

WORK-BASED LEARNING EXPERIENCES, APPRENTICESHIPS, AND INTERNSHIPS: PROGRAM-LEVEL REQUIREMENTS

This document serves as a companion document to Section 5-P of the Pupil Accounting Manual and is to be used to inform districts of the program level requirements associated with offering pupils work-based learning, apprenticeship, and internship experiences.

REQUIREMENTS FOR COUNTING IN MEMBERSHIP

Requirements for counting pupils in membership can be found in section 5-P of the MDE Pupil Accounting Manual at <https://www.michigan.gov/mde/0,4615,7-140-35127-22360--,00.html>

PROGRAM REQUIREMENTS

1) Training Agreement

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

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

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

Note: A sample training agreement and training plan can be found under '8. Work-Based Learning Sample Forms' at https://www.michigan.gov/mde/0,4615,7-140-2629_53968-472911--,00.html.

2) Training Plan

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

- a. Pupil's career or education goals (as outlined in their education development plan) that are related to the placement.

- b. A list of performance elements that contribute to the pupil's progress toward a career objective. The performance elements/job skills shall be used to assess the pupil's progress. For Work-Based Learning Experience State-Approved CTE programs, performance elements as established by the Office of Career and Technical Education must be used.
- c. Identification of the academic course(s) that generate credit toward a high school diploma in which the pupil is currently enrolled or was previously enrolled in that relates to and prepares the pupil for job placement (this requirement applies to Work-Based Learning Experience Non- CTE programs).
- d. The signatures of the principal or his or her designee, certified teacher if non-CTE or a vocationally certified teacher/coordinator if CTE work-based learning, pupil, parent or legal guardian, and training station supervisor (employer). If the training agreement and training plan are combined into one document, only one set of signatures is required.

Note: A sample training agreement and training plan can be found under '8. Work-Based Learning Sample Forms' at https://www.michigan.gov/mde/0,4615,7-140-2629_53968-472911--,00.html.

3) Verification of Workers' Disability Compensation and General Liability Insurance

An important requirement of the training agreement for both paid and unpaid pupils is that there must be documentation that the employer maintains current workers' compensation insurance and general liability insurance. To verify workers' compensation coverage, access the website at www.michigan.gov/wca and click on 'Insurance Coverage Lookup'.

- The above website does not provide information on general liability insurance; this information must be documented directly through the employer.
- The Department does not require pupils in unpaid placements to be added to the workers' compensation policy of the business.
- The Department requires paid pupils to be added to the workers' compensation policy and general liability insurance of the business.
- If an employer has received a 'Notice of Exclusion' from the Workers Compensation Agency, and the district is receipt of a copy of the exclusion, the employer would not be required to provide this coverage for the pupil.

4) Role of Certificated Teacher/Coordinator

The role of the Certified Teacher/Coordinator is described in the document found under item '10. School Placement Coordinator Handbook' at https://mi.gov/mde/0,4615,7-140-2629_53968-472911--,00.html.

TERMINOLOGY

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

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

For a listing of your school's state-approved career and technical education programs, you may visit the CTEIS website at www.cteis.com and click on "CTEIS Reports" and then click on "Secondary Taxonomy Report."

2) Performance Elements

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

TYPES OF WORK-BASED LEARNING EXPERIENCES

There are two types of work-based learning experiences that can be counted toward pupil membership (FTE):

1) Work-Based Learning Experiences (Non-CTE)

Non-CTE work-based learning may use the same performance elements as CTE work-based learning or may also use other sources to develop performance elements, such as those found at <http://online.onetcenter.org>.

a. Traditional Work-Based Learning Experiences

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

b. Work-Based Learning Experiences for Pupils with Disabilities

For pupils receiving special education services that require an additional programming option, reference Michigan Administrative Rules governing Special Education Programs and Services, Rule 340.1733(i). This rule describes the program for a pupil/learner receiving work-site based education through a special education training plan. Special education work-based learning experiences are delivered through the Special Education delivery system and shall comply with Rule 340.1733(i).

c. Unpaid In-District Placement/Transition Services

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

- i. The district shall have an in-district placement agreement in lieu of a training agreement in place by the pupil membership count date. A sample In District Placement agreement can be found under '8. Work-Based Learning Sample Forms' at https://www.michigan.gov/mde/0,4615,7-140-2629_53968-472911--,00.html.
- ii. To avoid an employer/employee relationship and to maintain a "trainee" relationship under federal definitions, training must not be for more than a total of 45 hours per specific training experience and must be conducted under a written in district placement agreement and a written training plan. Different training experiences can occur at one location if there are multiple training plans with a whole set of separate skills (no duplication of tasks) with a in district placement agreement that clearly defines separate training experiences every 45 hours.
- iii. For any student who will be unpaid, reference the following:
<https://webapps.dol.gov/elaws/whd/flsa/docs/trainees.asp>

2) Work-Based Learning Experience Related to a State-Approved Career and Technical Education (CTE) Program

CTE Program Standards (Performance Elements) must be utilized to develop CTE work-based learning training programs (capstone, unpaid, in-district, and less-than-class-size) that contribute to the pupil's progress toward a career objective. The CTE standards (Performance Elements) can be found at <http://ctenavigator.org>.

a. Capstone Work-Based Learning Experience State-Approved CTE Programs

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

- i. The pupil enrolled in a state-approved CTE program must be in grades 11 to 12.

- ii. The pupil is employed not less than an average of 10 hours per week during the effective time of the training agreement.
- iii. The pupil must have successfully completed 50% of the State-Approved CTE program.
- iv. The pupil shall attend at least one 40-minute session per week taught by a vocationally (CTE) certified teacher/coordinator in either of the following:
 - The related State-Approved CTE classroom.
 - A district-approved educational course, with academic objectives, related to the pupil's career and educational goals.

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

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

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

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

b. In-District Work-Based Learning Experience State-Approved CTE Programs

- i. The pupil enrolled in a state-approved CTE program must be in grades 11 to 12.
- ii. The district shall have an in-district placement agreement in lieu of a training agreement in place by the pupil membership count date. A sample In District Placement agreement can be found under '8. Work-Based Learning Sample Forms' at https://www.michigan.gov/mde/0,4615,7-140-2629_53968-472911--,00.html.
- iii. The pupil is eligible to receive credit toward a high school diploma for the work-based learning experience.
- iv. If unpaid, the training shall not be for more than a total of 45 hours per specific training experience.
- v. The placement is one of the recognized state-approved CTE program in-district placements identified in the table below.

Career Cluster	CIP Code / Program Name	Placement Scenarios
Information Technology	11.0201 Computer Programming/ Programmer 11.0801 Digital/Multimedia and Information Resources Design 11.0901 Computer Systems Networking and Telecommunications 11.1001 System Administration/ Administrator	Pupil is placed within the school district's technology department with the school district's technology coordinator.
Business Management and Administration	52.0299 Business Management and Administration	Pupil is placed in the school district's administrative business office with appropriate administrative management personnel.
Marketing	52.1999 Marketing/ Entrepreneurship	Pupil is placed under appropriate personnel as a manager or assistant manager in a marketing school-based enterprise/lab.
Hospitality and Tourism	12.9999 Personal and Culinary	Pupil is placed with the school district's food services coordinator/manager (NO serving duties).
Finance	52.0800 Finance	Pupil is placed in the school district's administrative business office with appropriate management personnel.
Health Science	51.0000 Therapeutic Services	Pupil is placed with school nurse.
Human Services	13.0000 Education General (Teacher Cadet)	Pupil is placed into various classrooms.
Law, Public Safety, Corrections and Security	43.0100 Public Safety/ Protective Services	Pupil is placed with district level security/police or school legal counsel.
Architecture and Construction	47.0201 Heating, AC, Ventilation & Refrigeration	Pupil is placed with the district director for maintenance and with HVAC certified technician.
Transportation, Distribution and Logistics	47.0613 Medium/Heavy Truck Technician	Pupil is placed in the district transportation garage with certified mechanic working on district vehicles/ equipment.

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

c. Unpaid Work-Based Learning Experience State-Approved CTE Programs (Rotations/Clinicals)

The work experience shall occur during the scheduled classroom time, unless a special exception is documented. For special exceptions, the training plan and agreement shall reflect the alternative hours and a vocationally (CTE) certified teacher/coordinator shall be available to monitor this experience during the pupil's training hours. A pupil must meet the following additional pupil membership requirements:

- i. The pupil enrolled in a state-approved CTE program is enrolled in grades 11 to 12.
- ii. The training shall not be more than a total of 45 hours per specific training experience.
- iii. For any student who will be unpaid, reference the following:
<https://webapps.dol.gov/elaws/whd/flsa/docs/trainees.asp>
- iv. To avoid an employer/employee relationship and to maintain a "trainee" relationship under federal definitions, training must not be for more than a total of 45 hours per specific training experience and must be conducted under a written training agreement and a written training plan. Different training experiences can occur at one location if there are multiple training plans with a whole set of separate skills (no duplication of tasks) with a training agreement that clearly defines separate training experiences every 45 hours.

d. Unpaid Training State-Approved CTE Less-Than-Class-Size (LTCS) Programs

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

- i. The pupil is enrolled in grades 11 to 12.
- ii. For any student who will be unpaid, reference the following:
<https://webapps.dol.gov/elaws/whd/flsa/docs/trainees.asp>
- iii. To avoid an employer/employee relationship and to maintain a "trainee" relationship under federal definitions, training must not be for more than a total of 45 hours per specific training experience and must be conducted under a written training agreement and a written training plan. Different training experiences can occur at one location if there are multiple training plans with a whole set of separate skills (no duplication of tasks) with a training agreement that clearly defines separate training experiences every 45 hours.
- iv. For the program application process and career clusters/CIP codes for LTCS programs, visit the following site: https://www.michigan.gov/mde/0,4615,7-140-2629_53968-336993--,00.html

REQUIREMENTS TABLES

Table 1: Work-Based Learning Experience (Non-CTE WBLE)

Types of Work-Based Learning	Eligible Grades	Monitored by Certified Instructors	Pupil Eligible to Receive High School Credit	Written Training Agreement	Written Training Plan	Placement Aligned with Career Pathway & EDP	Maintain and Verify Records of Pupil's Attendance	Regular Visitation Plan	Safety Training	Must not Generate More than Half Total FTE	Must Not Exceed School Maximum Hours	Additional Requirements
1. Paid or Unpaid Work-Based Learning Experiences	9-12	Site must be visited by a district employee. Experience monitored by certificated teacher.	X	X	X	X	X	Every 9 Weeks	X	X	X	Follow Federal and State Regulations to Employ Minors. Currently or previously enrolled in related Academic Class/Course Unpaid: 45 hours per specific training experience
2. Paid or Unpaid Work-Based Learning Experiences for Pupils with Disabilities	9-12		X	X	X	X	X	Every 30 calendar days	X	X	X	No requirement for previous or concurrent enrollment in related academic course.
3. Unpaid In-District Placement or Transition Services	9-12		X	X	X	X	X	Every 30 calendar days	X	X	X	Placement must relate to the pupil's transition services plan.

Table 2: State-Approved Career and Technical Education Work-Based Learning Experience (CTE WBLE)

Types of Work-Based Learning	Eligible Grades	Monitored by Certified Instructors	Pupil Eligible to Receive High School Credit	Written Training Agreement	Written Training Plan	Placement Aligned with Career Pathway & EDP	Maintain and Verify Records of Pupil's Attendance	Regular Visitation Plan	Safety Training	Must not Generate More than Half Total FTE	Must Not Exceed School Maximum Hours	Additional Requirements
1. Paid or Unpaid Capstone Work-Based Learning Experience State-Approved CTE Programs	11 & 12	Vocationally certified teacher/coordinator	X	X	X	X	X	Every 9 Weeks	X	X	X	Has successfully completed 50% of state-approved CTE program. Must work minimum of 10 hours per week. Must attend related CTE class or capstone class minimum of 40 min/wk.
2. Unpaid Work-Based Learning Experience State-Approved CTE Programs (Rotations /Clinical)	11 & 12	Vocationally certified teacher/coordinator	X	X	X	X	X	Every 9 Weeks	X	X	X	Unpaid: 45 hours per specific training experience
3. Paid or Unpaid In-District Work-Based Learning Experience State-Approved CTE Programs	11 & 12	Vocationally certified teacher/coordinator	X	X	X	X	X	Every 9 Weeks	X	X	X	Unpaid: 45 hours per specific training experience
4. Unpaid Training State-Approved CTE Less-Than-Class-Size (LTCS) Programs	11 & 12	Vocationally certified teacher/coordinator	X	X	X	X	X	Every 9 Weeks	X	X	X	Signed Completed Notification Received by OCTE Time Shall be equivalent to State-Approved CTE Program No more than 4 pupils per instructor Instruction by LTCS annually authorized personnel