiating the transfer, and what procedures are to be followed to ensure due process and protection of students' rights. Also, identify some alternatives (such as a different job, reassignment to an in-school class, independent study, in-school supervision, simulation, or some other activity) if there is a time lag when making transfers.

Dismissals. A student may be fired because of lack of skill or poor attitude. The work-based learning sponsor should agree to notify the teacher/coordinator before taking such action—and this statement should appear on the WBL Plan/Agreement. This notification provides the teacher/ coordinator time to serve as referee and may allow the problem to be solved without dismissal.

General school policies should provide guidelines and procedures for handling problems such as theft on the job and insubordination. Great care must be taken to ensure the student's rights to due process so that accusations are not made unfairly.

Interviewing

An interview is defined here as any meeting between the coordinator and one or more persons for the purpose of exchanging ideas and information and determining a plan of action.

As a coordinator, you will be involved in many interviews or meetings with a variety of people, such as students, job supervisors, work-based learning sponsors, school administrators, business or trade people, parents, faculty, and counselors. Therefore, it is extremely important that you be effective and efficient in conducting interviews.

Coordination calls are often a form of interviewing; hence an "interview" may be (a) any initial interview with a student, a job supervisor or other person, (b) a coordination call with a job supervisor, or (c) any meeting in which questioning and communication take place.

Successful interviews increase the understanding and cooperation between all parties while unsuccessful interviews or meetings cause frustrations, misunderstandings, and additional problems.

KEEPING RECORDS

Because of the diversity of coordination activities, a good system of keeping records and managing paper flow is essential. Functionally designed forms and a central data storage system will avert many problems and facilitate program operation.

Documentation and/or supporting evidence for annual reporting is highly recommended. When using the forms recommended through this manual, simply add the school name with transfer letters or the school's letter head. Color code forms for easier reference (i.e., blue for form used only by students, pink for forms used by the coordinator, yellow for forms used with the work-based learning station and green for forms used for reports such as those sent to the state department or the school administration office, etc.).

Set up a recordkeeping system for the different types of records and forms already in use or available in this handbook. Computerized recordkeeping may be utilized when it can provide the same information.

The system may be divided into three parts: (1) student files, (2) program administration files, and (3) student's related instruction files.

Student Files

Student Co-op Record Folder. Many of the records may be considered confidential and should remain in a secure location.

STUDENT CO-OP RECORD FOLDER

Student Name:
Student Identification (SID) Number, Home Address, Home Phone
Parent's/Guardian's Name:
Business Address, Business Phone, Other Pertinent Data.

1. Analysis of Recruitment Interview
2. Student Profile
3. School Record
4. Teacher Recommendations
5. Work-Based Learning Plan/Agreement
6. Home Visit Report (if appropriate)
7. Work Schedule
8. Log of WBL Employer Contact
9. Employer Evaluation Report
10. Student Co-op Experience Evaluation

Program Administration Files

Blank forms for planning visits, recruiting and selecting students, and other operational forms should be kept in this file.

Keep copies of any correspondence with employers, state supervisors, school administrators, and others in folders with appropriate captions.

Keep copies of current legal regulations on hand at all times.

File materials promptly and in the appropriate folders for ease in compiling monthly and yearly reports. These files become an important part of periodic program reviews and state audits.

SAMPLE

Log of Work-Based Learning Contacts

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing

☐ School-Based Enterprise ☐ House Project ☐ Service Learning ☐ Entrepreneurship

Student Name: _____ Grade Level: _____
School: _____ Program: _____
Business/Company Name: _____
Work-Site Mentor: _____
WBL Starting Date: _____ WBL Ending Date: _____

Purpose of Visit: ☐ Observation of Student ☐ Visit with worksite mentor ☐ Evaluation

☐ Problem situation ☐ Other:_____

1. Each site should be visited at least one time before the student is placed to ensure the safety and proper training of the student.
2. Each student should be visited periodically at the work-site to check progress, attendance, appropriate work assignments, safety, etc. Additional minimum visitation requirements:
   - Coop, Internship and Mentoring
   - 1 time per 9 weeks
   - No additional requirements
3. Please document visitation below.

Date of Visitation	Person Making Visit	Observation/Suggestions/Recommendations

ENROLLMENT PROCESS

Students who are selected for co-op should have a career objective in a specific occupational area. Equal access should be provided for all students.

There should be a common understanding between employers and the school concerning program entry criteria and standards (The advisory committee may fulfill this purpose.). The prerequisites and criteria should be reviewed periodically by the teacher/coordinator, the faculty, the work- based learning sponsors, the administration and counselors, and the advisory committee. A recruitment plan can then be developed to specifically attract appropriate students.

Recruitment Process

Recruitment activities should be conducted indirectly throughout the year. However, most activities are concentrated at certain points in the year: (1) during pre-enrollment or pre-registration time, and (2) at the beginning of the school year. Some activities are long range and others are immediate.

Develop a definite plan of yearly activities as well as activities for the recruitment period just prior to enrollment time. The steps in the process are outlined in this section and a variety of recruitment activities are also suggested.

Guidelines for Providing for Equity During Recruitment

Students must be given information about all occupations available to them. Care must be taken to avoid stereotyping when presenting the programs to prospective students by

- using unbiased information regarding programs available to all students.
- including program area teachers in the recruitment and selection of students.
- using recruitment procedures that are based on occupational objective, interest and aptitude, and not on the basis of race, color, national origin, disability, and/or sex of the student.
- having individuals available to serve as role models for non-traditional programs; represent individuals of different race, gender, national origin and/or disability.
- involving parents/guardians in presenting information.
- gaining support of parents/guardians when a student is interested in a non-traditional program.
- using recruitment materials depicting diversity of individuals and occupations.

Securing Teacher Recommendations. Select teachers to provide recommendations in two ways: (1) those teaching the prerequisite occupational course(s) and/or (2) those listed by the student (including either occupational or general course). The teachers' recommendations, whether low or high, should be used as a guide only; a low rating or identification of weakness should not mean automatic rejection. It may be the result of

a personality conflict and/or discipline problems with the teacher rather than lack of ability. Comments should be used in counseling with the student, for scheduling in occupational courses, enrollment in the cooperative program, placing the student in an appropriate training station, and planning related instruction. Low ratings in vital areas, by all teachers, may result in rejection for the co-op experience. Some personal attention from the teacher/coordinator may result in an excellent co-op placement.

Selection Process

At this point determine which students are eligible for enrollment and selection for the program. Indicate tentative approval, conditional approval, full approval, or rejection. Usually full approval is not given until two more steps are completed: (1) parental permission for enrollment is received and (2) the student has been placed on a job and the WBL Plan/Agreement has been signed by all parties.

Bias on grounds of race, color, national origin, sex, and disability is prohibited in education. Education must be available to all individuals who can benefit from these programs.

- Do individuals of different race, color, national origin, sex, and/or disability show interest in the program through application?
- Is selection made without bias on grounds of race, color, national origin, sex, or disability?
- Are disabled individuals mainstreamed into the program?
- Do program enrollments reflect individuals from the local community balance of race, color, national origin, sex, and/or disability?

Guidelines for Selection of Cooperative Students

1. The student must have a career objective in the occupational area.
2. Select students who
   a. are enrolled in the related class
   b. have the necessary prerequisites
   c. have parental consent
   d. have an appropriate job placement
   e. agree to the cooperative program procedures
   f. are willing to forego some after-school activities
   g. need an alternative approach to learning
   h. have met general policies regarding discipline, attendance, and academics

Some students should not be selected in the cooperative program if they are

- interested only in earning money
- interested only in getting out of school early
- participating in too many extra-curricular activities or in those scheduled at the end of the day
- emotionally immature

The student should receive notice that he/she will or will not be accepted for the program either in person or by letter. Many teacher/coordinators use a letter as a courteous gesture.

The same courtesy should be extended to students who are given tentative or conditional approvals.

Record the decision about each student and file this information along with the acceptance or rejection letter.

Review the student profiles and other papers; identify a tentative job title or area in which to seek placement for that particular student. Record information and place in the student's file.

The Work-Based Learning Plan/Agreement

The Work-Based Learning Plan/Agreement (See Appendix A—Forms for sample) must be completed and signed by all appropriate persons and kept on file in the co-op office. The WBL Plan/Agreement is the official document outlining the student's off-campus work-site experience. Failure to follow this procedure could seriously jeopardize the program and the coordinator. All parties identified for signatures on the WBL Plan/Agreement must sign.

Home Visits

The home visit is most often used during recruitment time at or near the time of the student's acceptance. Some program areas require the teacher/coordinator to make home visits; others may not choose to do so. These visits are useful for understanding the student, developing the student's program, interpreting the cooperative program and its procedures to the parents, and securing the parental cooperation.

PLACEMENT

The work-based learning station is an extension of the school. A good portion of the success of the cooperative program depends on the quality of the work-based learning station; hence, only those businesses and industries that provide appropriate work-based learning should be utilized as work-based learning stations.

Maintain a Work-Based Learning Station Resource File

Develop a work-based learning station file that identifies companies and industries that may have the potential to be good work-based learning stations. Keep this file up-to-date and current by visiting companies and industries throughout the year, especially new ones. Visit others on regular Employer Contact calls.

WORKING WITH POTENTIAL WORK-BASED LEARNING STATIONS

Before a Visit

- Set up appointment with appropriate human resource personnel.
- Arrive on time.
- Take professional-looking printed materials that describe the program and its benefits.

During a Visit

- Greet the person by name; introduce yourself; use your business card.
- State the purpose of the visit.
- Explain briefly the purpose of the cooperative program emphasizing benefits to the company, the community, and the occupational area.
- Encourage the manager to ask questions and suggest problem areas.
- Answer questions carefully, meet problems calmly, admit areas of concern, and avoid controversial issues when they are not related to the co-op program.
- Give a brochure briefly outlining the program, roles of each party, and some procedures.
- Ask to tour the business to observe equipment, facilities, safety compliance, and working conditions.
- Get acquainted with personnel director and department supervisors, if possible.
- Ask for the manager's cooperation. (Avoid questions with a possibility of a "no" answer such as "Will you employ a student?" Rephrase the question: "Will you employ one or two students?")
- If the manager gives a "yes" answer, describe the type of job needed and/or determine what job(s) are available; ask for the name of the mentor to contact either that day or tomorrow about further arrangements.
- Whether getting a "yes" or "no" answer, conclude the interview by thanking the manager. Leave information and your business card.

After a Visit

- Record your impressions of the evaluation visit.
- Send a thank you letter to the manager.

Making Placement Visits

After selecting students for the cooperative program, match their career objectives, interests, and abilities with jobs at specific work-based learning stations.

If a student is selected for enrollment but there is not a specific job opening related to his/her career objective, check the Work-Based Learning Station Resource file for reputable companies that employ individuals for the type of job needed.

Sending a Yearly Letter

In established programs, some coordinators send letters to past and potential work-based learning stations just prior to starting the placement of students. They ask employers to call or write them if they have immediate part-time openings or anticipate having them in the near future.

Keeping Placement Records

Keep records of students who have been placed at a specific work-based learning station; record comments about their experiences and yours in working with the company. File these comments with the Evaluation of Work-Based Learning Station forms.

Maintaining Work-Based Learning Stations

After a work-based learning station has been established, work to maintain it. This may be done in the following ways:

- Develop a sponsor development plan and provide continuous assistance
- Sponsor employer appreciation events
- Send thank you letters (both teacher/coordinator and student)
- Write news releases to give public recognition of the contributions made by employers
- Give recognition through speeches, comments to the Advisory Committee, and school meetings

Preparing for Placement

The teacher/coordinator is responsible for making an appropriate placement for each student. The job must be related to the student's career objective; be matched to the student's curriculum, interests, abilities, and potential; and with a company or industry that is willing to cooperate fully in the program.

The student is not fully accepted in the cooperative program until he/she has been placed in a suitable job and a WBL Plan/ Agreement is developed and signed. This placement must be mutually acceptable to the employer and the student (as well as the parents/guardians of a minor) and have the teacher/coordinator's approval.

When to Place Students

The school should have written policies and procedures concerning placement. Generally, students should be interviewed and employed when they are occupationally proficient and have the required competencies.

Some teacher/coordinators select students in the spring and find suitable work-based learning stations for them at that time. Students should begin work in the spring or summer only if the teacher/ coordinator is able to provide adequate and continuous coordination and supervision.

Some high school teacher/coordinators should select students in the spring and work with counselors in preparing dual class schedules for the fall. If students are not placed when school begins, they attend a regular class schedule.

The Placement Process

Placement begins when the teacher/coordinator attempts to match the students selected for the program with the job openings available. Job openings seldom just occur; therefore, prior to and during the placement process, the teacher/coordinator will also be searching for job openings at approvable firms. Review the earlier materials on selecting work-based learning stations. Remember, it may be necessary to search for a specific job for an unusual or different career objective; at times information regarding a specific request may not be available on file.

Secure permission to release records based on school policies. It will be necessary at times to inform prospective employers about students' qualifications; yet at the same time the teacher/ coordinator may be legally restricted from doing so.

Securing a release from the parents/guardians so that school records can be shared with the prospective employer may not satisfy compliance with the Buckley Amendments regarding confidentiality of records, although it may be desirable to have it signed anyway. Therefore, request that students take transcripts with them on job interviews and insist that employers interview all student/applicants and require them to complete job application forms, thus relieving the teacher/coordinator from responsibility for release of records. Insist that employers make the final decision on hiring.

Student Introduction Cards. Give each student an introduction card that tells the employer that this is the cooperative program student sent for the interview. It also tells the student the name of the company and interviewer as well as the time and place of the interview. Some teacher/coordinators make appointments for the students; others have students make their own. The teacher/coordinator should inform the interviewer of the names of students.

Employers should select those hired to avoid accusations and problems later. Thus, the student is hired under relatively the same conditions as regular workers. Furthermore, the student experiences the competition of securing a job—a real life situation.

Students' Interviews. Exceptions to the three applicants per job and three interviews per student can and should be made occasionally. The shy, timid, reserved, and less mature student will seldom be selected if competing with the extroverted, mature student. Students should be sent to interview for jobs for which they qualify. In some

cases, consider sending only one applicant to be interviewed. For example, a student may have specific job needs depending on ability level. On occasion a student may have a different career objective than any other student enrolled; thus, only one student can be sent for a matching job opening.

Some teacher/coordinators ask students to prepare a standard job application form for the occupational cluster, type application letters, and prepare resumes. The student takes a file folder with these materials to the interview and gives it to the interviewer. Suggest that they add a copy of their school transcript to the folder and/or a copy of their Individual Learning Plan.

Students' Report on the Interview. As soon as students have been interviewed, they should report their impressions both in writing and orally. Set a time and place for them to do this.

Students are to indicate in which position they are most interested and why. At the same time let them know they will not necessarily be employed for the preferred position. The employers will make those decisions while the teacher/coordinator will do his/her best to secure a good, appropriate job for them.

If a student dislikes a specific situation, he/she should be permitted to decline employment. The teacher/coordinator should determine the reason and decide if it is legitimate. The interviewer returns the employer's half of the Introduction Card. Collect the results of the interviews as soon as possible after the last applicant has been interviewed by visiting the prospective employer personally if at all possible. The personal visit is much preferred to a phone call.

The employer confers with the teacher/coordinator before making any commitment to a student/applicant. This procedure enables the teacher/coordinator to confer with the employer while developing the Work-Based Learning Plan/Agreement process. The teacher/coordinator is responsible for supervising the employment situation and reviewing with the employer the legal requirements of

- Child labor laws (total hours, time of day to work, hazardous work)
- Social security
- Wage and hour laws
- Equal opportunity for employment

Ideally, students should be sent for a second interview only after the teacher/coordinator learns that they were not selected by the first company; however, because of the time involved in having each company interview three applicants, some students may be sent on a second interview before the first company makes a selection. Therefore, one student may be selected by two different companies. If companies confer with the teacher/coordinator prior to making definite offers to students, the problem of students switching at the last minute can be avoided.

Develop the Work-Based Learning Plan/Agreement. See section "Work-Based Learning Plan/Agreement." Complete this suggested form for each student. (Sample form in Appendix A)

Determine a definite date for the student to start work. All papers and legal forms (Employment Certificate, social security number, etc.) must be filed in appropriate places before the student starts work. Coordinate the student's orientation to the job. Discuss new employee orientation with the work-based learning sponsor and a job mentor/supervisor. Provide an orientation checklist such as the one included on page 2-41 in this chapter. Develop the Work-Based Learning Plan/Agreement with the training sponsor and job supervisor.

Prepare a Supervisor's (Mentor) File Folder. Prepare and deliver a file folder on the student to the appropriate work-based learning sponsor or mentor. Include copies of the Work-Based Learning Plan/ Agreement, brochures about the cooperative program, orientation checklist, and other materials. You may want to include a sample of the Evaluation or Progress Report to be completed at a later date and forms for Student's Attendance and Evaluation.

18 STEPS FROM RECRUITMENT TO PLACEMENT

1. Carry out a recruitment campaign.
2. Collect applications for enrollment and start Action Checklist form.
3. Develop student profile:
   a. Interview each applicant.
   b. Collect student's school record.
   c. Assemble teacher recommendations.
   d. Make home visit (required by some programs).
4. Make decision about student's acceptance or rejection.
5. Send student a letter of acceptance or rejection.
6. Identify appropriate job title(s) for placement.
7. Re-evaluate student profile.
8. Select approved training station with appropriate job opening.
9. Set up job interviews for each student.
10. Prepare an introduction card for student's use at an interview.
11. Talk to student after job interview.
12. Secure results on employer's half of introduction card in a personal visit.
13. Work with student and employer to develop the various components of the Work-Based Learning Plan/Agreement.
14. Check for completion of all legal forms <u>before</u> the student starts the job.
15. Prepare a student file for job supervisor and student.
16. File a formal detailed Work-Based Learning Plan/Agreement with the training sponsor/job supervisor, student, and teacher/coordinator.
17. Plan related instruction activities.
18. Plan and schedule the first month's visits.

ORIENTATION CHECKLIST

Instructions: Use one check list for each student. Review information with the student after five days to ensure thorough comprehension.

1. Explain the business organization and give specific information about the department in which he/she will work.
2. Introduce the student to all persons with whom he/she will have contact.
3. Show the student the location of offices, equipment, and supplies with which he/she will need to be familiar.
4. Tour the entire business during the first month if not done as part of No. 3 above.
5. Explain the duties of the student's first assignment.
6. Inform student as to who will supervise him/her and from whom he/she should take orders.
7. Inform co-workers of their relationship to student and solicit their cooperation.
8. Inform student of arrival and quitting time, check-in procedures, and check-out procedures.
9. Inform student of lunch time and relief procedures and regulations.
10. Inform student of time recording procedure, pay schedule, deduction from pay, and computation of wages.
11. Inform student of facilities available such as restrooms, lunchroom, telephone, etc.
12. Inform student as to appropriate clothing to be worn.
13. Inform student about any information which is to be kept confidential.
14. Familiarize student with employee benefits.
15. Inform student of clauses in union agreement which pertain to him/her if such an agreement exists.
16. Inform student of promotional possibilities in your firm.
17. Provide special pamphlets, brochures, and materials that include information about the company, its policies, fringe benefits, and related terminology.
18. Inform student of safety regulations as required by OSHA.

EVALUATION PROCESS

Evaluation of the cooperative education program is a continuous process and includes evaluation of the total program, including the student learner, the work station, and the related instruction. Continuous evaluation is required so that any deficiencies or problems can be identified in time to be corrected. More detailed periodic evaluations are required for the purpose of assigning grades.

Continuous Evaluation

The continuous evaluation approach seeks to identify problems or potential pitfalls before they become serious. Continuous evaluation consists of (1) observations made by the teacher/ coordinator during coordination visits and (2) analysis of the student's reports made at frequent intervals.

Visits to the work-based learning station should be made periodically. Visits may be made to observe, to assess, and to promote. If there appear to be problems relating to the student or the work-based learning station, more frequent visits should be made. The frequency should be determined by the teacher/coordinator, with some input from the employer. It is up to the teacher/coordinator to make good use of this time in fulfilling coordination responsibilities.

Following are some of the major reasons for making coordination visits:

1. Observe the type and quality of work being performed by student.
2. Ensure that a variety of experiences are provided according to the Work-Based Learning Plan/Agreement.
3. Secure the Employer Evaluation Report of student's performance.
4. Ensure that the work-based learning sponsor provides consistent guidance and supervision.
5. Verify the application of skills, knowledge, and attitudes acquired in the school related classes.
6. Discuss with the work-based learning sponsor methods of improving instruction and training for the particular job the student is performing.
7. Become acquainted with management policies.
8. Verify compliance with all federal and state laws concerning the employment of minors.
9. Make certain students are not exploited.
10. Correct any problem relationships that arise between the student and the work-based learning sponsor.
11. Obtain suggestions for making selection and placement of other students more effective.
12. Secure supplementary teaching materials that will make the related instruction more valuable.
13. Discover potential work-based learning stations of high quality.
14. Extend and improve public relations between school and business.
15. Provide and follow up on plans for rotation.
16. Ensure safe working conditions.

Employer Evaluation Report

The Employer Evaluation Report (See sample, page 2-46.) must be made frequently enough to be of use in identifying potential problems before they become serious. The Employer Evaluation Report should be completed weekly or biweekly and should be used for discussion in the related class.

Teacher/coordinators can use the information on the reports as a basis for discussion in the related class. The information might also signal the need for individual conferences with learners who are having problems.

The Employer Evaluation Report has a number of purposes, including the following:

- Provides a record of work hours that need to be reviewed for compliance with child labor laws, total hours worked per week, and the time of day/evening worked
- Provides a check for attendance in school with attendance on the job
- Provides a running record of hours worked by dollars earned for compiling monthly/yearly program records as required by the Technical Education Database System (TEDS)
- Provides employer's rating and remarks on student's progress.

Student Co-op Evaluation Report

Students may be asked to provide an evaluation report (See sample, page 2-47) as often as the teacher/coordinator feels necessary. Students should comment about strengths, weaknesses, and potential problems they are experiencing at the job-site. This information can be used in counseling the student and talking with the employer prior to the development of actual problems.

Read the comments carefully. Counsel with the student in a private setting. If any problems are suspected at the training station with the (a) job supervisor, (b) co-workers, or (c) levels of tasks, try to provide "intervention" and/or preventive measures when possible.

Periodic Evaluation

Each student's progress must be evaluated periodically at or near the end of the school evaluation period—the grading period. The periodic evaluation may come at the end of a job/task rotation. This type of evaluation is extremely important because it must—

- Evaluate the student's strengths and weaknesses.
- Include a review of the WBL Plan/Agreement and revise if necessary.
- Serve as a basis for rotating jobs.

- Assist in identification of related instruction topics and upcoming projects.
- Evaluate the training provided by the work station.
- Evaluate safe working conditions

Prior to making an evaluation visit, the teacher/coordinator and possibly the related-subject teacher should review the student's file, progress made in the related class, Student Work-Based Learning Evaluation Report and the Employer Evaluation Report. Compare the progress on these reports with those activities identified on the WBL Plan/Agreement.

The evaluation visit to assess the student's progress on the job must be conducted in a businesslike manner; preferably, it should be a three-way conference between the work-based learning sponsor, the student, and the teacher/coordinator and/or related subjects teacher. The evaluation visit should be made personally _____ by the teacher/coordinator, with an appointment made in advance.

Use a progress or evaluation form to record the work-based learning sponsor's evaluations. Ask for examples of both strengths and weaknesses and record them as they provide data for making improvements, assigning grades, and discussing concerns.

Guidelines for Making Periodic Evaluations

- Make an appointment
- Meet with work-based learning sponsor in person
- Involve student
- Get examples of both strengths and weaknesses
- Review the Work-Based Learning Plan/Agreement
- Revise the Work-Based Learning Plan/Agreement if necessary
- Follow up on action plan

Follow up the evaluation visit with a private conference with the student to discuss the comments made at the conference. The examples of strengths and weaknesses are especially useful in discussing why the student will remain with the same job tasks, determining related instruction, and planning for the next evaluation period.

Assigning the Grade for On-The-Job Experience

Various options are open for determining the on-the-job grade. The teacher/coordinator may take sole responsibility or it may be a joint responsibility between the teacher/coordinator and the work-based learning sponsor. If the teacher/coordinator is not the related-instruction teacher, that person should also be involved in assigning the grade. A disadvantage of teachers/coordinators having sole responsibility for the grade is that they are not at the work-based learning station on a continuous basis. On the other hand, care must be given to the weight of the grade assigned by the work-based learning sponsor. There may be little equity between the grades assigned from one trainer to another.

In general, the work-based learning grade is a combination and examples obtained from the work-based learning sponsor on the Employer Evaluation Report (Sample page 2-46) and the comments made by the teacher/coordinator on the Log of Work-Based Learning Employer Contacts (Sample page 2-48). Improvements in skills, production rates, and attitudes, as well as taking on additional responsibilities, should be carefully considered. Review the Employer Evaluation Report for other criteria; the student should receive a copy of this form at the beginning of the year.

As part of the operational plans, identify guidelines and procedures that will determine the student's grade for the on-the-job experiences. Inform students of these procedures at enrollment time.

Guidelines for evaluating on-the-job experiences include the following:

- Identify the factors to be evaluated.
- Identify who is responsible for the grade.
- Identify the process and procedures involved.
- Identify the time and frequency of grading.
- Identify how the forms on pages 2-46 and 2-48 will be utilized in assigning a grade.

Sample

Work-Based Learning (WBL) Employer Evaluation Report

Division of Career and Technical Education
Office of Career and Technical Education

□ **Coop** □ **Internship** □ **Mentoring** □ **Shadowing** □ **School Enterprise/Bank/Store** □ **House Project**

School:		Program	
Student Name:		WBL Start Date:	
Company Name:		WBL End Date:	
Contact Person:		Telephone:	

Student Responsibility: Turn in this form to the Teacher/WBL Coordinator at the end of the WBL experience or at least every two weeks of employment.

Employer Responsibilities: Please complete the two tables below; share your ratings with the student; give this form to the student to return to the Teacher/WBL Coordinator. Thank you.

Evaluation

Scale: 1 – Poor 2 – Needs Improvement 3 – Average 4 – Good 5 - Excellent

Trait	Rating					Trait	Rating				
Attendance/Punctuality	1	2	3	4	5	Cooperation	1	2	3	4	5
Appearance	1	2	3	4	5	Adaptability/Flexibility	1	2	3	4	5
Attitude	1	2	3	4	5	Relations with Co-Workers	1	2	3	4	5
Dependability	1	2	3	4	5	Time Management	1	2	3	4	5
Initiative	1	2	3	4	5	Quality of Work	1	2	3	4	5
Following Directions	1	2	3	4	5	Quantity of Work	1	2	3	4	5
Remarks:											

Attendance

Day	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Total Hours
Date											--------
Hours Worked											

Earnings (If Applicable)

Total Hours: _____ Hourly wage: _____ = Total Gross Earnings: $ _____

Signature of Supervisor: _____ Date: _____

Equal Education and Employment Opportunities M/F/D

SAMPLE

Work-Based Learning Evaluation by Student

Division of Career and Technical Education
Office of Career and Technical Education

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing
☐ School-Based Enterprise ☐ House Project ☐ Service Learning ☐ Entrepreneurship

Date:_____

Student Responsibility: Turn in this form to the Teacher/WBL Coordinator at the end of the WBL experience.					
Student's Last Name:		**First Name:**		**MI:**	
Employer:		**Contact Person:**			
Date WBL began:		**Date WBL ended:**			

Evaluation of Work-Based Learning Experience

Scale: 1 – Poor 2 – Needs Improvement 3 – Average 4 – Good 5 – Excellent

Work-Based Learning Experience	**Rating**				
Related to my career goal	**1**	**2**	**3**	**4**	**5**
Helped in planning my career					
Still interested in this career					
Received guidance and direction from the WBL supervisor on site					
Used time wisely					
Assigned appropriate amount of work					
Expected appropriate quality of work					
Emphasized work ethics					
Provided Work-Based Learning experience as outlined in agreement					
Was of sufficient length					
Was a positive experience overall					
Remarks:					

SAMPLE

Log of Work-Based Learning Contacts

Division of Career and Technical Education
Office of Career and Technical Education

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing

☐ School-Based Enterprise ☐ House Project ☐ Service Learning ☐ Entrepreneurship

Student Name: _____ Grade Level: _____
School: _____ Program: _____
Business/Company Name: _____
Work-Site Mentor: _____
WBL Starting Date: _____ WBL Ending Date: _____

Purpose of Visit: ☐ Observation of Student ☐ Visit with worksite mentor ☐ Evaluation

☐ Problem situation ☐ Other:_____

1. Each site should be visited at least one time before the student is placed to ensure the safety and proper training of the student.
2. Each student should be visited periodically at the work-site to check progress, attendance, appropriate work assignments, safety, etc. Additional minimum visitation requirements:
   - Coop, Internship and Mentoring
   - 1 time per 9 weeks
   - No additional requirements
3. Please document visitation below.

Date of Visitation	Person Making Visit	Observation/Suggestions/Recommendations

Resources

See Appendix B.

CHAPTER 3

ENTREPRENEURSHIP

Definition

Entrepreneurship education allows students to develop a deeper understanding of economic principles and to apply classroom learning by organizing and operating a business enterprise. An entrepreneurship education program should involve students developing individual entrepreneurship projects in which they assume all risks in expectation of gaining a profit and/or further knowledge. An entrepreneurship program may be a component of a specific course within the curriculum or be a stand-alone course for credit. Entrepreneurship education may be offered in any Career and Technical Education program.

Rationale

An entrepreneurship program should be designed to help students further develop skills in the areas of economics, business management, and marketing. The program should complement instruction and further prepare students to meet their career objectives. Entrepreneurship programs should allow students to experience all aspects of developing and running a business enterprise. Students should receive instruction and support for developing their projects and receive feedback from the teacher/instructor.

Entrepreneurship programs offer many benefits to students. Just as important to apply academic knowledge such as record keeping and economics is the opportunity to grow in the areas of self discipline, critical thinking, and problem solving. These skills can be mastered only through experience and practice. The real-life experience gained through entrepreneurship projects is viewed favorably by college admissions officers and potential employers. Other benefits to the student include the opportunity to earn money and to make connections within the business world.

An entrepreneurship program may lead students toward entrepreneurship projects that are either short term or long term in nature. Short-term projects usually involve providing only one product or service for a limited period of time. The focus of a short-term project should be to learn and develop specific skills related to the project. Long-term projects continue for a period of one to four years and must include learning a broad range of skills and knowledge.

The ultimate goal of an entrepreneurship program is for students to develop management and critical thinking skills that they will use throughout life. These would include but not be limited to product development, marketing, advertising, financing, record keeping, budgeting, communication, customer service, decision making, locating and utilizing resources, and complying with governmental regulations. Students should receive instruction on the topics mentioned above as part of the entrepreneurship program. The program should also give students the opportunity to apply these specific skills within their individual projects.

Within the entrepreneurship program, students should have complete control of their individual projects but should use the teacher, parents, and other partners as resources in making management decisions. The teacher should visit work sites, interview student clients, and review business records to gain a complete understanding of student projects. The teacher should provide students with ongoing feedback for improving their entrepreneurship projects and work to connect them with other adults who can provide knowledge and assistance.

As part of the entrepreneurship program, students should receive instruction relating to local, state, and federal regulations relative to small businesses. Adherence to these laws and regulations should be a requirement of the entrepreneurship program and an element of student evaluation.

Students may receive credit toward high school graduation for work in entrepreneurship programs provided that all conditions of 704 KAR 3:305 Section 5 have been met. Specifically, the experience must be "designed to further student progress towards the Individual Learning Plan," "supervised by qualified instructors," and "aligned with state and local content and performance standards."

If credit is not awarded for work in the entrepreneurship program, the student may receive a grade for his/her efforts. This grade could be part of the course design or be used as bonus points. An example evaluation instrument is on pages 3-6 and 3-7 of this chapter.

Students may use the entrepreneurship program to gain recognition from the appropriate youth organization that recognizes this kind of effort.

Steps in Planning and Implementing an Entrepreneurship Program

- Determine whether the entrepreneurship program will be tied to a specific course, a culminating project for the school or a specific career major, or an out-of-school program.
- Determine whether the focus of the entrepreneurship program will be to have students participate in short-term or long-term entrepreneurship projects. Even if the focus is on short-term entrepreneurship projects, some students may choose to continue and expand their projects.

- Decide how instruction will be delivered in the areas of product development, marketing, advertising, financing, record keeping, budgeting, communication, customer service, decision making, locating and utilizing resources, and complying with governmental regulations.
- Develop a sample business plan for students to use and an instrument for evaluating student progress and performance.
- Determine what resources will be needed to assist students in beginning their entrepreneurship projects.
- Develop an agreement with all parties involved, including students, parents, teachers, and possible mentors. (See Appendix A-2 for sample.)
- Design a system for monitoring student progress and for providing students with feedback on improving their entrepreneurship projects.

Legal Issues

Students may receive credit toward high school graduation for work in entrepreneurship programs provided that all conditions of 704 KAR 3:305 Section 5 have been met. Specifically, the experience must be "designed to further student progress towards the Individual Learning Plan," "supervised by qualified instructors," and "aligned with state and local content and performance standards."

705 KAR 4:231 Section 5 requires Career and Technical Education Programs to provide opportunities for students to participate in work-based learning experiences. Entrepreneurship is named as one type of work-based learning experience in the regulation.

As best practice, policy statement(s) regarding off-campus experiences for work-based learning should be components of the curriculum outlined by the School Based Decision Making council (SBDM).

Students should comply with all local, state, and national laws and regulations related to their entrepreneurship program. This should include licensing, copyright, sales tax, income tax, etc.

Professional Staff Criteria

An entrepreneurship teacher/coordinator must—

- Have a broad knowledge of business and business management skills
- Be a successful planner and organizer
- Work well with people
- Enjoy teaching others to succeed
- Have a positive attitude
- Hold a teaching certificate in the appropriate occupational area

Components of a Work-Based Learning Plan/Agreement

A sample Work-Based Learning Plan/Agreement may be found in Appendix A. This may be modified to meet the needs of the school, student, and program.

A Work-Based Learning Plan/Agreement for an entrepreneurship project should also include:

- Description of the entrepreneurship project
- List of skills to be developed through the program
- A copy of the student's business plan which should include:
    - product/service to be provided
    - proposed budget including projected income and expenses
    - plans for financing the project
    - marketing plan for the project
    - exchange agreement(s) if the student will be exchanging labor for inputs, facilities, or machinery

Resources

705 KAR 4:231 Section 5—General program standards for secondary career and technical education programs (See Appendix B, *Resources*)

Community Ventures Corporation www.cvcky.org

Consortium For Entrepreneurship http://www.entre-ed.org/index.htm

Entrepreneurship Education www.entre-ed.org

EntreWorld Ewing Marion Kauffman Foundation www.entreworld.org

FCCLA Star Event Manual http://www.FCCLAINC.org

HomeBasedWork.com www.homebasedwork.com

INC.com http://www.inc.com/welcome.html?aw=600&ah=600

Kauffman Center for Entrepreneurial Leadership www.emkf.org
Ewing Marion Kauffman Foundation
4801 Rockhill Rd., Kansas City, MO 64110

Kentucky Department of Agriculture www.kyagr.com

Kentucky Entrepreneurial Coaches Institute
www.uky.edu/Ag/CLD/KECI/welcomekeci.html

Resources (continued)

Kentucky Small Business Development Center	www.ksbdc.org
Kentucky State University Entrepreneurship Roundtable	www.kysu.edu/entre_biz
Mind Your Own Business	http://www.mindyourownbiz.org/default.shtml
U. S. Small Business Administration	http://www.sba.gov

Evaluation Instrument For Use In Entrepreneurship Programs

Each item should be marked as 4, 3, 2, 1 with 4 being highly proficient and 1 being novice.

Student Business Plan

___ Business plan includes a complete description of the product or service that will be offered.

___ Business plan includes a complete and accurate budget with realistic projections of income and expenses.

___ Business plan includes a complete description of how start up capital for the project will be secured. A copy of the completed loan application should be included if applicable.

___ Business plan includes a marketing plan for the project. Samples of advertisements, fliers, business cards, etc. should be included if these are part of the marketing plan.

___ Business plan includes three or more goals for the project. Goals should be SMART (Specific, Measurable, Attainable, Related, and Timed)

___ **Total For Business Plan X 5 = _____ (100 possible)**

Student Project

___ Student has actively implemented the business plan.

___ Student is producing a product or service that has value to customers and makes customer service a priority.

___ Student has implemented marketing strategies as outlined in the business plan and has developed effective, high quality marketing tools (if applicable).

___ Student uses technical publications, industry professionals, and governmental resources to stay abreast of trends in the industry.

___ Student is keeping complete records and using these records to make management decisions.

___ Student regularly reflects on progress that he/she has made toward achieving goals and implements new strategies for achieving goals.

___ Student is complying with all local, state, and federal laws and regulations.

___ **Total For Student Project X 5 = _____ (140 possible)**

Reflective Writing Piece

___ Reflective writing piece details work on the project including how it was planned and implemented.

___ Student reflects on the value of t he project as part of his/her educational experience- includes 2-3 specific things the student learned from the project.

___ Student reflects on how he/she will use the knowledge and skills gained from this project in their future.

___ Student reflects on ho w he/she would approa ch entrepreneurship projects in the future, based on his/her experience with this project.

___ Reflective writing piece is well written and has few grammatical errors.

___ **Total Reflective Writing Piece X 3 = ____ (60 possible)**

Total Student Business Plan _____

Total Student Project _____

Total Reflective Writing _____

Total Score _____ **(300 possible)**

Entrepreneurship Leadership Skills Checklist

Name_____

MY ENTREPRENEURSHIP SKILLS			
Rate your entrepreneurship skills. "W" stands for "weak skills." "NI" stands for "needs improvement." "S" stands for "strong skills." Circle one for each skill.			
W	**NI**	**S**	Seeking a promotion
W	**NI**	**S**	Presenting ideas in a business meeting
W	**NI**	**S**	Proposing new products or services
W	**NI**	**S**	Creating a new way to do things
W	**NI**	**S**	Completing projects beyond regular job duties
W	**NI**	**S**	Being a self-starter
W	**NI**	**S**	Knowing about entrepreneurship
W	**NI**	**S**	Setting up safety and sanitation procedures
W	**NI**	**S**	Reading financial reports
W	**NI**	**S**	Marketing a business
W	**NI**	**S**	Understanding laws related to my targeted career
W	**NI**	**S**	Increasing profits
W	**NI**	**S**	Creating a business plan
W	**NI**	**S**	Finding business financing
W	**NI**	**S**	Starting a business
W	**NI**	**S**	Re-creating a business

Identify the three skills on which you most need to work for improvement.

CHAPTER 4

INTERNSHIP

Definition

A student Internship is a type of "Work Based Experience Learning Program" for high school students who have completed extensive school based preparation relating to an identified area of career and academic interest in the Individual Learning Plan. Internships are usually one time experiences which should lead to course credit and/or pay.

Rationale

Internships give students opportunities to explore careers via workplace learning experiences. Students have opportunities to learn about the world of work and to develop useful skills and attitudes. Through the demonstration of work-place skills, the academic competencies needed to be successfully employed will also be highlighted, which may in turn result in increased motivation to learn academic subject matter.

Internship is just one type of work-based learning experience. One of the major purposes of internship is the opportunity to gain exploration experiences in one or more careers. While students intern at a work site, they probably will not be there long enough to gain a great deal of skill at the position.

Internship is longer than job shadowing but different from cooperative education work experience in several ways. Cooperative education places a student for a longer, often year-long, work experience to gain or expand skills at that job. Cooperative education students are paid for their work; internship students may or may not be paid, depending on the length of their work experience.

Steps in Planning an Internship Program

1. Identify and develop goals, policies and procedures for the internship programs.
2. Develop selection criteria for student participation and internship mentors.
3. Work with community to identify prospective sites for student internship experiences.
4. Publish information in school handbook.

Structure

The structure of internship experiences consists of a combination of classroom instruction and field experiences. Students are to spend designated time in the classroom/seminar on a regularly scheduled basis. A Work-Based Learning Plan/Agreement (See Appendix A, *Forms*, for a sample.) is to be developed with a specific set of competencies agreed upon by the school and workplace personnel. The field experience is to be designed to address these competencies and class time is provided for instruction and monitoring all aspects of the program.

Content for the seminar will relate to competencies needed for success in the internship experience. Some sample topics are:

- Employability skills (e.g., business correspondence, etiquette, goal setting, résumés, job application, dress codes, proper attire, ethics, etc.)
- Review of Individual Learning Plan (e.g., career interest, job description, education skills necessary for various career)
- Protocol in using technology (e.g., cell phones, email, and other technology at the worksites
- Confidentiality
- Use of time (policies and procedures)
- Other:

Criteria for Paid and Nonpaid Internship

Paid: Students who are to receive pay for an internship experience are those participating in an experience that is a semester or longer and have an established employer-employee relationship. (See Chapter 1, *Legal Issues*, of this manual for what constitutes an employer-employee relationship.) Additional information is available on page 4-3.

Non-Paid: Non-paid students are those individuals who participate in an internship experience on a short-term basis. An employer-employee relationship must meet the guidelines identified in 803 KAR 1: 005 (Chapter 1, *Legal Issues,* of this manual. Students interning in a not-for-profit organization may also qualify for non-paid internship.

Short-term/Long-term Internship

Short term: student participation on a short-term basis may vary from one day to a month contingent upon a student's objective and if an employer-employee relationship is not established.

Long term: Long-term internship may be established for one semester or one year with an established employer-employee relationship.

Program Offerings

Internship may be a component of a student's schedule during:
a) the regular school day
b) after school hours
c) during the summer

Each local school or Area Technology Center may choose to implement an after-school or summer program. All legal and curricular requirements must be met; specifically, the requirement for on-site supervision. The educational agency must provide properly qualified staff and supervision.

Credit/Performance Standard and Compliance Issues

The amount of credit to be awarded to students for internship and related course/seminar is determined at the district level according to the district's standards for seat time (Carnegie Unit) requirements or performance-based standards.

Legal/Liability and Compliance Issues

Districts and Area Technology Centers providing internships are to:

--Comply with state and federal labor laws (See Chapter 1, *Legal Issues*).

--Make determination if internship experiences meet guidelines for qualifications for paid and non-paid internships. In determining if an internship should be paid, a school must determine if an employer-employee relationship has been created. If all six of the following criteria apply, the trainees or students are not considered employees within the meaning of KRS Chapter 337 and are not required to be paid. The criteria for determining if employer-employee relationships exist are as follows:

a. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a career and technology center;
b. The training is for the benefit of the trainees or students;
c. The trainees or students do not displace regular employees, but work under their close observation;
d. The employer that provides the training derives no immediate advantage from the activities of the trainees or students and on occasion his operations may actually be impeded; special attention and consideration of this criteria is crucial in determining if trainees or students must be paid;
e. The trainees or students are not necessarily entitled to a job at the conclusion of the training period; and
f. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

As best practice, policy statement(s) regarding off-campus experiences for work-based learning should be components of the curriculum outlined by the School Based Decision Making Council (SBDM).

Student Insurance

One consideration teachers/coordinators must consider when beginning an internship program is that of student insurance (accident and liability). In most instances, if the program is an established part of the high school or Area Technology Center approved by SBDM and local school board, students would be covered. If students involved in an internship placement which results in a paid internship and the employer/employee relationship has been established, the student would be covered by workmen's compensation. Consult with your Central Office Administration or the school board attorney for confirmation regarding student internship insurance coverage.

Background Checks for Work-Site Mentors

School districts should have policies in place for volunteers and/or other persons directly working with students. Each internship program/ school should follow district policies as they relate to background checks for personnel directly working with their students. It is recommended for program planners to consult with the high school or area technology center principal, central office personnel and/or school board attorney for clarification.

Program Development

Internships are an important part of the student's work-based learning programs, and all parties involved should be aware of program policies and procedures. It is advisable that program coordinators make each School Based Decision Making Council (SBDM), advisory council and school board aware of Work-Based Learning program policies and procedures on a regular basis. School councils have the authority to make curricular and policy decisions to meet each school's individual needs as it relates to internship and Work-Based Learning programs.

Once programs are approved at the school and district level, program coordinators should verify with each school board the liability coverage in place for internship students.

Professional Staff Criteria

An internship program may have both a certified teacher for the classroom section of the program and a coordinator for worksite supervision section. (The coordinator may or may not be a certified teacher but must work under the supervision of a teacher.)

Role of Teacher/Coordinator

As supervisor of the program, the teacher or coordinator generally will:

- Provide information about the program to students, parents/guardians, and employers.
- Keep the school and community informed regarding the all aspects of the program.
- Set up an advisory council to promote internships and to involve parents and business leaders in the design and implementation for the program.
- Identify potential internship sites, contact persons, and hosts.
- Visit training sites to meet personnel, observe the work performed at the work-site, and check for appropriate safety practices and safety training.
- Provide orientation for parents/guardians and students.
- Select dates for internship experiences.
- Guide the student in researching background on the company/industry.
- Develop appropriate forms, such as Parent/Guardian Consent Form and Student/Teacher Consent Form, in conformity with school policies.
- Work with students in selection of their placements, considering student interests, personality of students and hosts, and other factors.
- Develop a Work-Based Learning Plan/Agreement in consultation with the student and the employer. (See sample plan in Appendix A, *Forms*.)
- Orient work-site personnel to policies, procedures, and guidelines.
- Teach students appropriate dress and behavior skills.
- Make transportation arrangements.
- Identify and coordinate insurance and liability issues.
- Collaborate with teachers if students are to miss a class.
- Observe students at their sites.
- Stay in contact with employers.
- Integrate the student's work-site learning with school-based learning through seminar/class instruction.
- Provide recognition and appreciation for business/industry and school personnel involved in the program.

Curricular Component of Work-Based Learning Experiences

Individual districts and local SBDM councils may decide the extent and length of coordinating classroom seminar experiences affiliated with their internships. Examples may include, but are not limited to, the following options:

- Semester course covering workplace issues and/or other specifics of the field of interest, in conjunction with the work-based learning experience or having work experience continue after the conclusion of the semester course.

- Seminar one day per week throughout the course of the work-based learning experience.

Integration of ILP Components

The Individual Learning Plan can be used in a variety of ways to aid in planning and carrying out the internship and related course instruction/seminar:

- Career Matchmaker can be used to identify areas of career interest for internship placement.
- The four-year planning tool on the ILP can be used to identify four-year course pathways that can lead to internship placement
- Several functions of the ILP can be used to explore career settings, educational requirements, sample work schedules, interviews with people in careers, advice for students interested in careers and income information. This can be the basis of several classroom lessons.

Work-Based Learning Plan/Agreement

A Work-Based Learning Plan/Agreement needs to be developed for each participating student. It should include the responsibilities of the work-site mentor, student, and school system. It is to identify what each party will contribute and receive from the experiences. Individual teachers may develop standards/rubric for student assessment. A system needs to be developed for student accountability (e.g., sign out from school and sign in at worksites). The system needs to provide accountability measures for supervising and mentoring the program.

Forms

Work Based Learning Plan/Agreement (Appendix A, *Forms*)
Internship Employer/Supervisor/Mentor Evaluation (page 4-16)
Medical Consent Form (to be used if no other medical consent is in place—page 4-14)
Sample Parent/Guardian Consent Form (page 4-13)
Sample Employer Evaluation Report (page 4-19)

Resources

Making the Most of Your Internship, Karen, Kev, John R. Brooks, Jr., Kellye Brooks, Thomson South-Western, 2007.

Additional resources in Appendix B, *Resources*.

SAMPLE

MEDICAL AUTHORIZATION

Division of Career and Technical Education
Office of Career and Technical Education

Should it be necessary for my child to have medical treatment while participating in the internship, I hereby give the school district and/or work-site personnel permission to use their best judgment in obtaining medical service for my child, and I give permission to the physician selected to render whatever medical treatment he/she deems necessary and appropriate.

____**Yes** ____ **No**

Permission is also granted to release emergency contact/medical history to the attending physician or to work-site personnel if needed.

____**Yes** ____ **No**

Student's name_____

Date of birth _____

Address _____

Daytime phone for parent or guardian (_____)_____

Contact other than parent or guardian _____

Relation to student _____

Phone (___)_____

Family doctor _____

Doctor's Phone (_____)_____

Preferred hospital address _____ Phone (_____)_____

Does your child require any special accommodations due to medical limitations, allergies, disabilities, dietary constraints, or other restrictions? Please explain any that are required.

_____
_____
_____
_____

_____ _____
Signature of Parent/Guardian **Date**

This form was adapted from *Job Shadow Guide for Staff*. Northwest Regional Educational Laboratory.

SAMPLE

STUDENT/TEACHER CONSENT FORM

Division of Career and Technical Education
Office of Career and Technical Education

Student to Complete:

I, _____ will participate in an internship experience, which

will take place at _____on _____
(day, month, year)

from _____a.m./p.m. to _____ a.m./p.m.

I understand that people outside of school are giving valuable time to help me learn about their jobs. By signing below, I agree to complete all the requirements of the internship and take responsibility for making up work in the classes I miss for my internship experience.

_____ _____
(Student Signature) (Date)

Teacher(s) to complete:

I authorize _____ (name of student) to be excused from my class to participate in internship during the date and time indicated above. The student will be responsible for all make-up work and will complete it according to a schedule that I determine with him or her.

1. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____
2. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____
3. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____
4. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____

Adapted from *Job Shadow Guide for Staff*. Northwest Regional Educational Laboratory.

SAMPLE

INTERNSHIP SITE SUPERVISOR/MENTOR EVALUATION

Division of Career and Technical Education
Office of Career and Technical Education

Internship Site:_____

Site Supervisor/Mentor:_____ Date:_____

Thank you for participating in an internship experience with our students. Please complete this brief evaluation of your experience so we can continue to improve our program.

Please rate the following on a scale of 1 to 5 (1 indicates you strongly AGREE with the statement, and 5 indicates you strongly DISAGREE).

	Strongly Agree				**Strongly Disagree**
I was well prepared by school staff to be a host.	1	2	3	4	5
As a result of this experience, I gained a new perspective of my job.	1	2	3	4	5
I was at ease interacting with the student(s) during the internship.	1	2	3	4	5
In my opinion, the internship was a worthwhile learning experience for the student(s).	1	2	3	4	5
I enjoyed the experience and would be willing to do it again.	1	2	3	4	5

For successful internship experiences in the future:

1. What should we continue to do?

2. What should we change?

3. How could we better support you throughout the experience?

4. How would you rate the internship program?
   a. Excellent _____ c. Good _____
   b. Average _____ d. Fair _____

Any additional comments?

SAMPLE

STUDENT INTERNSHIP, SELF-EVALUATION

Division of Career and Technical Education
Office of Career and Technical Education

Intern:_____ Date:_____

Internship Site:_____

Site Supervisor/Mentor:_____Title:_____

Reflections

1. Describe the worksite where you worked.

2. To what career cluster did your internship relate?

3. What kinds of activities did you observe during your internship?

4. What did you like most about your internship?

5. What did you like least about the internship experience?

6. Did your internship experience change your perception of this career? Why or why not?

7. Did you learn anything new about this career? If so, what?

8. Would you consider a career in the field you observed? Why or why not?

9. How can the internship programs be improved?

10. How would you rate your internship experience?
    Excellent_____ Good_____
    Average _____ Fair _____

SAMPLE

Work-Based Learning (WBL) Employer Evaluation

Division of Career and Technical Education
Office of Career and Technical Education

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing ☐ School Enterprise ☐ House Project

School:		Program:	
Student Name:		WBL Start Date:	
Company Name:		WBL End Date:	
Contact Person:		Telephone:	

Evaluations shall be performed for each grading period.

- **Student Responsibility** – Turn in this form to the teacher/coordinator at the end of each grading period.
- **Employer Responsibilities** – Please complete Table I and Table II below. Share your ratings with the student. Give this form to the student to return to the WBL Teacher/Coordinator. Thank you.

Table I
Evaluation

Scale: 1 – Poor 2 – Needs Improvement 3 – Average 4 – Good 5 – Excellent

Trait	Rating	Trait	Rating
Attendance/Punctuality	1 2 3	Adaptability/Flexibility	1 2 3
Appearance	1 2 3	Relations with Co-Workers	1 2 3
Attitude	1 2 3	Time Management	1 2 3
Dependability	1 2 3	Quality of Work	1 2 3
Initiative	1 2 3	Company Rules/Regulations	1 2 3
Following Directions	1 2 3	Safety	1 2 3
Job Knowledge	1 2 3	Use of Equipment	1 2 3
Cooperation	1 2 3	Other_____	1 2 3
Remarks:			

Table II
Attendance

Day	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Total hours
Date											
Hours Worked											
Date											
Hours Worked											
Date											
Hours Worked											

Earnings (If Applicable)

Total Hours: _____ X Hourly Wage: _____ = Total Gross Earnings: $_____

Signature of Work-Site Mentor: _____ Date: _____

CHAPTER 5

MENTORING

Definition

Mentoring is one component of work-based learning. A mentor is a volunteer from the business/industrial community that helps students become aware of career opportunities and work ethics in a one-to-one relationship that goes beyond the formal obligations of a teaching or supervisory role.

Rationale

Mentoring provides an avenue for developing voluntary partnership programs between employers and schools. Mentoring also gives the mentor an opportunity to have a positive influence on the development of a young person. Above all, a mentoring experience provides young people with someone to look to for support and guidance while facing the challenges of growing into adulthood.

Some Benefits of Mentoring

- offers career exploration opportunities first hand about a chosen profession
- immerses the student in the higher-order thought process of the professions
- helps students see the importance of developing good work ethics and having positive self esteem
- forms a partnership between students, schools and experience, and volunteers from business and industry
- requires a strong commitment from both parties to listen, share, respect and trust the other party's concerns and comments
- is an opportunity for individuals to have a positive influence on the youth of today

Steps for Implementing a Mentoring Program

1. Discuss and identify the goals and policies of the mentoring program.
2. Discuss and identify where and when the mentoring will take place. (e.g., school/off-campus)
3. Develop application materials for interested students and mentors.
4. Develop selection criteria for both students and mentors.
5. Develop an evaluation form to monitor success of the program.

6. Recruit students (in collaboration with their parents) and mentors to participate in the program.
7. Select the teacher(s)/other personnel who will be working with the mentoring program in the school system.
8. Select the individuals (students and mentors) who will be participating in the mentoring program.
9. Match the student with a compatible mentor based on career goals.
10. Conduct a training and orientation session for mentors, students and school staff involved in the mentoring program.
    a. **School Staff**: In these sessions, review
        1) goals of the program
        2) procedures to be followed for the mentoring sessions based on site-based policies
        3) evaluation procedure
        4) expectations for staff members
        5) safety procedures
    b. **Mentor(s)**: In these sessions, review
        1) goals of the program
        2) procedures to be followed for mentoring sessions
        3) basic information about the school and the school routine such as beginning and ending time, days off, and school sign in and out policy.
        4) evaluation procedure
        5) expectations for mentors involved in the program
        6) Information on school resources, cultural sensitivity, profile of students, liability, safety, etc.
    c. **Students:** In these sessions, review
        1) expectations
        2) proper dress
        3) careers relating to mentoring experience
        4) basic safety practices/procedures
        5) evaluation procedures
        6) transportation for off-campus sessions
11. Facilitate meetings between the mentor and student.
12. Evaluate the mentoring program to continually improve the program outcomes (students, teachers, and mentors each complete an evaluation).
13. Organize an appreciation meeting for mentors.

Legal Issues

705 KAR 4:231 Section 4 General Program Standards for Secondary CTE programs
(See Appendix B, *Resources*)
704 KAR 3:305 Minimum Requirements for High School Graduation
(See Appendix B, *Resources*)

As best practice, policy statement(s) regar ding off-campus experiences for work-based learning should be components of the curriculum outlined by the School Based Decision Making Council (SBDM).

Professional Staff Criteria

School and mentor staff should

- be successful in work life
- have a positive outlook on life
- work well with others
- be responsible, trustworthy
- be patient
- enjoy teaching others how to succeed
- lack a criminal record
- be interested in identifying potential mentors for students

Work-Based Learning Plan/Agreement

Sample forms provided at the end of this chapter may be modified as needed.

Student Application
Mentor Questionnaire
Teacher Evaluation
Student Evaluation
Mentor Evaluation

Resources

- Schools: Staff to coordinate mentoring program
  Public awareness materials
  Space for mentoring sessions
  Materials to enhance meetings—puzzles, games, books, computers, etc.
  Mentor appreciation items—awards, party, etc.
- Mentors: Flexible work schedule
  Time to spend with student
  Transportation/insurance
  Personal liability insurance
- Students: Transportation
  Time to spend with mentor

Additional resources in Appendix B, *Resources*.

SAMPLE

STUDENT APPLICATION FOR MENTORING

Division of Career and Technical Education
Office of Career and Technical Education

Students interested in participating in a mentoring relationship need to complete the following items in order to be considered for the opportunity.

NAME_____ **GRADE/CLASS**_____

HOMEROOM TEACHER/ADVISOR_____

Hobbies _____

Please list some of your specific career interests in order of preference.
1._____

2._____

3._____

If you already have a specific employer with whom you would like to become more familiar, please list that employer. Attempts will be made to make those arrangements; however, circumstances may arise which could make the match unlikely.

_____

Student Agreement

1. I agree to make up any school work that I miss while participating in a mentoring session.
2. I agree to act in an appropriate manner while participating in a mentoring session.
3. I agree to become knowledgeable about my career interest prior to participating in a mentoring session.
4. I agree to report to the entire class about my mentoring experience.

Student Signature _____ Date _____

****

PARENT/GUARDIAN PERMISSION: I give my child, _____, permission to participate in a mentoring session set up by the school authorities.

Signature_____Date _____

SAMPLE

MENTOR QUESTIONNAIRE

Division of Career and Technical Education
Office of Career and Technical Education

Parties interested in serving as a mentor during this school year should complete the following items to assist in the selection and matching process.

NAME_____ TITLE_____

COMPANY_____

COMPANY
ADDRESS_____

WORK
TELEPHONE_____

Discuss briefly your specific job duties._____
_____
_____
_____

Discuss briefly your interest in becoming a mentor._____
_____
_____
_____

Describe when and how you envision your mentoring relationship to take place._____
_____
_____
_____

Please list your immediate supervisor's name, address, and telephone number.
_____
_____
_____
_____

I _____ agree as a mentor to participate in an orientation and training session. Additionally, I agree to attend all scheduled mentoring sessions, to notify school staff of any problems, and to be the best possible mentor that I can be to my assigned student. I also agree to a background check as required by the agency once I have been chosen as a mentor.

NAME_____ **DATE**_____

SAMPLE

TEACHER EVALUATION FOR MENTORING

Division of Career and Technical Education
Office of Career and Technical Education

TEACHER _____

CLASS/GRADE _____

Do you believe that the mentoring experiences were good learning experiences for your students? ___Yes ____No Give examples of positive experiences.

_____
_____
_____
_____

How did the students share their experiences with the other students once they came back to the classroom?

_____
_____
_____
_____

List any suggestions to make the experiences more valuable to all concerned.

_____
_____
_____
_____

Were there any special problems with the mentoring program that need to be addressed on a school-wide level? ____Yes ____No If yes, please explain.

_____
_____
_____
_____

Are you interested in having future students participate in other mentoring experiences?
___Yes ___No

SAMPLE

STUDENT MENTORING EVALUATION

Division of Career and Technical Education
Office of Career and Technical Education

NAME _____ GRADE/CLASS _____

MENTOR _____

MENTOR'S EMPLOYMENT _____

DATE _____

Describe some of the mentoring provided during the various visits.

_____
_____
_____
_____

Has your mentor assisted you in focusing on a career goal, work ethics, etc.?
____ Yes ____ No If yes, describe how.

Mentoring sessions were scheduled at
____ school site
____ worksite
____ both school and worksite

Type of help provided through mentoring such as:
____ Employee expectations
____ Employer expectations
____ Basic academic skills needed in career choice
____ Technical skills needed in chosen career
____The interpersonal (people skills) needed for success in the _____.
____ Trends in the job market.
____ Education needed beyond high school.

Are you interested in continuing your mentor relationship? ____ Yes ____ No
Explain.

_____
_____
_____

List some of the important things that you have learned about yourself and your chosen career during this mentoring experience.

_____
_____
_____
_____

SAMPLE

MENTOR EVALUATION

Division of Career and Technical Education
Office of Career and Technical Education

MENTOR NAME _____ TITLE _____

COMPANY ADDRESS _____

TELEPHONE _____DATE_____

STUDENT'S NAME _____

SCHOOL_____

Has the mentoring experience been beneficial to you and the student assigned to you?
___Yes ___No

Explain how:_____
_____
_____
_____
_____

Do you feel that the student assigned to you has made the most of the opportunities provided by the mentoring experience? ___Yes ___No

List types of mentoring activities provided during the various sessions.
_____
_____
_____
_____
_____

Do you have any suggestions to make the mentoring program more successful? If so, please list.
_____
_____
_____
_____
_____

Are you willing to continue with the mentoring program? ___Yes ___No

Your participation in the mentoring program is crucial to the program's success and is greatly appreciated. Thanks for your help!

CHAPTER 6

SCHOOL-BASED ENTERPRISE

Definition

A school-based enterprise (SBE) is a simulated or actual business conducted within a school. It is designed to replicate a specific business or segment of an industry and assist students in acquiring work experience related to their chosen career cluster.

Rationale

Many communities do not have sufficient numbers of businesses and industries to provide opportunities for students to gain extensive work-based experiences in the private sector. In this case, school-based enterprises can be utilized to fill the void.

Three basic types of businesses that may be incorporated as school-based enterprises are retail, service, and manufacturing. The most common enterprises currently in existence in Kentucky schools are retail and service enterprises: banks, school stores, boutiques, and greenhouses. The manufacturing enterprise includes endeavors such as sign-making, printing, and novelty production.

The production and distribution of the school newspaper is one of the oldest school-based enterprises at the secondary level. The newspaper provides journalism students with opportunities for hands-on activities that correlate with the curriculum in the journalism class. Other successful school-based enterprises include child care centers, school farms, construction projects, catering, stores associated with businesses such as grocery chains, and restaurants. Opportunities for school-based enterprises are limited only by the imagination.

School-based enterprises can provide many and varied experiences for students and local businesses in the community. These enterprises can offer students opportunities to develop an understanding of the kinds of work done in today's workplace. Students may be involved in "all aspects of the business" and can rotate among the various positions and tasks involved in the designated business venture. Students have opportunities to work with teachers and business leaders who can serve as mentors.

School-based enterprises provide students opportunities to

- utilize basic academic skills,
- gain experience in a work-related environment,

- work as a team member,
- develop leadership skills,
- work with the teacher/coordinator and the advisory board to develop policies and procedures for the operation of an enterprise,
- become familiar with technology used in business, and
- develop an understanding of the economic system and its impact on society.

Steps in Planning and Implementing a School-Based Enterprise

The first step in planning a school-based enterprise is communicating with the school administrator. This is the most important phase of any enterprise to its overall success. Time spent planning can save major headaches down the road.

1. Decide on the enterprise to be replicated.
2. Apply to recommended course within a career major.
3. Locate an appropriate site within the school.
4. Design a layout plan for the enterprise.
5. Secure funding and/or sponsorship (business partnership) for needed supplies and materials.
6. Secure supplies and materials.
7. Construct and equip the enterprise.
8. Train student workers.
9. Determine how finances will be handled.
10. Inform student body and staff of services available.
11. Conduct a grand opening (ribbon-cutting ceremony) of the enterprise.

Develop A Business Concept

It is advisable that a written business plan with guidelines for operation be developed and sanctioned by the school curriculum committee and the school-based council or school board. When appropriate the business plan could be an agreement with a partnering business within the community, such as Kroger store. The business plan should, in general, be in agreement with that of the parent business serving as a model.

The first step in preparing a business plan is to develop the business concept. This is a brief statement of what the business will be and how the curriculum will relate to the enterprise. The concept must tell what makes the business unique and better than other businesses. To help in developing the concept, it is important to select a group of individuals to serve in an advisory capacity. This group should include representatives from business/industry, school personnel, and students.

Establish an Advisory Board

In selecting the Advisory Board members, the school's teacher/coordinator should survey businesses and personnel to ascertain interest in serving in an advisory capacity in the planning and development of a school-based enterprise. The survey or fact-

finding may be done in a variety of ways such as questionnaires, proposal format, or personal interviews. Survey information will provide a basis for identifying business(es) interested in partnering with the school-based enterprise.

The Advisory Board can assist in helping to set goals; identifying various business enterprises which could be implemented in the school; providing guidance in strategic planning; and determining ways to secure financial support for the business venture(s). The Advisory Board can provide a broad perspective on good business procedures to be incorporated in the operation of the enterprise. The members also can serve as mentors to students and provide opportunities for them to job shadow or serve as an intern prior to the opening of the school business.

Conduct Market Research

The next step is to do a market research to determine what customers/students want so the business can tailor its products or services to the needs of consumers. There are four main areas to research before starting the enterprise: competitor, consumer, product/service, and labor.

There should be an investigation of the costs involved in establishing the enterprise. A list of equipment to purchase and an estimate of monthly expenses must also be prepared.

Setting a price for the product will be a critical business decision. There are two basic criteria in establishing price: Is the price competitive, does it cover costs and percentage of mark-up?

Once these areas of research have been conducted, the business plan will be complete. This plan is the blueprint for the business and should include at least the following elements:

- the business concept,
- a set of business goals,
- a timetable for starting the business plus a schedule of the business hours,
- a personnel plan to address job descriptions, student selection and schedules, staff development, and
- an estimate of the costs involved and the profits expected.

Before proceeding further with the development of the enterprise, work through the school administrator and board attorney to determine what, if any, government registration and regulation might apply to the operation of the enterprise.

Steps in Implementing a School-Based Enterprise

The planning phase is directly related to the implementation process. Once a decision has been made regarding the designated school-based enterprise, students with the

help of the teacher/coordinator will determine the equipment and supplies needed for the business.

Each school-based enterprise will need a variety of equipment and supplies. When ordering and selecting equipment, fixtures, or supplies, keep in mind the space allocation and the types of services the enterprise will provide.

The implementation process involves

- locating and purchasing equipment, furniture and supplies;
  making price comparisons for purchasing equipment, materials, and supplies;
- determining who is authorized to purchase merchandise;
- identifying personnel authorized to make purchases for the enterprise;
  developing procedures for paying for equipment, fixtures, and supplies; and
  identifying procedures for record keeping, such as paying for merchandise, inventorying, and reporting lost, stolen, or damaged items.

Step two in this process involves setting up the facility. Using the floor plan designed in the planning process, install equipment to facilitate efficient operation of the business. The facility should be stocked by students as a component of the training plan.

Operational procedures are contingent upon the organizational structure of the specific school-based enterprise. Procedures should include instruction on generic responsibilities such as

- roles and responsibilities of employees;
- operation of equipment (e.g., cash register, computer);
- accounting procedures;
- stocking of merchandise and caring for facility;
- work schedules for employees;
- inventorying procedures; and
- rules and regulations impacting the business.

A school-based enterprise is to be an integral component of class instruction. The experience should provide students with opportunities to explore real-life business situations. Additional procedures to be integrated into the curriculum include components relating to management, security, and evaluation of employee performance. The purpose of an evaluation is to give student employees feedback on how they are performing in the school-based enterprise. The evaluation can also serve as a basis for determining when a student has mastered the responsibilities of a certain position and is ready to progress to another position. An overall evaluation of the effectiveness of the school-based enterprise is multi-faceted and includes factors as

- school usage of the enterprise,
- profit/loss margins,
- class participant's evaluation, and
- evaluation by advisory committee.

Legal Issues

Review Administrative Regulation 705 KAR 4:231 (Section 5) General program standards for secondary career and technical education. (See Appendix B, Resources.)

Staffing for School-Based Enterprises

Staffing is one of the first steps a school must take in establishing a school-based enterprise. The individual chosen should be an educator who is or has been directly involved with the curriculum content related to the enterprise.

The individual may serve in a variety of capacities, including consulting with students in the development and operation of the business and services. He/she may also serve as a job coach, mentor, or liaison with business and industry as well as coordinator. Specific criteria should be carefully considered as the staffing decision is being made for the school-based enterprise.

The coordinator should

- be a certified teacher in the school system and a member of the teaching staff at the school where the school-based enterprise is located;
- have a working knowledge of workplace skills required by the business/industry which is being replicated as a school-based enterprise;
- have a working knowledge of the technology used by business and industry in the application of the school-based enterprise;
- have roles and responsibilities written into the school-based enterprise business plan;
- assist in designing, developing, and implementing the school-based enterprise;
- align the school curriculum with the school-based enterprise goals, objectives, and activities;
- work collaboratively with business, industry, and community leaders; and
- address the *legal* responsibilities pertaining to the coordinator, school-based enterprise, and the business community in the development of the business plan.

Resources

Business Plans That Work--Gives entrepreneurs and small business owners an easy-to-follow guide for writing effective business plans. Include models that can be used to analyze potential business opportunities. www.marked.org

DCA Inc.--an on-line operational guide for starting and Managing a School-Based Enterprise. www.schoolbasedenterprises.org/guide.htm

Entrepreneurship Class Package–A number of instructional activities that cover what it takes to start, organize, and manage a business. www.marked.org

Federal Reserve System, 4105 Fifth Street, Louisville, Kentucky 40202.

Financial Services I and II Curriculum available from the Kentucky Department of Education, Career and Technical Education Division, 502-564-3775.

Kentucky Bankers Association, 325 West Main Street, Suite 1000, Louisville, Kentucky 40202, 502-582-2453. www.kybanks.com

Kentucky Council on Economic Education, 11601 Bluegrass Parkway, Louisville, Kentucky 40299. www.win.net/econ.ky

"Who's Minding the Store? A Guide for Educators Working with School-Based Learning," NCRVE, June 1999. Rick Larson 800-639-7652. http://www.ncrve.berkeley.edu

Check other state department of education websites for additional resources, (e.g., Georgia Department of Education). http://www.doe.k12.ga.us/

CHAPTER 7

SERVICE LEARNING

Definition

Service learning is a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities.

Rationale

Service learning is a concept that requires educators to recognize the capacity students have for curiosity, playfulness, open mindedness, flexibility, humor, sincerity, creativity, enthusiasm, and compassion uniquely qualifies them to address many critical unmet needs in society. Instead of viewing students as passive recipients of education, service learning suggests that they be viewed as competent, capable producers, and willing contributors.

Students can make a difference and, in doing so, grow and learn. Their dedication to making a contribution to their communities and to the world is the foundation of service learning. From this foundation, high-quality service learning programs are built upon two complimentary goals:

- Service learning incorporates the academics and engages students in significant, genuine service to their schools, community and environment.
- Service learning must give students the opportunity to learn through reflection on the experience of serving others.

Recent findings show that students learn best when they apply their knowledge by observing and working with experts while performing real tasks; this underlines the importance of the service learning focusing on real-life contexts. In the process of applying knowledge, it becomes more valuable and interesting. Students grow in their understanding of how their skills and knowledge may be directly applied to solve problems in the adult world they soon will enter.

Therefore, service learning should provide work-based learning experiences that

- Link service and academic learning

- Meet community needs
- Provide concrete opportunities for young people to learn new skills and to think critically in an environment that encourages risk-taking and rewards competence
- Are coordinated in collaboration with the school and community
- Are integrated into each student's curriculum and career interest
- Involve preparation for, reflection on, and celebration of service
- Provide structured time for each student to think, talk, and write about what he/she did and saw during the actual service activity
- Involve students in planning from the earliest stages
- Provide opportunities for students to use newly acquired academic skills and knowledge in real life situations in their own communities
- Enhance what is taught in the school by extending student learning beyond the classroom
- Help foster development of a sense of caring for others

Steps in Planning and Implementing a Service Learning Program/Project

1. Selection of Teacher/Coordinator
2. Planning Phase
   a. Determine who needs help in your community by
      1) Conducting a survey
      2) Inviting community agency representatives in for consultation
      3) Reading local newspapers
   b. Elicit personal vision—how would students like the world to be different?
      1) Create personal world visions
      2) Create a community/school vision
   c. Collaborate with people in existing programs who share similar values
   d. Build on student expertise
   e. Focus on key public issues
3. Implementation Phase
   a. Decide on a service learning activity/project
   b. Collaborate with service recipients and/or the teacher/coordinator
   c. Train students and in-service staff who will be involved in the project
   d. Complete service learning project
   e. Provide structured opportunities for reflection after service learning experience through discussion, reading, and/or writing
   f. Provide a means of celebrating the completion of the service learning project where special recognition may be given to the participants—students, staff, and service recipients.

Career and Technical Student Organizations

Career and Technical Student Organizations (CTSOs) offer comprehensive events and projects based on the occupational goals of their student membership. These organizations provide an excellent avenue for implementing service learning

opportunities. Each organization follows s pecific competitive event guidelines for both individual and team service learning projects.

For more information regarding career and technical student organizations and service learning opportunities, contact the following state advisors:

Family, Career, and Community Leaders of America (FCCLA) 502/564-3775
Reeca Carver
FFA 502/564-3775
Matt Chaliff
Future Business Leaders of America (FBLA) 502/564-3775
Steve Small 502/564-3775
Future Leaders of Marketing, Management and Entrepreneurship 502/564-3775
Gary Colvin
Health Occupations Student Association (HOSA) 502/564-2326
Elizabeth Bullock
Technology Student Association (TSA) 502/564-3472
Henry Lacy
Skills USA 502/564-4286
Steve Phillipi

Legal Issues

705 KAR 4:231, Section 9 General program standards for secondary career and technical programs. (See Appendix B, Resources.)

As best practice, policy statement(s) regar ding off-campus experiences for work-based learning should be components of the curriculum outlined by the School Based Decision Making Council (SBDM).

Professional Staff Criteria

The coordination of the service learning program/project may be done by a parent, community organization, or a non-school person. However, there is added strength in having a teacher, counselor, or administrator monitoring and coordinating the effort. If credits toward graduation are going to be awarded, it is critical that the coordinator hold a valid teaching certif icate. Res ponsibilities of the teacher/coordinator(s) include, but are not limited to the following:

- Developing and monitoring the program/project
- Assisting classroom teachers who are intere sted in infusing service learning into their core curriculum
- Serving as a coach
- Providing resources and models for interested teachers
- Monitoring the results of projects
- Sharing successes
- Communicating community needs
- Serving as community liaison

- Visiting other programs
- Addressing concerns of the community and school
- Interfacing with students
- Arranging for orientations and ongoing training for service learning participants

Work-Based Learning Plan/Agreement

The Work-Based Learning Plan/Agreement (See Appendix A, *Forms*) for service learning would include the standards, expectations, and responsibilities agreed upon by the student, teacher/ coordinator (s), school, service recipient(s), and parent /guardian. In many cases, it may be in the form of a permission slip.

Funding Needs

The following funding needs must be considered:

1. Training and informing administrat ors to be knowledgeab le and supportive leaders and spokespersons of service learning
2. The teacher/coordinator position
3. Staff time to
   a. Learn about service learning through attending conferences
   b. Participate in training and follow-up workshops
   c. Meet and discuss service learning with other staff members
   d. Participate in peer coaching
   e. Visit with community partners to develop working relationships
4. Transportation for students to service learning sites
5. Service learning materials
6. Carrying out service projects
7. Materials and activities for marketing the program

Glossary

Community service is volunteer work done in the community.

Service Learning is a teaching and learning strat egy that integrates meaningful community service with instruction and re flection to enrich the learning experience , teach civic responsibility, and strengthen communities.

Service recipient is the person(s) or organization(s) receiving t he benefits of service learning.

Volunteerism is the theory, act, or practice of being a volunteer to perform some service or work of your own free will and without pay.

Work-based experiences are experiences gained in a wo rk or work-type environment connected to a student's career major/cl uster and integrated with the academic curriculum.

Resources

Community Education Directors in local school districts with Community Education Projects

www.Learnandserve.org – Learn and Serve America--A program of the corporation for National and Community Service. Learn and Serve America provides direct and indirect support to K-12 schools, community groups and higher education institutions to facilitate training, research, and recognition programs.

www.Nationalservice.org – Corporation for National & Community service. This organization provides grants and training to develop and expand volunteer organizations.

www.servicelearning.org -- National Service Learning Clearing House (NSLC) operates American's premier website supporting the service learning efforts of schools, higher education institutions, communities, and tribal nations. The website offers timely information and relevant resources, thousands of free on-line resources, and is the nation's largest library of service learning materials.

http://www.dropoutprevention.org/effstrat/service_learning/overview.htm
This website provides a complete overview of service learning, resources and model programs.

CHAPTER 8

SHADOWING

Definition

Shadowing is learning through observation and is a way to form partnerships between employers and the local schools. Shadowing is an opportunity for a student to spend a limited amount of time with an individual in a chosen occupation in order to become familiar with the duties associated with that occupation, the physical setting of the occupation, and the compatibility of the occupation with his or her own career goals.

Rationale

Shadowing is an opportunity for employers and schools to work together to aid the educational process. Students are given the opportunity to observe workers on the job in different occupations and to become familiar with expectations of the worker in a real world situation. Students are also given the opportunity to discuss items of interest and concern with the individual actually in the occupation they are shadowing. Shadowing provides a relevant learning experience outside the classroom. Employers are able to contribute to the education of youth, promote company culture, and showcase occupations that are not as well known or those where there will be a shortage of qualified candidates in the near future.

Steps for Implementing a Shadowing Program

1. Discuss and identify the goals and policies of the shadowing program.
2. Develop application materials for interested students and employers.
3. Develop selection criteria for both students and employers.
4. Develop an evaluation form to monitor the success of the program.
5. Develop and launch a media campaign.
6. Recruit students (along with their parents), and employers to participate in the program.
7. Select the teacher(s)/other personnel who will be working with the shadowing program inside the school system.
8. Select the individual students and employers who will be participating in the shadowing program.

9. Discuss and identify where and when the shadowing will take place. Discuss and determine transportation needs for the shadowing experiences.
10. Hold a training and orientation session for the employers and school staff involved in the shadowing experiences.
    a. **Employers/Staff Sessions**
        1) Present an orientation—explanation of the goals, procedure for setting up shadowing event, evaluation procedures, and expectations of the school
        2) Review safety precautions
        3) Develop day agenda
    b. **School Staff Sessions**
        1) Present an orientation—explanation of goals, standard procedure to be followed for the shadowing day, and class make-up plan
        2) Review safety precautions
        3) Develop day agenda
11. Hold a training session for the students involved in the shadowing experience to discuss
    a. Expectations
    b. Proper dress
    c. Research careers relating to shadowing experience
    d. Knowledge of basic workplace etiquette
    e. Knowledge of basic safety practices/procedures
    f. Explanation of the evaluation
    g. Plans for transportation
12. Select an employer and a shadowing site compatible with student interest.
13. Facilitate the shadowing sessions.
14. Evaluate the shadowing experience to improve program outcomes (students, teachers, and employers).
15. Send notes of appreciation to the employers who were involved in the shadowing experience.

Legal Issues

Refer to Chapter 1 for information on laws impacting shadowing experience programs.

As best practice, policy statement(s) regarding off-campus experiences for work-based learning should be components of the curriculum outlined by the School Based Decision Making Council (SBDM).

Professional Staff Criteria

The school and employer staff should provide

- a safety-conscious environment.
- time to spend with the students and their shadowing experiences.
- adequate supervision of the students at the job site.

Work-Based Learning Plan/Agreement

A sample Work-Based Learning Plan/Agreement that may be used for all types of work-based learning is available in Appendix A, *Forms*.

Other sample forms provided at the end of this chapter which may be modified as needed:

Student Application
Questionnaire for Employers
Teacher Evaluation
Student Evaluation
Employer Evaluation
Parent Consent/Medical Authorization
Teacher Consent

Resources

www.state.nj.us/education/voc/shadow.htm
This website provides a job shadowing handbook.

www.jobshadow.org
This website provides useful information and resources for job shadowing.

www.virtualjobshadow.com
This website provides virtual career exploration of a variety of careers.

www.uwplatt.edu/careercenter/resources/JobShadow.pdf
This website provides valuable information on what job shadowing is and how it works as well as helpful tips on establishing a program.

www.reachoutmichigan.org/career/shadowtips.html
This website provides helpful hints for the worksite.

www.ja.org/programs/programs.shtml
This website will provide information on the Junior Achievement Job Shadowing Program.

SAMPLE

STUDENT APPLICATION FOR SHADOWING OR MENTORING

Division of Career and Technical Education
Office of Career and Technical Education

Check the Experience in Which You Are Interested: Mentoring _____ Shadowing _____

Students interested in participating in either a shadowing experience or a mentoring relationship need to complete the following items in order to be considered for either opportunity.

NAME _____ GRADE/CLASS _____

HOMEROOM TEACHER/ADVISOR_____

Please list some of your specific career interests in order of preference:

1. _____
2. _____
3. _____

If you already have a specific employer with whom you would like to become more familiar, please list that employer's name _____. Attempts will be made to make those arrangements; however, circumstances may arise which could make the match unlikely.

Student Agreement

1. I agree to make up any school work that I miss while participating in a shadowing or mentoring session.
2. I agree to act in an appropriate manner while participating in a shadowing or mentoring session.
3. I agree to become knowledgeable about my career interest prior to participating in a shadowing or mentoring session.
4. I agree to report to the entire class about my chosen experience.

Student Signature _____ Date_____

****

PARENT/GUARDIAN PERMISSION: I give my child,_____, permission to participate in a shadowing or mentoring session set up by the school authorities.

Signature_____ Date_____

SAMPLE

QUESTIONNAIRE FOR EMPLOYERS INTERESTED IN SHADOWING

Division of Career and Technical Education
Office of Career and Technical Education

Employers Interested in Participating in a Shadowing Experience: Please complete the following items to facilitate the scheduling of the shadowing participant.

EMPLOYER NAME _____
ADDRESS _____
COMPANY CONTACT _____ PHONE _____

Please list the positions/individuals you feel could have a student shadow for a limited amount of time.

	Position	Individual
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

List any restrictions which might limit some students' participation in shadowing. (e.g., age)

_____
_____
_____

Describe briefly your interest in participating in a shadowing experience for our students.

_____
_____
_____
_____

****

_____ agrees to participate in a shadowing experience for students of _____ School. Prior to the shadowing experience, we agree to send at least one individual from the company to an orientation and training session at _____ School to prepare for the arrival of the student(s). _____ agrees to fully supervise the student(s) while on our property and to not put them in a hazardous situation.

Company Representative _____ Date _____

SAMPLE

TEACHER EVALUATION FOR MENTORING AND SHADOWING

Division of Career and Technical Education
Office of Career and Technical Education

TEACHER _____

CLASS/GRADE _____

Do you believe that the shadowing and mentoring experiences were good learning experiences for your students? ___ Yes ___ No Give examples of positive experiences.

_____
_____
_____
_____

How did the students share their experiences with the other students once they came back to the classroom?

_____
_____
_____
_____

List suggestions to make the experiences more valuable to all concerned.
Students: _____
Parents: _____
School Personnel: _____
Employer: _____

Did you encounter any special problems with the shadowing or mentoring program that need to be addressed on a school wide level? ___ Yes ___ No If yes, please explain.

_____
_____
_____

Are you interested in having future students participate in other shadowing or mentoring experiences? ___ Yes ___ No

SAMPLE

STUDENT SHADOWING EVALUATION

Division of Career and Technical Education
Office of Career and Technical Education

NAME_____ GRADE/CLASS_____

EMPLOYER _____

CONTACT PERSON _____

DATE _____

1. Describe what you observed while on your shadowing visit.

   _____
   _____
   _____
   _____

2. What did you learn that most surprised you while on your shadowing visit?

   _____
   _____
   _____
   _____

3. Are you still interested in your career choice after this experience? ___ Yes ___ No
   Explain your selection.

   _____
   _____
   _____
   _____

4. Have you expressed appreciation to the individual that you shadowed? ___ Yes ___ No
   If yes, explain. _____
   _____
   _____

5. Give suggestions that could have made the s hadowing experience more beneficial to you.

   _____
   _____
   _____
   _____

SAMPLE

EMPLOYER SHADOWING EVALUATION

Division of Career and Technical Education
Office of Career and Technical Education

EMPLOYER NAME_____ _____

ADDRESS _____

TELEPHONE_____DATE _____

Do you believe that the shadowing experience was beneficial to the students? ___ Yes ___ No
To the employer? ___ Yes ___ No

How?_____
_____
_____
_____

Do you believe that the school should continue this effort to extend learning beyond the classroom?_____
_____
_____

Did the student come to your place of business fully prepared for the shadowing experience?
_____
_____
_____
_____

Do you have any suggestions or comments to make the experience more valuable to the students?
_____
_____
_____
_____

Are you willing to participate in another shadowing experience in the near future?
___ Yes ___ No
Time of day for visit(s) _____ Time of year for visit(s) _____

Your participation in the shadowing program for our student(s) is greatly appreciated. The partnership between schools and employers is a vital step to better preparing our youth for the jobs of tomorrow. Thanks for your help!

SAMPLE

PARENT/GUARDIAN CONSENT FORM

Division of Career and Technical Education
Office of Career and Technical Education

Your son or daughter will be participating in a job shadowing experience. Job shadowing is a work-site experience (typically three to six hours) during which a student spends supervised time at a workplace observing a worker, asking questions, and completing written assignments to learn about different jobs.

Permission to Participate in Job Shadowing

_____ may participate in a job shadowing experience which will take place

at_____on_____from
(day/s)
_____ to _____.
(time) (time)

Permission to Travel to Work Site

I grant permission for my son/daughter to travel by public transportation.

____**Yes** ____ **No**

I grant permission for my son/daughter to travel using his/her own car. (Note: Proof of driver's license and insurance is required.)

____**Yes** ____ **No**

I understand I am responsible for providing transportation for my son/daughter to and from the job shadowing site.

____**Yes** ____ **No**

I understand the school will provide transportation to and from the job shadowing site.

____**Yes** ____ **No**

Photo Release

I grant permission to photograph my son/daughter while participating in the job shadow for program promotion and educational purposes.

____**Yes** ____ **No**

_____

Signature of Parent/Guardian **Date**

SAMPLE

MEDICAL AUTHORIZATION

Division of Career and Technical Education
Office of Career and Technical Education

Should it be necessary for my child to have medical treatment while participating in the job shadowing, I hereby give the school district and/ or work-site personnel permission to use their best judgment in obtaining medical service for my child, and I give permission to the physician selected to render whatever medical treatment he/she deems necessary and appropriate.

____**Yes** ____ **No**

Permission is also granted to release emergency contact/medical history to the attending physician or to work-site personnel if needed.

____**Yes** ____ **No**

Student's name _____

Date of birth _____

Address _____

Daytime phone for parent or guardian (_____)_____

Contact other than parent or guardian _____

Relation to student _____

Phone (_____)_____

Family doctor _____

Phone (_____)_____

Preferred hospital address _____ Phone (____)_____

Does your child require any special accommodations due to medical limitations, allergies, disabilities, dietary constraints, or other restrictions? Please explain any that are required.

_____

_____

_____

_____

_____

Signature of Parent/Guardian **Date**

This form was adapted from *Job Shadow Guide for Staff*. Northwest Regional Educational Laboratory.

SAMPLE

STUDENT/TEACHER CONSENT FORM

Division of Career and Technical Education
Office of Career and Technical Education

Student to Complete

I, _____, will participate in a job shadowing experience,

which will take place at _____on _____
(day/s)

from _____ to _____.
(time) (time)

I understand that people outside of school are giving up valuable time to help me learn about their jobs. By signing below, I agree to complete all the requirements of the job shadowing and take responsibility for making up work in the classes I miss for my job shadowing experience.

_____ _____
(Student Signature) (Date)

Teacher(s) to complete

I authorize _____ (name of student) to be excused from my class to participate in job shadowing during the date and time indicated above. The student will be responsible for all make-up work and will complete it according to a schedule that I determine with him or her.

1. Teacher's name:_____
   Dates/times of classes to be missed: _____
   Signature: _____
2. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____
3. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____
4. Teacher's name: _____
   Dates/times of classes to be missed: _____
   Signature: _____

Adapted from *Job Shadow Guide for Staff*. Northwest Regional Educational Laboratory.

FORMS in Adobe PDF Format

One of the requirements for the various types of work-based learning is that each student must have a Work-Based Learning Plan/Agreement on file at the school.

This appendix contains ***SAMPLE*** forms that may be printed and then completed by the appropriate parties as necessary to meet the needs of your work-based learning program(s).

Each chapter of the *Work-Based Learning Manual 2008* contains SAMPLE forms (in WORD format) specific to that type of work-based learning (e.g., Cooperative Education, Internship, Mentoring, Shadowing, etc.) which may also be used or modified to meet the needs of your work-based learning program(s).

1. Work-Based Learning Plan Agreement A.2.2
2. Addendum for Student Learner in Hazardous Occupations A.2.5
3. Log of Work-Based Learning Contacts A.2.7
4. Work-Based Learning Evaluation by Student A.2.8
5. Work-Based Learning Employer Evaluation Report A.2.9

Education Cabinet **Date:_____**
Division of Career and Technical Education
Office of Career and Technical Education

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing
☐ School-Based Enterprise ☐ House Project ☐ Service Learning ☐ Entrepreneurship

WORK-BASED LEARNING/PLAN AGREEMENT

Student's Last Name:		First Name:		MI:	
SID Number:		Date of Birth:			
Address:		City:			
Phone Number:		State:		Zip:	
Cell Number:		E-Mail			

School					
Address:		City:			
Phone Number:		State:		Zip:	

Program Area:		ILP Career Goal:	
Teacher's Name			
Coordinator's Name:			

Company/Business Name:			Phone:		
Address:			E-Mail:		
City:		State:		Zip:	
Work-Site Mentor:		Hours/Week:			
Title:		Start and End Dates:			
Work Schedule (Days & Hours):		Hourly Wage: (if applicable)			
Optional: Background Check Completed: Work-Site Mentor Yes_____ No _____					

The Division of Career and Technical Education and the Office of Career and Technical Education complies with all federal regulations prohibiting discrimination on the basis of race, color, national origin, sex, disabilities, religion, mental status or age.
Equal Education and Employment Opportunities M/F/D

Based on Work-Based Learning type, complete the following:

General Workplace Competencies

☐	Attendance/Punctuality	☐	Adaptability/Flexibility
☐	Appearance	☐	Relations with Co-Workers
☐	Attitude	☐	Time Management
☐	Dependability	☐	Quality of Work
☐	Initiative	☐	Quantity of Work
☐	Following Directions	☐	Company Rules/Regulations
☐	Job Knowledge	☐	Safety
☐	Cooperation	☐	Use of Equipment

Occupational Skills/Competencies (Hazardous Occupations*)
1.
2.
3.
4.
5.
6.
7.

***The addendum for Hazardous Occupations is to be completed if a co-op placement is associated with an exemption for hazardous occupations.**

Occupation/Safety Competencies	
1.	
2.	
3.	
4.	
5.	
6.	
7.	
Student:	School Year:

THE STUDENT AGREES TO:

- Be courteous and considerate of the employer, co-workers, and others.
- Keep the employer's interest in mind and to be punctual, dependable, and loyal.
- Notify the employer and the coordinator as soon as possible if unable to go to work and/or school.
- Keep such records of work experience and wages (if applicable) earned as required by the school and to submit them on or before specified deadlines.
- Conform to the policies and regulations of the employer and the school.
- Maintain a satisfactory performance level on-the-job.
- Abide by the Work-Based Learning Plan/Agreement developed by the teacher, coordinator, and employer.

THE TEACHER/COORDINATOR, ON BEHALF OF THE SCHOOL, AGREES TO:

- Prepare, with the assistance of the training sponsor, a WBL Agreement/Plan.
- Revise the Agreement/Plain as needed to improve the student's work experience.
- Visit the student on the job as often as appropriate to the WBL experience to determine instructional needs and to ensure that the student receives job training and supervision as well as variety of job experiences.
- Recognize that much of the information gathered at the company is confidential.
- Prior to the WBL experience, prepare the student to be successful.

THE PARENT OR GUARDIAN AGREES TO:

- Accept responsibility for the student's safety and conduct while traveling to and from school, place of employment and/or home.
- Support the concepts of work-based learning experiences.
- Abide by WBL Plan/Agreement for hazardous occupations, when applicable.

THE EMPLOYER AGREES TO:

- Take an active part in the training and supervision of the student while providing instruction in accordance with the WBL Agreement/Plan.
- Provide safety training as regulated by OSHA.
- Assist the coordinator in evaluation the student's performance on the job by completing the evaluation form when required.
- Provide close supervision by an experienced and qualified person to avoid subjecting the student to unnecessary or unusual hazards.
- Notify the parent and the school immediately in case of accident, sickness or any other serious problems.
- Permit and expect the coordinator to visit periodically to discuss the progress of the student and to observe him/her on the job.
- Give the same consideration to the student as given to other employees in regard to safety, health, general employment conditions and other regulations to the business.
- Comply with all regulations prohibiting discrimination on the basis of race, color, national origin, sex, disabilities, religion, marital status or age.
- Contact coordinator prior to student's dismissal from employment.
- Pay student-trainee when an employer/employee agreement is negotiated.

If this agreement is for a paid work-based learning placement, the employer certified that this student is covered by Workers' Compensation Insurance and that the policy is now in force and registered with the Department of Workers Claims in Frankfort, KY as prescribed by law (KRS 342.630) (or with the appropriate agency if outside of Kentucky.)

	Signatures	Date		Signatures	Date
Employer:			WBL Coordinator: (when applicable)		
Principal:			Teacher:		
Student:			Parent/Guardian:		

Copies sent to:

_____Employer _____ Principal _____ Student _____ WBL Coordinator _____ Teacher _____ Parent/Guardian

Addendum for Student Learner in Hazardous Occupations And Cooperative Education Training Plan

(minors under 18 years of age)
To Be Attached To Work-Based Learning Plan/Agreement

HAZARDOUS OCCUPATIONS PROHIBITED FOR MINORS:

1. Occupations in or about Plants or Establishments Manufacturing or Storing Explosives or Articles Containing Explosive Components.
2. Motor Vehicle Driver and Outside Helper
3. Coal Mine Occupations
4. Logging or Sawmill Operations
*5. Operation of Power-Driven Woodworking Machines
6. Exposure to Radioactive Substances
7. Operation of Power-Driven Hoisting
*8. Apparatus
9. Operation of Power-Driven Metal Forming, Punching, and Shearing Machines
Mining, other than coal
*10. Slaughtering, Meat Packing or Processing, or Rendering
11. Operation of Bakery Machines
*12. Operation of Paper Products Machines
13. Manufacture of Brick, Tile and Kindred Products
*14. Operation of Circular Saws, Band Saws, and Guillotine Shears
15. Wrecking, Demolition and Shipwrecking Operations
*16. Roofing Operations
*17. Excavating Operations
18. In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption, or dispensed unless permitted by the rules and regulations of the Alcoholic Beverage Control Board (except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted).
19. Pool or Billiard room

EXEMPTIONS

Exemptions may be made for Hazardous Occupations identified by an asterisk (*) in the above list for student learners who are enrolled in Cooperative education program through a **written agreement** with the recognized local educational authority.

DEFINITION OF STUDENT LEARNERS

A student learner is an individual who is enrolled in a course of study and training in a cooperative vocational program under a recognized state or local educational authority.

GUIDELINES FOR WRITTEN AGREEMENT

The addendum to the Work-Based Learning Plan/Agreement must:

- Be attached to the official Work-Based Learning Plan/Agreement
- Identify the hazardous occupations in which the student is participating
- Specify tasks to be performed in the Co-op placement and identify those tasks which are identified as hazardous
- Identify types of supervision required at the work site (i.e. general and direct). Direct on-site supervision ***is required*** when using hazardous equipment
- Ensure that student has completed appropriate skill and safety training to be able to perform specified task at entry-level employment status

Written Agreement for Hazardous Occupations

Job Title	Hazardous Occupation and Exemption*
Identify tasks to be performed at work-site	Identify hazardous tasks to be performed at work site

Supervision

Identify areas of general supervision to be provided for the student learner at the work site:

_____

_____

_____

Identify areas where direct supervision is to be provided for the student learner performing hazardous tasks at the work site:

_____

_____

_____

This agreement is an exemption from Child Labor Order # _____* from the identified hazardous occupation list. This exemption is effective when all parties abide by the terms of this agreement.

Instructor (School)	Date
Supervisor (Work)	Date
Parent / Guardian	Date

*Refer to the number identified with an asterisk on previous page.

SAMPLE

Log of Work-Based Learning Contacts

Division of Career and Technical Education
Office of Career and Technical Education

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing
☐ School-Based Enterprise ☐ House Project ☐ Service Learning ☐ Entrepreneurship

Student Name: _____ Grade Level: _____
School: _____ Program: _____
Business/Company Name: _____
Work-Site Mentor: _____
WBL Starting Date: _____ WBL Ending Date: _____

Purpose of Visit: ☐ Observation of Student ☐ Visit with worksite mentor ☐ Evaluation
☐ Problem situation ☐ Other: _____

1. Each site should be visited at least one time before the student is placed to ensure the safety and proper training of the student.
2. Each student should be visited periodically at the work-site to check progress, attendance, appropriate work assignments, safety, etc. Additional minimum visitation requirements:
   - Coop, Internship and Mentoring
   - 1 time per 9 weeks
   - No additional requirements
3. Please document visitation below.

Date of Visitation	Person Making Visit	Observation/Suggestions/Recommendations

SAMPLE

Work-Based Learning Evaluation by Student

Division of Career and Technical Education
Office of Career and Technical Education

☐ Coop ☐ Internship ☐ Mentoring ☐ Shadowing
☐ School-Based Enterprise ☐ House Project ☐ Service Learning ☐ Entrepreneurship

Date:_____

Student Responsibility: Turn in this form to the Teacher/WBL Coordinator at the end of the WBL experience.					
Student's Last Name:		**First Name:**		**MI:**	
Employer:		**Contact Person:**			
Date WBL began:		**Date WBL ended:**			

Evaluation of Work-Based Learning Experience

Scale: 1 – Poor 2 – Needs Improvement 3 – Average 4 – Good 5 – Excellent

Work-Based Learning Experience	**Rating**				
Related to my career goal	**1**	**2**	**3**	**4**	**5**
Helped in planning my career					
Still interested in this career					
Received guidance and direction from the WBL supervisor on site					
Used time wisely					
Assigned appropriate amount of work					
Expected appropriate quality of work					
Emphasized work ethics					
Provided Work-Based Learning experience as outlined in agreement					
Was of sufficient length					
Was a positive experience overall					
Remarks:					

Sample

Work-Based Learning (WBL) Employer Evaluation Report

Division of Career and Technical Education
Office of Career and Technical Education

□ **Coop** □ **Internship** □ **Mentoring** □ **Shadowing** □ **School Enterprise/Bank/Store** □ **House Project**

School:		Program:	
Student Name:		WBL Start Date:	
Company Name:		WBL End Date:	
Contact Person:		Telephone:	

Student Responsibility: Turn in this form to the Teacher/WBL Coordinator at the end of the WBL experience or at least every two weeks of employment.

Employer Responsibilities: Please complete the two tables below; share your ratings with the student; give this form to the student to return to the Teacher/WBL Coordinator. Thank you.

Evaluation

Scale: 1 – Poor 2 – Needs Improvement 3 – Average 4 – Good 5 - Excellent

Trait	Rating					Trait	Rating				
Attendance/Punctuality	1	2	3	4	5	Cooperation	1	2	3	4	5
Appearance	1	2	3	4	5	Adaptability/Flexibility	1	2	3	4	5
Attitude	1	2	3	4	5	Relations with Co-Workers	1	2	3	4	5
Dependability	1	2	3	4	5	Time Management	1	2	3	4	5
Initiative	1	2	3	4	5	Quality of Work	1	2	3	4	5
Following Directions	1	2	3	4	5	Quantity of Work	1	2	3	4	5

Remarks:

Attendance

Day	Mon	Tues	Wed	Thurs	Fri	Mon	Tues	Wed	Thurs	Fri	Total Hours
Date											-------
Hours Worked											

Earnings (If Applicable)

Total Hours: _____ Hourly wage: _____ = Total Gross Earnings: $ _____

Signature of Supervisor: _____ Date: _____

Equal Education and Employment Opportunities M/F/D

APPENDIX B

RESOURCES

1. Publications B-2

2. Website Addresses B-4

3. General program standards for secondary career and technical education programs 705 KAR 4:231 ..... B-5

4. Student medical and accident insurance--780 KAR 2:110 ..... B-9

5. Cooperative program standards--705 KAR 4:041 ..... B-10

6. Minimum requirements for high school graduation--704 KAR 3:305 ..... B-11

7. Student Council Policies (SBDM) B-14

PUBLICATIONS

America's Choice: High Skills or Low Wages! National Center on Education and the Economy, 39 State Street, Suite 500, Rochester, NY 14614, Phone (716) 546-7620, FAX (716) 546-3145.

Building a System to Connect School and Employment. Council of Chief State School Officers and the American Youth Policy Forum, AYPF, 1001 Connecticut Avenue, N.W., Suite 719, Washington, DC 20036, Phone (202) 775-9731.

Child Labor Requirements in Nonagricultural Occupations Under the Fair Labor Standards Act. U.S. Department of Labor Employment Standards Administration, Wage and Hour Division, Room 31, Gene Snyder U.S. Courthouse and Customhouse, 601 West Broadway, Louisville, KY 40202.

Handy Reference Guide to the Fair Labor Standards Act. U.S. Department of Labor, Employment Standards Administration Wage and Hour Division, Room 31, Gene Snyder U.S. Courthouse and Customhouse, 601 West Broadway, Louisville, KY 40202.

How School to Work Works for Business. National Alliance of Business, Distribution, PO Box 501, Annapolis, MD 20701, Phone 1-800-787-7788. For further information on this publication, please contact National Alliance of Business, 1201 New York Avenue, N.W., Ste. 700, Washington, DC 20005-3917, Phone (202) 289-2972.

Kentucky Occupational Outlook to 2014. Research and Statistics Branch, Department for Workforce Investment, Office of Employment and Training, Frankfort, KY 40601.

Learning Through Work: Designing and Implementing Quality Worksite Learning for High School Students. Susan Goldberger, Richard Kazis, Mary Kathleen O'Flanagan, Manpower Demonstration Research Corporation, 3 Park Avenue, New York, NY 10016, Phone (212) 532-3200; 88 Kearny Street, Ste. 1650, San Francisco, CA 94108, Phone (415) 781-3800.

Licensed Occupations. Provides an overview of the specific minimum standards required by the Commonwealth of Kentucky for careers requiring a license or certificate before practice of these occupations may begin. The information is provided by the regulatory agencies following each regular session of the Kentucky General Assembly.

Opening Career Paths for Youth: What Can Be Done? Who Can Do It? Stephen F. Hamilton and Mary Agnes Hamilton, American Youth Policy Forum and Jobs for the Future, AYPF, 1001 Connecticut Avenue, N.W., Ste. 719, Washington, DC 20036-5541, Phone (202) 775-9731.

Outline Questions and Answers for Cooperative Education Programs in Career and Technical Education, Division of Career and Technical Education, Frankfort, KY 40601, Phone (502) 564-3775.

School Lessons—Work Lessons. Institute for Educational Leadership, 1001 Connecticut Avenue, N.W., Ste. 310, Washington, DC 20036, Phone (202) 822-8405, FAX (202) 872-4050.

School to Career Legislation. KRS Chapter 158.

School-to-Work Connections: Formulas for Success. U.S. Department of Labor, Employment and Training Administration, 1992, Office of Work-Based Learning, 200 Constitution Ave. N.W., Room N4649, Washington, DC 20210. (202) 523-0281.

School-to-Work Opportunities: What Can Schools Look Like? Center for Law and Education, 1875 Connecticut Avenue, SW, Ste. 510, Washington, DC 20009, Phone (202) 986-3000, FAX (202) 986-6648.

School to Work: Research on Programs in the United States. The Falmer Press (Taylor & Francis Group), 1900 Frost Rd., Ste. 101, Bristol, PA 19007, Phone (800) 821-8312.

Service Learning for All Students. Carl I. Fertman, Fa stback #375, Phi Delta Kappa Educational Foundation, P.O. Box 789, Bloomington, IN 47402.

Teenager's Guide to Kentucky's Labor Law and On the Job Safety. The Kentucky Safety and Health Network, Inc., P.O. Box 4087, Frankfort, KY 40604-4087.

What Work Requires of Schools: A SCANS Report for America 2000. U.S. Department of Labor, Washington, DC.

Work-Based Learning the Key to School-to-Work Transition. Glencoe/McGraw-Hill, PO Box 508, Columbus, OH 43216, Phone 1-800-334-7344.

Work-Based Education Tips Guide. Dozens of short, to-the-point suggestions for getting maximum results from your co-op or internship program.
http://shop.mark-ed.org/item-detail.cfm?cat_nmb=MSC-01-002&storeid=1

WEBSITE ADDRESSES

Career Builder Campus— http://www.careerbuildercollege.com

Department of Labor—www.state.ky.us/agencies/labor/labrhome.htm

Division of Career and Technical Education--
http://www.kentuckyschools.org/KDE/Instructional+Resources/Career+and+Technical+Education/

Kentucky Department of Education—www.kde.state.ky.us

Kentucky Occupational Outlook to 2014—http://www.oet.ky.gov

Kentucky TECH—http://kytech.ky.gov

Outline Q & A for Cooperative Education Programs in Career & Technical Education—
http://www.kentuckyschools.org/KDE/Instructional+Resources/Career+and+Technical+Education/Career+and+Technical+Ed+Resources/Work+Based+Learning+Guide.htm
(KDE website; click on "Career and Technical Education," then click "CTE Resources," and then "Work-based Learning.")

Office of Career and Technical Education—www.state.ky.us.agencies

Work-Based Education Tips Guide
http://shop.mark-ed.org/item-detail.cfm?cat_nmb=MSC-01-002&storeid=1

Workforce Kentucky—a resource for labor market information.
www.workforcekentucky.ky.gov

705 KAR 4:231. General program standards for secondary career and technical education programs.

RELATES TO: KRS 151B.025(5), 156.029, 20 USC 2301-2471

STATUTORY AUTHORITY: KRS 151B.025(5), 156.029, 156.070, 20 USC 2301-2471

NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.025(5) requires the Kentucky Board of Education to establish program standards for secondary area vocational education and technology centers. This administrative regulation establishes standards for secondary career and technical education programs in local school districts and area centers essential for compliance with the Carl D. Perkins Vocational and Technical Education Act of 1998, 20 USC 2301-2471.

Section 1. (1) Secondary career and technical education programs shall be designed to serve students enrolled in the following middle school and secondary program areas:

(a) Agricultural education;

(b) Business education;

(c) Health sciences;

(d) Family and consumer sciences;

(e) Industrial technology education;

(f) Marketing education;

(g) Technology education; and

(h) Pathway to careers.

(2) Instructional programs shall not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability, in violation of state or federal statutes.

Section 2. Instruction shall be designed to:

(1) Assist students preparing for school to work transition in recognized occupations and new or emerging occupations including high technology industries;

(2) Prepare students for advanced or highly skilled postsecondary technical education programs, including Tech Prep, or entrance into community and technical colleges or universities;

(3) Assist individuals in obtaining computer literacy skills; and

(4) Provide career guidance and academic counseling in the development of the individual graduation plan as established in 704 KAR 3:305.

Section 3. The content of the instruction in secondary career and technical education programs shall:

(1) Be aligned with state or national occupational skill standards that have been recognized by business and industry to include an understanding of all aspects of an industry;

(2) Be developed and conducted in consultation with employers and other individuals having skills and knowledge of the occupational fields or industry included in the instruction;

(3) Be developed to include a coherent sequence of academic and career or technical courses for each program, aligned with career clusters and majors;

(4) Be sufficiently extensive in duration and intensive within a scheduled unit of time to enable students to achieve the objectives of the instruction;

(5) Be structured to provide for the integration of rigorous academic content relevant to the career area and aligned with the academic expectations, 703 KAR 4:060; and

(6) Be linked to postsecondary education in order to provide smooth and seamless transition to postsecondary education in related technical fields. If possible, articulation of credit from secondary to postsecondary education shall be provided for students.

Section 4. (1) A student completing the requirements for a career major may receive a Career Major Certificate. Requirements for a Career Major Certificate shall include:

(a) Successful completion of high school graduation requirements to include four (4) career-related credits relevant to a career cluster or major;

(b) Participation in a structured work-based learning experience related to the career cluster or major; and

(c) A culminating project related to the career cluster or major.

(2) A student may earn the Department of Education Career and Technical Certificate of Achievement by:

(a) Earning four (4) credits within a career major; or

(b) Enrolling in a specific occupational area (in high school programs or vocational/technical schools) and successfully obtaining the competencies identified for a major (DOT) Dictionary of Occupational Title.

Section 5. A secondary career and technical education program shall provide opportunities for students to participate in high quality work-based learning experiences related to the program in which they are enrolled. These work-based learning experiences may include:

(1) Job shadowing;

(2) Mentoring;

(3) Internships;

(4) School-based enterprises;

(5) Entrepreneurship;

(6) Clinicals;

(7) Cooperative education;

(8) Service learning;

(9) Apprenticeship; or

(10) Work experience.

Section 6. A secondary career and technical education program shall be designed to accommodate students with special learning needs, i.e., the disadvantaged, the disabled and individuals with limited English proficiency.

Section 7. A secondary career and technical education program shall provide a variety of learning experiences. Programs in grades six (6) through eight (8) shall be designed to allow students to become aware of and explore clusters of occupations. Programs in grades nine (9) through twelve (12) shall provide in-depth exploration, specialized skill development and preparation for advanced education. Students enrolled in public or private schools shall be permitted to enroll in a state-operated career and technical program consistent with that school district's enrollment quota.

Section 8. A career and technical preparation program shall provide a curriculum of sufficient length to permit students to secure entry level skills in the occupation for which they are training.

Section 9. Recognized career and technical student organizations shall be an integral part of a career and technical education program and shall be supervised by qualified career and technical education personnel. All students shall be provided an opportunity to participate in leadership development activities.

Section 10. Instructional and administrative personnel shall meet the certification requirements as specified by the Education Professional Standards Board in 704 KAR Chapter 20.

Section 11. Opportunities in secondary career and technical education programs shall be provided for students to receive an industry-recognized skill standard certificate based on skill standards and assessments.

Section 12. A vocational career and technical education program area shall have an active program advisory committee comprised of business and industry representatives, parents, education representatives, and, if applicable to the program area, labor organizations representatives to assist in planning, implementing, and evaluating programs.

Section 13. Requests for exceptions to any standards for career and technical instructional programs shall be submitted in writing by the local educational agency to the chief state school officer.

Section 14. (1) The maximum number of students per class shall be based on the class setting.

(a) For a classroom setting, the maximum enrollment shall be thirty-one (31).

(b) For a laboratory or shop setting, the number of students enrolled in a class shall not exceed the number of work stations available in the facility.

(2)(a) A program shall provide classrooms, laboratories, and other facilities including instructional equipment, supplies, teaching aids, and other materials in sufficient quantity and quality to meet the objectives of the instructional programs.

(b) Equipment used in career and technical education programs shall be similar to that used in business and industry.

(c) An inventory of all equipment with an original purchase price of $500 or more shall be maintained by the local school district or area technology center.

(d) The facilities for each program shall be:

1. Of adequate size to accommodate the activities and the number of work stations unique to the program; and

2. Approved by the chief state school officer.

Section 15. (1) A career and technical education program shall meet the performance indicators in accordance with the requirements of the Carl Perkins Vocational-Technical Education Act of 1998, 20 USC 2301-2471, which include:

(a) State established academic and vocational technical skill achievement;

(b) Attainment of a secondary diploma;

(c) Placement in postsecondary education or employment;

(d) Nontraditional training and employment; and

(e) Issuance of a Career Major Certificate or Career and Technical Certificate of Achievement to students.

(2) The performance indicators shall be used to determine the effectiveness of the program in terms of its objectives and shall include annual follow-up data as well as annual enrollment reports.

(3) An audit of the utilization of federal and state funds shall be conducted by the Kentucky Department of Education or Department of Technical Education to assure that eligible recipients meet the requirements for each approved career and technical education program.

Section 16. Federal funds to be received by a local school district under the Carl D. Perkins Vocational and Technical Education Act of 1998, 20 USC 2301-2471, may be withheld for noncompliance with this administrative regulation or with the Carl D. Perkins Vocational Technical Education Act of 1998. (20 Ky.R. 3391; Am. 21 Ky.R. 348; eff. 8-4-94; 27 Ky.R. 865; 1261; eff. 11-17-2000.)

780 KAR 2:110. Student medical and accident insurance.*

RELATES TO: KRS 151B.025(3), 151B.110, 151B.175, EO 2000-990
STATUTORY AUTHORITY: KRS 151B.025(3), 151B.175(2), EO 2000-990
NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.175(2) authorizes the Commissioner for the Department for Technical Education toprovide medical and accident insurance for students enrolled in the state secondary area technology centers and area vocational education centers. KRS 151B.175(2) and EO 2000-990 require the Commissioner of the Department for Technical Education to promulgate administrative regulations to implement the insurance program. This administrative regulation establishes the requirements of the student medical and accident insurance program.

Section 1. Definition. (1) "Kentucky TECH" means the system of state-operated secondary technical education programs.

Section 2. Students enrolled in a Kentucky TECH school, except continuing education and customized business and industry classes, shall have medical and accident insurance coverage during the period of enrollment.

Section 3. The commissioner shall enter into a contract with a surety or insurance company or its agent to provide medical and accident insurance coverage for students enrolled in Kentucky TECH.

Section 4. The policy shall:
(1) Be a full excess policy; and
(2) Pay the covered expenses incurred which are in excess of those paid or payable by another plan.

Section 5. The medical and accident coverage shall consist of a single contract applied to the plan of coverage contained in the contract between the Commonwealth and the carrier.

Section 6. Following an authorized signature by an official of the insuring company, the insurance policyshall:
(1) Be attached to the contract; and
(2) Become a part of the medical and accident insurance contract.

Section 7. Coverage shall:
(1) Take effect on the date requested; and
(2) Remain in effect through the expiration date shown on the application.

Section 8. (1) The Department for Technical Education shall authorize payment of the premium to:
(a) A surety;
(b) An insurance company; or
(c) An agent thereof.
(2) The premium shall be based on the average number of students that were enrolled:
(a) During the previous quarter; and
(b) In Kentucky TECH schools.

Section 9. Nothing in this administrative regulation shall be construed as a waiver of the sovereign immunity of the Commonwealth. (17 Ky.R. 725; eff. 10-14-90; Am. 18 Ky.R. 3232; 19 Ky. R. 52; eff. 7-4-92;22 Ky.R. 363; eff. 10-5-95; 26 Ky.R. 2321; 27 Ky.R. 962; eff. 10-16-2000.)

*Pursuant to Kentucky TECH

705 KAR 4:041. Cooperative program standards.

RELATES TO: KRS 151B.025, 156.029(7)

STATUTORY AUTHORITY: KRS 151B.025(5), 156.029(7), 156.070(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.025(5) requires the Kentucky Board of Education to establish program standards for secondary area vocational education and technology centers. This administrative regulation establishes program standards for cooperative vocational education in area vocational education and technology centers and local school districts.

Section 1. Cooperative vocational education shall meet the following minimum requirements:

(1) To participate in cooperative vocational education, a student shall be at least sixteen (16) years of age.
  (a) A student who is under eighteen (18) shall secure a verification of age issued by the local superintendent of schools.
  (b) A student who is between age eighteen (18) to twenty-one (21) shall have a certificate of age on file with the employer.

(2) A student shall have:
  (a) Successfully completed the basic vocational skills prerequisites required by the preparatory program he is pursuing; and
  (b) Gained sufficient knowledge and skills necessary for success in a cooperative education program.

(3) A student shall be enrolled in a related preparatory educational subject within the school year.

(4) The cooperative education program shall be an integral part of the school's program of studies and be described in the school catalog.

(5) A student may receive academic credit on an hour-for-hour-basis equivalent to a Carnegie Unit only for work experience directly related to the student's individual graduation plan and approvable under the Program of Studies for Kentucky Schools, 704 KAR 3:303.

(6) A student shall receive a salary for the work experience phase of instruction in accordance with local, state, and federal minimum wage requirements.

(7) The school shall arrange and coordinate with the employer for on-the-job training. A training agreement by the school, student, parent, and employer shall be placed on file with the school.

(8) A student shall be excused from school attendance only for the purpose of participating in an approved cooperative education program activity.

(9) The program shall include an evaluation component to assess the effectiveness of the program in assisting students in the achievement of their educational and career goals.

(10) The student shall spend a minimum of ten (10) clock hours per week in a salaried position which provides work experience directly related to the student's career goals as identified in his individual graduation plan.

(11) The school shall provide work site supervision of the student by a certified teacher-coordinator on a regular basis throughout the period of time a student is participating in the cooperative education program. (20 Ky.R. 3388; eff. 8-4-94; Am. 27 Ky.R. 864; 1260; eff. 11-17-2000.)

704 KAR 3:305. Minimum requirements for high school graduation.

RELATES TO: KRS 156.160(1)(a), (c), 158.645, 158.6451
STATUTORY AUTHORITY: KRS 156.070, 156.160(1)(a), (c)
NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of Education to promulgate administrative regulations relating to the courses of study for the different grades and the minimum requirements for high school graduation. The content standards for the courses of study are described in the program of studies, 704 KAR 3:303. This administrative regulation establishes the minimum requirements necessary for entitlement to a high school diploma, including the requirements beginning with the graduating class of 2012.

Section 1. Until the graduating class of 2012, each student in a common school shall complete an individual learning plan which incorporates emphasis on career development and shall have a total of at least twenty-two (22) credits for high school graduation. Those credits shall include the following minimum requirements:
(1) Language arts: Four (4) credits (including English I, II, III, and IV;
(2) Social studies: three (3) credits (to incorporate U.S. History, Economic, Government, World Geography, and World Civilization;
(3) Mathematics: three (3) credits (including Algebra I, Geometry, and one (1) elective as provided in the program of studies, 704 KAR 3:303);
(4) Science: three (3) credits (including life science, physical science, and earth and space science as provided in the program of studies, 704 KAR 3:303;
(5) Health: one-half (1/2) credit;
(6) Physical education: one-half (1/2) credit;
(7) History and appreciation of visual and performing arts (or another arts course which incorporates this content): one (1) credit; and
(8) Electives: seven (7) credits.

Section 2. Beginning with the graduating class of 2012, each student in a common school shall have a total of at least twenty-two (22) credits for high school graduation. Those credits shall include the content standards as provided in the program of studies, 704 KAR 3:303. Additional standards-based learning experiences shall align to the student's individual learning plan and shall consist of standards-based content. The required credits and demonstrated competencies shall include the following minimum requirements:
(1) Language arts - four (4) credits (English I, II, III, and IV) to include the content strands of reading, writing, speaking, listening, observing, inquiry, conventions, analysis, and using technology as a communication tool. Language arts shall be taken each year of high school;
(2) Social studies - three (3) credits to include the content strands of historical perspective, including U.S. History, geography, economics, government and civics, and cultures and societies;
(3) Mathematics - three (3) credits to include the content strands of number property and operation, measurement, geometry, data analysis and probability, and algebraic thinking, and including the following minimum requirements:
(a) One (1) mathematics course taken each year of high school to ensure readiness for postsecondary education or the workforce based on the student's individual learning plan;
(b) Required courses shall include Algebra I, Geometry, and Algebra II. An integrated, applied, interdisciplinary, occupational, or technical course that prepares a student for a career path based on the student's individual learning plan may be substituted for a traditional Algebra I, Geometry, or Algebra II course on an individual student basis if the course meets the content standards in the program of studies, 704 KAR 3:303; and
(c) Pre-algebra shall not be counted as one (1) of the three (3) required mathematics credits for high school graduation but may be counted as an elective;
(4) Science - three (3) credits that shall incorporate lab-based scientific investigation experiences and include the content strands of biological science, physical science, earth and space science, and unifying concepts;
(5) Health - one-half (1/2) credit to include the content strands of individual well-being, consumer decision, personal wellness, mental wellness, and community services;
(6) Physical education - one-half (1/2) credit to include the content strands of personal wellness, psychomotor, and lifetime activity;
(7) History and appreciation of visual and performing arts (or another arts course which incorporates this content) - one (1) credit to include the content strands of arts, dance, music, theatre, and visual arts, or a standards-based specialized arts course based on the student's individual learning plan;
(8) Academic and career interest standards-based learning experiences - seven (7) credits including four (4) standards-based learning experiences in an academic or career interest based on the student's individual learning plan; and
(9) Demonstrated performance-based competency in technology.

Section 3. (1) A local board of education may substitute an integrated, applied, interdisciplinary, occupational,

technical, or higher level course for a required course if the alternative course provides rigorous content and addresses the same applicable components of 703 KAR 4:060.

(2) For students with disabilities, a local board of education may substitute a functional, integrated, applied, interdisciplinary, occupational, technical, or higher level course for a required course if the alternative course provides rigorous content and addresses the same applicable components of 703 KAR 4:060. These shall be based on grade-level content standards and may be modified to allow for a narrower breadth, depth, or complexity of the general grade-level content standards.

Section 4. (1) A district shall implement an advising and guidance process throughout the middle and high schools to provide support for the development and implementation of an individual learning plan for each student. The plan shall include career development and awareness and specifically address Vocational Studies Academic Expectations 2.36-2.38 as established in Academic expectations, 703 KAR 4:060.

(2) A district shall develop a method to evaluate the effectiveness and results of the individual learning plan process. The evaluation method shall include input from students, parents, and school staff. As part of the evaluation criteria, the district shall include indicators related to the status of the student in the twelve (12) months following the date of graduation.

(3) A feeder middle school and a high school shall work cooperatively to ensure that each student and parent shall receive information and advising regarding the relationship between education and career opportunities. Advising and guidance shall include information about financial planning for postsecondary education.

(4) A school shall maintain each student's individual learning plan. The individual learning plan shall be readily available to the student and parent and reviewed and approved at least annually by the student, parents, and school officials.

(5) Beginning with a student's eighth grade year, the individual learning plan shall set learning goals for the student based on academic and career interests and shall identify required academic courses, electives, and extracurricular opportunities aligned to the student's postsecondary goals. The school shall use information from the individual learning plans about student needs for academic and elective courses to plan academic and elective offerings.

(6) Beginning with the graduating class of 2013, the development of the individual learning plan for each student shall begin by the end of the sixth grade year and shall be focused on career exploration and related postsecondary education and training needs.

Section 5. (1) A board of education may award credit toward high school graduation for satisfactory demonstration of learning based on content standards described in the program of studies, 704 KAR 3:303, and a rigorous performance standards policy established by the board of education. A school shall establish performance descriptors and evaluation procedures to determine if the content and performance standards have been met.

(2) A board of education shall award credit toward high school graduation based on:

(a) A standards-based Carnegie unit credit that shall consist of at least 120 hours of instructional time in one subject; or

(b) A standards-based performance-based credit, regardless of the number of instructional hours in one (1) subject.

(3) A local board of education which has chosen to award standards-based performance-based credit shall award a standards-based credit earned by a student enrolled in grade 5, 6, 7 or 8 if:

(a) The content of the course is the same that is established in the Program of studies, 704 KAR 3:303; and

(b) The district has criteria in place to make a reasonable determination that the middle level student is capable of success in the high school course.

(4) A board of education which has chosen to award standards-based performance-based credit shall establish a policy for a performance-based credit system that includes, at least:

(a) The procedures for developing performance-based credit systems and for amending the system;

(b) The conditions under which each high school may grant performance-based credits and the related performance descriptors and assessments;

(c) Objective grading and reporting procedures;

(d) Content standards as addressed in 704 KAR 3:303, Program of studies, and 703 KAR 4:060, Academic expectations;

(e) The extent to which state-provided assessments will be used in the local performance-based credit system;

(f) The ability for students to demonstrate proficiency and earn credit for learning acquired outside of school or in prior learning; and

(g) Criteria to ensure that internships, cooperative learning experiences, and other learning experiences in the school and community are:

1. Designed to further student progress towards the individual Learning plan;
2. Supervised by qualified instructors; and
3. Aligned with state and local content and performance standards.

(5) A board of education may award standards-based, performance-based credit toward high school graduation for:

(a) Standards-based course work that constitutes satisfactory demonstration of learning in any high school course,

consistent with Section 1 or 2 of this administrative regulation;

(b) Standards-based course work that constitutes satisfactory demonstration of learning in a course for which the student failed to earn credit when the course was taken previously;

(c) Standards-based portfolios, senior year or capstone projects;

(d) Standards-based online or other technology mediated courses;

(e) Standards-based dual credit or other equivalency courses; and

(f) Standards-based internship, cooperative learning experience, or other supervised experience in the school and the community.

(6) Each local board of education shall maintain a copy of its policy on high school graduation requirements. This policy shall include a description of how the requirements address KRS 158.6451(1)(b) and 703 KAR 4:060.

Section 6. (1) A student who satisfactorily completes the requirements of this administrative regulation and additional requirements as may be imposed by a local board of education shall be awarded a graduation diploma.

(2) The local board of education shall award the diploma.

Section 7. This administrative regulation shall not be interpreted as prohibiting a local governing board, superintendent, principal or teacher from awarding special recognition to a student.

Section 8. (1) Until the graduating class of 2012, if the severity of an exceptional student's disability precludes a course of study leading to receipt of a diploma, an alternative program shall be offered. This program shall be based upon student needs, as specified in the individual educational plan, and shall be reviewed at least annually. A student who completes this course of study shall be recognized for achievement. This may be accomplished by the local board of education awarding a certificate.

(2) Beginning with the graduating class of 2012, if the severity of an exceptional student's disability precludes a course of study that meets the high school graduation requirements established in Section 2 of this administrative regulation leading to receipt of a high school diploma, an alternative course of study shall be offered. This course of study shall be based upon student needs and the provisions specified in 704 KAR 3:303, Program of studies, and shall be reviewed at least annually. A student who completes this course of study shall receive a certificate of attainment to be awarded by the local board of education consistent with the graduation practices for all students. (5 Ky.R. 633; Am. 6 Ky.R. 53; eff. 7-17-79; 6 Ky.R. 238; 526; eff. 4-1-80; 9 KyR. 1027; 1208; eff. 8-3-83; 11 KyR. 1076; eff. 3-12-85; 17 Ky.R. 113; eff. 9-13-90; 23 KyR. 3419; 3827; 24 Ky.R. 82; eff. 7-2-97; 32 Ky.R. 1779; 2028; 33 Ky.R. 766; eff. 10-6-2006.)

ADMINISTRATION 02.4241

School Council Policies (SBDM)

Adoption of Policy

The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility based on statute KRS 360:345:

1. Determination of curriculum including needs assessment and curriculum development;

2. Assignment of all instructional and non-instructional staff time;

3. Assignment of students to classes and programs within the school;

4. Determination of the schedule of the schoolday and week, subject to the beginning and ending times of the school day and school calendar, and transportation requirements established by the Board;

5. Determination of the use of school space during the school day;

6. Planning and resolution of issues regarding instructional practices;

7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and Principal;

   As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence;

8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

9. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;

10. Commitment to a parent involvement process that provides for:
    a. Establishing an open, parent-friendly environment;
    b. Increasing parental participation;
    c. Improving two-way communication between school and home, including what their child will be expected to learn; and

d. Developing parental outreach programs.

11. Procedures to assist the council with consultation in the selection of personnel by the Principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.

12. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

    The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.

Sample Policy

Each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to advanced placement, International Baccalaureate, dual enrollment, and dual credit courses that recognizes that all students have the right to be academically challenged and should be encouraged to participate in these courses;

Other Policies

Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.

Review of Policies

Before final adoption of a council policy, it shall be reviewed by the Superintendent who may request that the proposed policy be reviewed by the Board Attorney. Any concerns

shall be shared with the council within ten (10) working days of the Superintendent's receipt of the draft policy. If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

Compliance with Board Policy

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination based on age, race, sex, color, religion, national origin, political affiliation, or disability.

Waiver of State Regulations

School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

References:

KRS 156.072; KRS 156.160; KRS 158.197
KRS 158.645; KRS 158.6451
KRS 160.345; KRS 160.348
OAG 93-55; OAG 94-29; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W.2d 809 (1994)
U.S. Dept. of Agriculture's *Dietary Guidelines for Americans*

Related Policies:

02.422; 02.4231; 03.112; 08.1

The Division of Career and Technical Education and the Office of Career and Technical Education complies with all federal regulations prohibiting discrimination on the basis of race, color, national origin, sex, disabilities, religion, mental status or age.
Equal Education and Employment Opportunities M/F/D