

Iowa Work-Based Learning Guide

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**COMMUNITY COLLEGES &
WORKFORCE PREPARATION**

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Notice

Iowa Department of Education guidance should be viewed as advisory unless it's specifically authorized by state statute, according to Iowa Code section 256.9A. This does not apply to administrative rules, declaratory orders or materials required by federal law or courts.

Introduction

Industry leaders recognize a need for employees with the ability to effectively communicate, think critically to solve problems and display professionalism in the workplace. Educational leaders recognize the value in providing students with real life experiences to provide context to what they are learning in the classroom. Work-based learning is an educational strategy that allows for a partnership between education and industry to develop thoughtful leaders for tomorrow, increase classroom engagement and help students discover a fulfilling career. Work-based learning requires the partnership of education and industry to ensure students have meaningful experiences embedded into the curriculum coupled with thoughtful reflections and guidance on future course decisions and experiences.

Schools and community colleges provide career specific education and training, professional skills and work-based learning experiences are included throughout the curriculum. Career and Technical Education (CTE) programs use industry advisory councils to provide feedback on important industry-specific content knowledge, opportunities for application and practice of skills, valuable projects with industry, simulation or virtual reality opportunities and meaningful capstone experiences. The synergism between the classroom and embedded work-based learning experiences augments and validates classroom instruction.

Career and Technical Education (CTE) commonly includes work-based learning in the curriculum; however, work-based learning is an educational strategy relevant for all student learners and classrooms. This Work-Based Learning Guide is intended to outline the various work-based experiences to meet the needs of all classroom learners. This guide is aimed at assisting the field with moving all work-based learning experiences into recognized, quality work-based learning experiences. Throughout this guide, references are made to work-based learning with the intention that all work-based learning outlined in this guide is quality work-based learning.



Work-Based Learning

What Is Work-Based Learning?

Work-based learning includes a continuum of structured educational activities utilizing the partnership between industry and education to engage student learning. Through experiences with industry professionals, participants are able to foster first-hand engagement with in-depth application of academic, technical and professional skills to the tasks required of a given career field while meeting specific learning objectives. Work-based learning is a progression through awareness, exploration, preparation and training to support student learning for future success.

Essential Elements of Work-Based Learning

Work-based learning must include three common elements that maximize the experience for students. These three elements help the student navigate the education and industry partnership by including learning to be done before, during and after the work-based learning experience.

1. Academic Preparation

Before the work-based learning experience, the student will:

- Learn about the organization related to the work-based learning experience.
- Learn the expectations associated with the work-based learning activity.
- Simulate or practice the activity.

2. Partnership Between Education and Industry

During the work-based learning experience, the student will:

- Communicate directly with the industry partner staff.
- Develop a professional connection with industry partner staff member(s).
- Experience the work environment first-hand.

3. Academic Follow-Up

After the work-based learning experience, the student will:

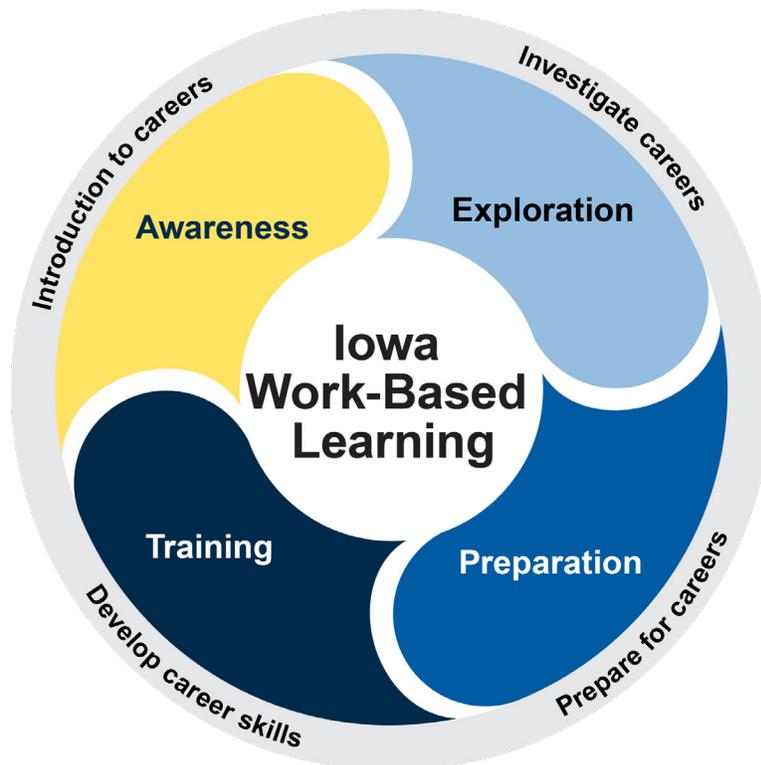
- Be empowered through reflection or other applicable assessment to summarize the industry specific experience and to determine next steps in their individual career exploration and make appropriate career decisions (ICAP).
- Provide verification of the participation and time spent on the work-based learning experience.
- Demonstrate elevated professional skills learned from the experience.



Work-Based Learning Continuum and Experiences

Work-Based Learning Continuum Phases and Experiences

FIGURE 1: WORK-BASED LEARNING EXPERIENCE CONTINUUM



Awareness

The awareness phase includes work-based learning experiences that introduce students to careers and that help them make decisions about future coursework and work-based learning opportunities. The awareness phase requires interaction with industry partners with a focus on an introduction to the career.

Classroom Speakers

Classroom speakers are a career awareness experience in which an industry expert is given a chance to share their perspectives in-person or virtually on what their career is like, describe their passion for what they do, make connections with duties and daily activities of the job and offer career preparation advice. The speaker is also available for additional questions from the students and the instructor in the classroom. To maximize student career learning and engagement, students should spend time learning foundational career knowledge prior to the speaker's classroom visit.

For more information, reference the [Classroom Speaker Toolkit](#).

Informational Interview

An informational interview is a career awareness experience that allows student learners to inquire about aspects of a career path in a direct conversation with an industry professional through a phone call or in-person meeting. Students should prepare for informational interviews with a list of questions to ask the industry partner. Students should also ask additional questions as pertinent topics arise during the interview. The information gathered in an informational interview can assist students with learning more about the career path of interest that they may not be able to find on career information websites or due to limited local industry representation.

For more information, reference the [Informational Interview Toolkit](#).

Career Immersion Experience

Career immersion experiences are a career awareness experience allowing for hands-on interaction through simulators and activities associated with the represented career path(s). The industry partner professionals supporting this event should help connect the experience to everyday responsibilities associated with the particular career. To maximize student career learning and engagement, the students should spend time learning foundational career knowledge prior to the career immersion experience to maximize engagement with industry professionals at the event.

For more information, reference the [Career Immersion Experience Toolkit](#).

Exploration

The exploration phase includes work-based learning activities that allow students to engage more actively with career experiences. The exploration phase requires adequate time and intentional interaction with an industry partner to provide more in-depth career knowledge beyond awareness.

Authentic Projects

Authentic projects are a career exploration experience that engages industry partners through meaningful projects completed by students. Authentic projects require industry partner interaction throughout the duration of the project. Authentic projects involve tools, tasks or processes from an actual work setting and involve the students working to address a real-world and relevant problem or topic. To maximize student career learning and engagement, educators should connect the student with more information on careers related to the project and how the project is connected to everyday responsibilities in the career field. Industry partners should provide constructive feedback for students to continue to develop their professional skills to ensure future success.

For more information, reference the [Authentic Projects Toolkit](#).

Career-Based Service Learning

Career-based service learning is a career exploration experience that engages students in project-based learning to improve their communities by addressing community needs and connecting the learning experience to related careers. Career-based service learning encompasses taking a traditional service learning opportunity and connecting the project to appropriate industry partners to enable the student to develop related professional skills. A portion of the career connection includes student interaction with industry professionals and exploration of careers related to the completed service learning project. To provide a quality career-based service learning experience, the instructor should connect additional career learning to an industry partner at the conclusion of the experience to allow students to use their experience to inquire more in-depth about the career.

For more information, reference the [Career-Based Service Learning Toolkit](#).

Interactive Career Event

An interactive career event is a career exploration experience to learn about a variety of career options. Interactive career events should include age-appropriate, job-related interactive activities and information. Interactive components can be activities at booths, breakouts with speakers, reflective activities, contests or other interactive features. Students are able to learn in-depth about a career and actively “try out” the career through the activities provided at the event.

For more information, reference the [Interactive Career Event Toolkit](#).

Worksite Exploratory Event

A worksite exploratory event is a career exploration experience where students tour a workplace to learn about careers, industry expectations, observe relevant work in progress and ask industry professionals questions. The worksite exploratory event is focused on a career pathway, offers an opportunity to learn in-depth about several careers on-site and includes an interactive session for the students to explore the career. The worksite exploration should be organized with small groups of students that rotate among industry experts to allow ample interaction for short informational interviews with industry experts.

For more information, reference the [Worksite Exploratory Event Toolkit](#).

Job Shadow

Job shadows are a career exploration experience that allows students to explore a specific career of interest by observing an experienced employee performing their typical work duties in a real-world work environment. The job shadowing experience is a temporary (2-8 hours), unpaid exposure to the workplace in an occupational area of interest to the student. Students should receive formalized instruction about their career choice, expectations of the job shadow, how to prepare for their visit and follow-up after the experience. Students should participate in a job shadow after prior career awareness and exploration activities have been completed to ensure students are matched with careers that best suit their career interests and personalities.

For more information, reference the [Job Shadow Toolkit](#).

Preparation

The preparation phase includes work-based learning experiences that allow students to learn more about careers through practical application activities to develop knowledge and skills. The preparation phase requires industry partner direct engagement and feedback for student skill development.

Professional Skills Workshops

Professional skills workshops are career preparation experiences that introduce students to the essential skills needed to be successful in the modern workplace. Examples of professional skills workshops include: resume and cover letter writing, job shadow preparation, professional image, workplace ethics and workplace skills. A professional skills workshop must include an industry partner during the experience to ensure students are provided the most up-to-date and valuable guidance to fit current workplace policies and practices to be successful. Professional skill workshops will only be considered a work-based learning preparation component if an industry professional is included in the experience.

For more information, reference the [Professional Skills Workshops Toolkit](#).

Mock Interviews

Mock interviews are a career preparation experience intended to provide students with the opportunity to develop professional interviewing skills through a practice interview with industry partners, receive valuable feedback to improve performance for the real world and network with industry professionals. To maximize a student's mock interview experience, the student should be prepared to provide professional documents at the time of the interview such as a resume, cover letter, completed application and portfolio. The student should also prepare prior to the mock interview with practice in the classroom setting on how to dress, how to respond to interview questions, expected professional interview behavior and how to receive performance feedback professionally. The industry professionals are able to provide the student with immediate verbal feedback and through evaluation on a scoring rubric, as well as provide professional suggestions for future success. Work-based learning coordinators or college staff overseeing internship programs should maximize student preparation prior to the student's internship interview by first including a mock interview experience for the class.

For more information, reference the [Mock Interviews Toolkit](#).

School-Based Enterprises (SBE)

School-based enterprises are a career preparation experience where students have the opportunity to run a school store. School-based enterprises provide students with an opportunity to develop professional skills and career skills as students learn the different roles and aspects of a successful business while directly managing the school store. When carefully planned and managed by an educator, school-based enterprises simulate real world business experiences that can lead to direct skill development and authentic learning. School-based enterprises should prepare students through content learning in the classroom with a hands-on opportunity as outlined in the [expectations provided by the Department](#). To ensure the school-based enterprise is following industry expectations an industry partner professional(s) should be evaluating and providing consultation on an annual basis. The educator should review and follow [Iowa Code 298A](#) and if applicable, [Smart Snacks guidelines](#).

For more information, reference the [School-Based Enterprise Toolkit](#).



Training

The training phase includes work-based learning experiences that engage students in on-site learning in an employee capacity while partnered with the career and technical educator. Industry partners supervise and work one-on-one with students to support student learning and growth as identified by the educator to expand student knowledge and skills.

Internship

Internships are a professional training experience that provides students the opportunity to gain professional and technical skills while under the supervision of an industry professional in a career path of interest. Internships are structured experiences for a set period of time that require student interns to complete real work to reach the specific learning goals. Internships provide student learners with the opportunity to participate in training while gaining experience in problem-solving, decision-making and skill-building projects at the internship site. Internships may be paid or unpaid opportunities. Internship programs provide ample support from the work-based learning coordinator, including regular visits to the internship site, regular evaluations and program documentation with training agreements and student-individualized training plans. Work-based learning coordinators, including those with a multioccupations endorsement or work experience coordinator endorsement, should place students in experiences that align with the student's career goals and regard the experience as an internship to prepare students for future career success.

The former program name, cooperative work education, with all of its intended outcomes is now folded under internship. In an effort to ease communication with industry, the recommendation is to begin using "internship" as the program name to replace "cooperative work education."

For more information, reference the [Iowa Internship Toolkit](#).

Pre-Apprenticeship

Pre-apprenticeship programs are training experiences that include a set of strategies to prepare individuals to enter and succeed in an apprenticeship training program. A pre-apprenticeship program that meets certain requirements set forth by the United States Department of Labor and that may lead directly into a Registered Apprenticeship (RA) program is called a Quality Pre-Apprenticeship (QPA) program. Pre-apprenticeship programs often focus on the basic skills needed to be successful in an apprenticeship program (such as industry-specific math or terminology) and serve to introduce students to basic concepts or foundational skills in preparation for a more complex and involved long-term apprenticeship program.

Apprenticeship

Apprenticeships are training experiences that provide on-the-job training or learning (OJT/OJL) with related technical or classroom instruction (RTI), enabling students to earn compensation while they learn a career or trade. Apprentices are employed by the employer/organization during an apprenticeship. An apprenticeship that meets certain requirements set forth by the United States Department of Labor is called a Registered Apprenticeship (RA) program. A special feature of RAs is that they provide opportunities for apprentices-earned wages to increase as progression is made through the program. In addition, portable industry credentials are awarded to those who complete RAs. RAs can last between one and five years and a recommended minimum of 44 hours of RTI.

For more information, reference the [Iowa High School Registered Apprenticeship Playbook 2.0](#).

Work-Based Learning Integration Strategies

Work-based learning provides the “why” behind classroom content learning by connecting to real opportunities in the community. Work-based learning experiences should be embedded and scaffolded throughout the student’s academic experience to ensure ample career awareness, exploration and preparation opportunities. The early awareness, exploration and preparation activities allow the student to understand how their interests align with careers and to take advantage of training opportunities prior to graduation. Embedding and scaffolding student work-based learning experiences better prepares students to make decisions for postsecondary education and training and to take advantage of high-wage careers in a fulfilling career path.

Districts should consider developing internal teams to analyze which courses and programs offer which types of work-based learning opportunities.

The district team’s work-based learning analysis may result in:

- Discovering additional courses to place work-based learning experiences to maximize student engagement and learning.
- Collaborating with an internal team to develop an approach to incorporate multiple work-based learning opportunities throughout the student’s academic career.
- Determining the best methods for tracking student work-based learning experiences.
- Finding opportunities for students to reflect on their experiences to determine future coursework and experiences to maximize student career planning.

Iowa Intermediary Network

The Iowa Intermediary Network was established in 2014 to provide a regional approach to work-based learning activities. Housed out of the 15 community colleges, the Iowa Intermediary Network develops and implements career awareness, exploration, preparation experiences and training placement consultation. The Intermediaries serve as a singular point of contact for their region for both schools and industry partners. Intermediaries provide the expertise for curating exceptional work-based learning experiences with industry by articulating key components students and educators will need throughout their experiences. The Intermediaries serve industry by maximizing their time through matching industry partner work-based learning experience interests with the needs of the region, therefore minimizing the time industry needs to spend understanding all the intricacies of student and educational needs.

[Connect with your regional Intermediary](#) from the Iowa Intermediary Network to plan student work-based learning experiences.

College and Career Transition Counselors

College and Career Transition Counselors (CCTCs) work directly through the community college and secondary schools to support college transition and career exploration through targeted connections with students and families during crucial time frames, including preparation, transition to enrollment and persistence through their postsecondary experience. The CCTCs work closely with students in grades 11 and 12 in partner high schools, throughout the summer after high school graduation and as part of the first-year support system for students coming out of this program at the coordinating community college. The positions are hosted at the community college and partner with at least one school district.

The Clearinghouse for Work-Based Learning

The Clearinghouse for Work-Based Learning was published in 2019 to serve as a statewide resource for authentic projects. The project board allows for industry partners across the state to post projects

and for educators and students to choose the projects aligning with class standards and student interest. The various search options allow educators and students to find a valuable project to enhance student learning, connect students with industry and provide authentic learning experiences to prepare students with professional skills.

[Connect with the Clearinghouse for Work-Based Learning](#) to discover projects to incorporate and elevate student learning.

Career and Technical Student Organizations (CTSOs)

Student CTSOs provide opportunities for students to engage in valuable classroom projects and experiences through curriculum integration and student contests. Some student projects provided by the organizations already incorporate engagement with industry partners. The projects and activities that do not incorporate industry may be adapted to engage with industry partners to provide work-based learning opportunities to students. Because each CTSO offers lesson plans and curricular integration, transitioning some of the experiences to include a local industry partner should come naturally.

[Learn more about CTSOs](#) and how to incorporate more engagement with industry partners.

Work-Based Learning and ICAP

Work-based learning experiences are an important component of the student's individual career and academic plan (ICAP). Work-based learning experiences should be utilized to scaffold learning that complements the student's career goals, respond to student interests and strengths, align with courses and experiences and enhance the activities utilized in the career information system (CIS).

[Connect with resources and information on ICAP](#) to make local decisions to benefit students.

Advisory Councils and Work-Based Learning

All CTE programs have their own advisory councils providing the knowledge and advice of professionals in business and industry. Work-based learning should be a topic discussed for each CTE program during the advisory council meetings. Since it is expected for work-based learning to be embedded in all CTE programs, a separate advisory council for work-based learning is not necessary.

Work-Based Learning Roles and Responsibilities

Effective work-based learning programs involve active participation and collaboration between several partners.

Work-Based Learning Coordinator

Title of the educational expert overseeing and coordinating work-based learning experiences with the industry partner. Work-based learning coordinators combine and coordinate efforts of many individuals to ensure that work-based learning experiences effectively and efficiently help students develop knowledge, skills, attitudes and work habits so they can move successfully into the world of work. Work-based learning coordinators are responsible for visiting industry partner sites to develop collaborative relationships and increase the number of experiences for students. Work-based learning coordinators overseeing high school internship programs have additional responsibilities outlined in the [Iowa Internship Toolkit](#).

Industry Partners

Industry partners are community organizations that provide work-based learning experiences for students. Industry partners play a key role in providing opportunities for students to understand the career connections available in their community. Industry partners work closely with regional Intermediaries, work-based learning coordinators and educators to ensure the experiences align with the educational goals. Industry partners hold additional responsibility for providing training when partnering for internship and apprenticeship opportunities.

Students

Student learners participate in work-based learning experiences to learn more about careers and connection of content to industry. Student learners should utilize the academic preparation opportunities prior to the work-based learning activity to ensure the expected behaviors at the industry partner site are implemented professionally. Students should follow-up with their counselor, educator or work-based learning coordinator after the work-based learning activity to reflect and make appropriate decisions in their career and academic preparation.

Parents or Guardians

Parents and guardians are key partners to encourage their student learner to actively prepare and participate in the available work-based learning experiences. Parents and guardians should support student follow-up with the work-based learning experience to maximize student career knowledge and participation in future experiences.

School Counselors

Counselors should be actively involved in the student development and participation in available work-based learning experiences. Counselors should collaborate with their regional Intermediary and work-based learning coordinators to ensure district work-based learning goals are met as a partnership. College and career transition counselors have the ability to focus on career and academic development and are best positioned to collaborate with students and Intermediaries.

College and Career Transition Counselors

The College and Career Transitions Counselors (CCTCs) work as a liaison between the community college and secondary schools to ensure students are supported in their career exploration and receive proper assistance in transitioning into additional training which can include apprenticeships, military opportunities, two-year colleges, four-year colleges and the world of work.

School Administrators

Administrators should be informed of student achievements, placements and coordinated work-based learning experiences with the Intermediary. Administrators should be actively engaged in collaborating with staff and the Intermediary to build a seamless and collaborative approach to work-based learning experiences. Administrators should work in collaboration with work-based learning coordinators, counselors and Intermediaries to help create equitable opportunities for all students to access work-based learning experiences.

Work-Based Learning Coordinator Teaching Qualifications

Teacher licensure is governed by the Iowa Board of Educational Examiners. When offering a high school internship program, a school district must have an appropriately licensed instructor working with the program. This is true whether the experience is paid or unpaid. Any awarded credit must be calculated with appropriate instructional time.

Overseeing Internships in a Specific Career Pathway Only

Any teacher may supervise workplace experience courses within his or her own endorsement area(s). For example, a journalism teacher may supervise a newspaper internship where the student is granted journalism credit. Eligible workplace experience courses would be identified through the appropriate School Courses for Exchange of Data (SCED) code(s). It is highly recommended that the educator overseeing the experience completes training outlined in the [multioccupations \(305\) endorsement](#) to ensure the educator provides a quality program and proper oversight to ensure student safety.

Overseeing Internships in All Career Pathways

If CTE credit is awarded for work experience involving multiple occupations, there must be an assigned teacher at the school who has the [multioccupations \(305\) endorsement](#) certification. The multioccupations (305) certification is considered a career and technical education (CTE) endorsement, thus allowing the awarding of CTE credit. If a school district is offering a high school internship class allowing students to intern in any career, the multioccupations (305) certification is required for the



Student Safety Education

The importance of ensuring the safety of each student during a work-based learning experience is crucial. Specific safety instruction should be incorporated into both classroom and worksite components of a work-based learning program. There are many resources available to the work-based learning coordinator to help address this important topic.

- [Youth@Work - Talking Safety](#) - This curriculum offers an approach to teaching safety to young workers.
- [YouthRules!](#) - Offers information about workplace hazards and employment rules for various age groups (under 14, 14 and 15, 16 and 17, 18 and older).
- [Occupational Safety and Health Administration \(OSHA\)](#) - Focuses on the rights and responsibilities associated with youth employment from the perspective of the young worker, the employer and the parent or educator with emphasis on the prevention of worksite injuries.

Legal Considerations

Legal Considerations for Internship Programs

Internship programs operate with many legal requirements.

1. Fair Labor Standards Act (FLSA)/Child Labor/Iowa Code Chapter 92

- A. Work performed by students in internship programs may be either:
 - i. [Employment Subject to the FLSA](#); or
 - ii. [Training that is not subject of the FLSA](#)
- B. [Child Labor Laws](#) and [Iowa Code Chapter 92](#)
 - i. To comply with federal labor laws for training programs, especially with regards to concerns in hazardous occupations, program development must be focused on the safety of the student learner. Specific questions should be directed to:
 - a. A qualified attorney
 - b. The [Iowa Division of Labor Services](#); and/or
 - c. The [United States Department of Labor](#)

2. Safety of the Student Interns

- A. The work-based learning coordinator and internship site manager need to work collaboratively to take necessary precautions to know what potential safety hazards are at each internship site in order to protect and prevent student injury.
- B. [Hazardous Occupations](#) should be reviewed and monitored by the work-based learning coordinator and internship site manager for each internship placement.

Liability and Insurance

While everyone would agree that students must be provided a safe and healthy environment in the school and at the worksite, educational institutions and employers must also be protected from unnecessary liability. Students do not require special insurance for participation in typical school activities since they are already covered in the liability policy of the school or school district. However, questions of liability become more complex when students participate in work-based learning experiences, whether paid work experiences, job shadowing, school-based enterprises or training for academic credit.

Liability for Employers

The issue of liability arises whenever any business entity has individuals on its worksite. The type of liability will depend on whether the student is considered an employee or an invitee of the business. Employer exposure to liability is usually no different than that which exists relative to its employees and to the general public, such as when people are invited to the worksite.

Students who are considered employees and whose injuries arise out of, and in the scope of, their job duties are subject to the exclusive remedies provided through the workers compensation benefit delivery system ([Iowa Code Chapter 85.20](#)).

Students who are not considered employees, but who are injured on the worksite, are covered under the school workers compensation policy and, under Iowa law, are prevented from filing suit against the employer.

Liability of Educational Institutions

Exposure to liability for educational institutions and their employees is divided between two issues: 1) injury to the student; and 2) injury caused by the student to another person or to property belonging to another person. Students are not insured under the school liability policy, so it is highly unlikely that the school's own liability insurance would come into play.

Injury to the Student – When a student is not being paid by a private employer, then the student is covered by the school workers compensation policy and coverage under workers compensation is the student's exclusive remedy.

Injuries or Damages Caused by Students – Employers who sponsor work-based learning activities may be liable for the damages or injuries caused by students involved in school programs if students are:

- acting on behalf of the participating business or acting with the actual or apparent authorization of the business;
- negligent; and
- involved in an act resulting in injury to customers, passers-by or the general public.

Insurance Issues Related to Work-based Learning Initiatives

For schools:

- **Student injuries and workers compensation** – Workers compensation is the exclusive remedy for students injured in the course of work-based learning activities. There is no initial premium impact on the school's workers compensation policy.
- **General liability insurance** – Each school has liability insurance to protect the school for claims arising out of a work-based learning program.
- **Automobile insurance** – If schools transport students to a work-based learning site in school vehicles, the school's automobile insurance provides liability protection. If students drive their own vehicles to places of employment, each student is responsible for his or her own liability insurance.

For employers:

- **Workers compensation** – Under Iowa law, students injured while participating in work-based learning settings are covered under workers compensation. If students are paid by the employer, their injuries will be covered under the employer's workers compensation policy just like any other employee.
- **General liability** – Because workers compensation is the exclusive remedy for students injured in work-based learning programs, employer liability is significantly reduced. Students who work for and are paid by private employers are considered employees for purposes of liability insurance. Care should be taken in assigning students to operate certain machinery and equipment since non-paid students are not automatically covered under many general liability policies.

- **Automobile/Vehicle Insurance** – Under standard automobile insurance, the vehicle owner has the right to allow any other person to operate his or her vehicle. With the owner’s permission, the driver becomes insured under the employer’s automobile policy. The same principle applies to students in the work-based learning setting who may operate vehicles owned by employers; they are automatically covered under the employer’s automobile insurance policy. Care should be taken in permitting this kind of automobile usage, particularly with trucks and other heavy equipment. Employers may not want to grant driving privileges to students still in their teens because basic risk is higher than with more experienced drivers. In situations where such driving is deemed advisable, employers should verify each student’s driver’s license and motor vehicle driving record before authorization. Employers should also keep in mind the legal requirements of the commercial driving license, which may place special restrictions on the use of any commercial vehicle over a certain size. In addition, Iowa Code Chapter 92.8 states that the occupations of motor vehicle driver and helper are prohibited occupations for students under 18 and this type of work is allowed only as intermittent and for short periods of time when deemed a work-based learning experience.
- **Crime Insurance** – Employers should think carefully before assigning students to jobs involving the handling of money and other financial assets. If students are not paid by the employer, they may not be considered insured under a fidelity bond. Therefore, no coverage would exist if students take money or other employer assets. In certain circumstances the fidelity bond may be modified, but it requires agreement of the insurance underwriter and the potential payment of additional premium. Careful consideration should be given to the assignment of students to any sensitive job classifications.

This brief summary of the major insurance ramifications surrounding work-based learning activities is not intended to be an exhaustive examination of every conceivable risk and related insurance coverage. Each employer is encouraged to regularly review this document and any general issues with its insurance advisor.

Equal Access/Affirmative Action

All partners in work-based learning have a duty to provide an educational and working environment that is safe and that does not discriminate. All partners must be committed to ensuring equal access for all students, regardless of race, religion, color, national origin, gender, age or mental or physical disability. Written assurances of non-discrimination must be obtained from training sponsors. Include the following statement in each training agreement:

It is the policy that all parties do not discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the district’s Equity Coordinator, [Name, Title, Address, Phone Number, e-mail Address]

The notice may include: Director of the Office for Civil Rights, United States Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL, 60661-4544.

The local educational agency must ensure that students participating in work-based learning, internship, and/or apprenticeship training have the same opportunities, regardless of race, color, national origin, gender, religion or disability, etc., as required under the following laws:

- Title VI of the Civil Rights Act of 1964
- Title IX of the Educational Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Equal Education Opportunity Act of 1974
- Individuals with Disabilities Education Improvement Act (IDEA) of 2004
- Vocational Guidelines from the Office of Civil Rights, Department of Education, 1979
- Title II, Americans with Disabilities Act (ADA) of 1990; ADA Amendments Act of 2008

- Title II, Sec. 216, Carl D. Perkins Career and Technical Education Act of 2006, Amended and Enacted on February 15, 2019
- Workforce Innovation and Opportunity Act of 2014

Business and industry partners must also realize that once they agree to provide the workplace learning component, they must ensure a safe environment and comply with all civil rights laws or they risk placing themselves and their education partners in jeopardy. Responsibilities of each partner are outlined below.

- *Students* should know what laws guarantee the right to participate in case they are told they could not do something in an educational or industry setting because of their gender, race, religion, disability, etc.
- *Parents* should know what laws guarantee their children's right to participate in case they are told their child or children should not enter a specific educational institution or program because he or she may not be employable due to race, gender, religion, disability, etc.
- *Industry Partners* must be prepared to offer equal access, equal treatment, and freedom from harassment. Educational institutions are prohibited by law from entering into any contractual agreement with employers who discriminate.
- *Teachers* are responsible for reporting to the proper compliance official any student complaints about less than full participation in any educational component because of race, gender, religion, disability, etc.
- *Work-Based Learning Coordinators* are responsible for ensuring that all students have access to any educational component, regardless of race, gender, religion, disability, etc. When entering into an agreement with any agency, educational institution or industry partner, work-based learning coordinators must communicate the laws. Work-based learning coordinators must also monitor activities to ensure equal access, equal treatment, and freedom from harassment, as well as access by all participants to a grievance resolution procedure.

Immigration

Employer sanctions law requires employers to hire only individuals who may legally work in the United States, including United States citizens, noncitizen nationals, lawful permanent residents and aliens authorized to work.

Documents that establish identity for individuals 16 years of age and older include the following:

- state-issued driver's license or state-issued identification card containing a photograph. If the driver's license or identification card does not contain a photograph, identifying information should be included such as name, date of birth, sex, height, color of eyes and address;
- school identification card with photograph; or
- voter's registration card.

For individuals under age 18, who cannot produce one of the documents listed above:

- school record or report card;
- doctor or hospital record; or
- daycare or nursery school record.

If the individual is under age 18 and cannot produce one of the documents listed above, he or she may establish identity by completing the United States Citizenship and Immigration Services Form I-9. The minor must still provide a document to establish work authorization. Form I-9 should be used to verify that people are eligible to work in the United States. Within three days of hiring, employees must produce documents that establish their identity and their eligibility to work in the United States.

Employers are required to:

- Have employees fill out their part of Form I-9 when they start work.
- Check documents establishing employees' identity and eligibility to work.
- Properly complete the balance of Form I-9.
- Retain the form for at least three years (if the person is employed for more than three years), and for one year after the person leaves employment.

- Present the form for inspection by a Citizenship and Immigration Services (CIS) or United States Department of Labor (USDOL) officer, upon request. Employers will be given at least three days advance notice.

Wages and Exemptions

The minimum wage under both federal and Iowa state law is \$7.25 per hour; however, there are some exceptions that may apply.

- **Higher wage** – Some localities have a higher local minimum wage.
- **Tipped employees** – Tips may be considered part of employee wages, allowing a minimum wage as low as \$4.35 per hour as long as combined tips and wages are not less than \$7.25 per hour.
- **Subminimum wage** – The Fair Labor Standards Act provides for the employment of certain individuals at wage rates below the minimum wage. These individuals include student learners, as well as full-time students employed by retail or service establishments, agriculture or institutions of higher education. Also included are individuals whose earning or productive capacity is impaired by a physical or mental disability. Employment at less than the minimum wage is designed to prevent the loss of employment opportunities for these individuals. Certificates issued by the Department of Labor's Wage and Hour Division are required for subminimum wage employment.
- **Training wage** – The federal Workforce Innovation and Opportunity Act (WIOA) of 2014 allows a training wage of \$4.25 per hour for the first 90 days of employment. Iowa also makes provisions for a student minimum wage at 85 percent of minimum wage (\$6.16 per hour) for up to 20 hours per week at certain employers.
- **Overtime pay** – Generally speaking, overtime wages are 1½ times regular wages for time over 40 hours within one week.

Taxes and Unemployment

Employers must comply with all appropriate tax regulations for students participating in work-based learning experiences.

- **Social security** – Students in work-based learning training programs must have a social security number. Each employer is also required to give student learners a copy of a W-2 form, which includes a statement of social security contributions deducted from their pay, as well as the amount of wages and other contributions.
- **Unemployment tax/unemployment compensation insurance** – Employers are not required to pay unemployment tax during the periods in which students are enrolled in the work-based learning program (from the first day of the school year to the last day of the school year), but they are required to file for periods when the student is not enrolled in the program (such as during the summer months). Likewise, students are not eligible to claim unemployment benefits while enrolled in the program. The training agreement should contain a statement of fact concerning the mutual understanding that the employer will not be obligated to contribute to the unemployment tax.

Student Records

Student records are an essential part of the educational process. Information about students that is required by law, or considered necessary in accomplishing the educational goals and objectives established by the school district, should be collected and maintained under the supervision of the professional and non-professional certificated staff. Collection, dissemination and retention of all student information should be controlled by procedures designed to implement the primary task of the district while protecting individual rights and preserving the confidential nature of the various types of records.

Only certificated school personnel who have a proper educational purpose shall have access to student records. A student's parent or designated representative shall have access to educational records by

scheduled appointment. No other person, such as an employer, may have access to any data in a student's records except when:

- The student's parents or guardians give consent; however, when students reach the age of 18, their consent, and not that of the parents or guardians, must be obtained for access to the information.
- The written consent specifies the records to be accessible and to whom they are accessible. Each request must be handled separately. Blanket permission for access to the information shall not be honored.



Resources

[Citizen and Immigration Services](#) – Provides information on working in the United States including the I-9 form, E-Verify, etc.

[Employer Sanctions Provision of the Immigration Reform and Control Act of 1968](#) – Provides information pertaining to prohibitions on hiring, recruiting or referring aliens unauthorized to work in the United States.

[Equal Employment Opportunity Commission](#) – Provides information pertaining to employment discrimination.

[Every Student Succeeds Act \(ESSA\)](#) – Provides information about ESSA, the replacement for the Elementary and Secondary Education Act (No Child Left Behind). More information can be found on: [Iowa State ESSA Plan](#)

[Hazardous Occupations](#) – Information from the United States Department of Labor pertaining to hazardous jobs.

[Individuals with Disabilities Education Act \(IDEA\) of 2004](#) – Provides information about IDEA 2004 and its implementing regulations.

[Iowa Administrative Rules Chapter 32](#) – Iowa administrative rules pertaining to child labor.

[Iowa Board of Educational Examiners](#) – The website of the board responsible for teacher licensure in Iowa.

[Iowa Child Labor Permits](#) – Information on child labor requirements from the Iowa Division of Labor.

[Iowa Code Chapter 92 - Child Labor](#) – Iowa's child labor statute.

[Iowa Code Chapter 258](#) – Link to the Iowa Code pertaining to career and technical education.

[Iowa Code 279.61 - Individual Career and Academic Plan](#) – Link to the Iowa statute requiring each student in grade eight to develop an individual career and academic plan.

[Iowa Career and Technical Education](#) – Link to the website for the Department's Division of Community Colleges and Workforce Preparation.

[Iowa Intermediary Network](#) - Link to connect with your regional Intermediary for engaging local work-based learning experiences and access to free, virtual career events.

[Iowa Labor Market Information](#) – Link to the Iowa Workforce Development labor market information division website.

[Iowa Workforce Development](#) – Information on registered apprenticeships from Iowa Workforce Development website.

[National Career Development Association](#) – Link to the website of the National Career Development Association.

[Occupational Safety and Health Administration \(OSHA\) Young Worker](#) – Link to the young workers section of the United States Department of Labor website.

[Perkins V and Work-Based Learning in Iowa](#) - Link to the Iowa Perkins V State Plan and important information especially on the work-based learning secondary performance indicator.

[Student Organizations](#) – Iowa Department of Education information on career and technical education student organizations.

[Talking Safety Iowa](#) – Link to safety curriculum developed by the Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health and modified to address a specific Iowa audience.

[Training Agreement](#) – Link to a sample training agreement used in high school internship programs.

[Training Plan](#) – Link to a sample training plan used in high school internship programs.

[United States Department of Labor – Apprenticeships](#) – Information from the United States Department of Labor, Office of Apprenticeship.

[United States Department of Labor – Fair Labor Standards Act \(FLSA\)](#) – Information from the United States Department of Labor Wage and Hour Division pertaining to the Fair Labor Standards Act.

[Work-Based Learning Web Page \(Iowa Department of Education\)](#) - Resources and information to develop quality work-based learning for district planning.

[Workers Compensation](#) – Information from the United States Department of Labor pertaining to workers' compensation.

[Workforce Innovation and Opportunity Act \(WIOA\)](#) – Information from the United States Department of Labor pertaining to WIOA.

[YouthRules!](#) – The youth worker site at the United States Department of Labor.

