

R277-915 received final approval by the Utah State Board of Education on March 10, 2022. R277-915 was published in the April 15, 2022, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of May 23, 2022.

R277. Education, Administration.

R277-915. Work-based Learning Programs.

R277-915-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53G-7-902, which allows schools to offer Work Based Learning programs in accordance with Board rules.

(2) The purpose of this rule is to provide [~~standards-~~]expectations for K-12 WBL programs.

R277-915-2. Definitions.

(1) "Apprenticeship" means the same as the term is defined in Subsection 35A-6-102.

(2) "Career Pathway" means a coordinated, nonduplicative sequence of academic and technical content at the secondary and postsecondary level that incorporates challenging state academic standards including:

(a) academic and technical knowledge and skills;

(b) standards aligned with the needs of industries in the economy of the state, region, Tribal community, or local area;

(c) progresses in specificity beginning with all aspects of an industry or career cluster and leading to more occupation-specific instruction;

(d) standards that have multiple entry and exit points that incorporate credentialing; and

(e) standards that culminate in the attainment of a recognized postsecondary credential.

(3) "College and Career Awareness" means the same as the term is defined in Subsection R277-916-2.

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(4) "Field study" means a planned group activity that provides opportunities for a student to observe skills and jobs in a variety of settings at an actual workplace.

(5) "High quality experience" means an internship that:

(a) links to a related course;

(b) is paid or unpaid;

(c) implements learning intentions developed by an LEA and employer to guide student learning;

(d) adheres to state, Board, and local safety and supervision requirements;

(e) includes practical application of concurrently or previously studied theory or related curriculum;

(f) connects to career goals, career pathway, and the plan for College and Career Readiness (CCR);

(g) includes opportunities for a student to explore career options in a particular field of work; and

(h) results in the completion of a digital career portfolio which outlines the student's experience and prepares them for the next steps in their career development.

(6) "Internship" means a high quality experience where students are mentored by an employer for approximately 40 hours on site during one course to learn about a particular industry or occupation.

(7) "Job shadow" means a structured career activity in which students follow an industry professional for a short time period to learn about a particular occupation or industry.

([1]8) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

([2]9)(a) "Participant" means a student enrolled in a school-sponsored work experience and career exploration program under Section 53G-7-902 involving both classroom instruction and work experience with a cooperating employer, for which the student may or may not receive compensation.

(b) Participant may include:

(i) a student completing an apprenticeship[-];

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_____ (ii) one internship experience in either grade 11 or grade 12, or both;

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

([3]10) "School-based enterprise" means a business set up and run by supervised students learning to apply practical skills in the production of goods or services for sale or use by others.

([4]11) "Work site" or "workplace" means the actual location where employment occurs for a particular occupation, or an environment that simulates all aspects or elements of that employment, including school-based enterprises.

([5]12) "Work-based learning" or "WBL" means a continuum of awareness, exploration, preparation, and training activities that combines structured learning and authentic work experiences implemented through industry and education partnerships including:

_____ (a) a job shadow;

_____ (b) a field study; or

_____ (c) attending a lecture from a professional guest speaker.

R277-915-3. Mandatory LEA Policy.

An LEA that has WBL programs that include assigning students~~[-to act]~~ as participants at off-campus sites,~~[-or]~~ in on-campus simulations, or in virtual or remote WBL experiences, shall establish a policy which includes the following:

(1) training for student participants, student participant supervisors, and cooperating employers regarding health hazards and safety procedures in the workplace;

(2) standards and procedures for approval of off-campus work sites, job shadows, field studies, and other WBL experiences;

(3) transportation options for students to and from the work site, job shadows, field studies, and other WBL experiences;

(4) appropriate supervision by employers at the internship or apprenticeship work site;

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

(6) appropriate supervision and assessment of the student by the LEA;

(7) appropriate involvement and approval by the student's parents in the WBL program;

(8) provision for risk or liability inherent in the WBL program developed in consultation with State Risk Management or the LEA's insurance provider; and

(9) a requirement that any [WBL]internship or apprenticeship credit awarded maintains the integrity and rigor expected for high school graduation and career pathway alignment, as determined by the Board.

R277-915-4. Disbursement of Funds.

~~[(1) The Superintendent shall align public elementary, secondary, and postsecondary or adult schools by LEA.]~~

(1) An LEA shall meet all requirements of this rule to be eligible for WBL funding.

(2) The proportion of total WBL funding allocated for a participating LEA shall [remain the same as the previous year unless:]be determined by the formula described in Subsection (3).[

~~— (a) the LEA discontinues the program;~~

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

~~— (c) LEA proportions are adjusted by the Board.]~~

(3) WBL funds are restricted and shall be allocated to an LEA for an approved program as follows:

(a) a base amount per LEA as established by the Superintendent; and

(b) an additional allocation that is proportional to the LEA's prior school year's October 1 headcount in comparison to all other LEAs with an approved program;

(4) An LEA shall annually complete a funding application with assurances that the LEA meets the WBL standards as described in Subsection R277-915-5.

(5) An LEA shall utilize the restricted indirect cost rate for WBL program expenditures.

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_____ (6) A participating LEA shall provide an equal match in funds to state appropriated WBL funds.

R277-915-5. Standards.

~~[(1) WBL shall be integrated into all levels of the educational delivery system and shall be coordinated within the LEA and among regions.]~~

~~[(2)1] To be eligible for WBL funds, an LEA shall:~~

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

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

~~[(e)b] document that a WBL committee representing all schools within the LEA:~~

~~(i) has been created and includes a variety of stakeholders from the different areas described in subsection R277-915-5(1)(c);~~

~~(ii) is actively functioning [effectively] evidenced by planning and implementing WBL activities described in subsection R277-915-5(1)(d); and~~

~~(iii) regularly addresses WBL issues;~~

~~[(e)c] conduct WBL activities utilizing information from:~~

~~(i) business and industry;~~

~~(ii) administrators;~~

~~(iii) teachers;~~

~~(iv) counselors;~~

~~(v) parents; and~~

~~(vi) students;~~

~~[(e)d] develop work-based preparation, participation, and assessment activities for students and teachers involved in all WBL LEA activities;~~

~~[(f)e] maintain evidence that WBL components have been integrated and coordinated with:~~

~~(i) elementary career awareness;~~

~~(ii) secondary career exploration;~~

~~(iii) integrated core activities;~~

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(iv) College and Career Awareness; and

(v) ~~[comprehensive guidance and]~~school counseling;

~~[(g)f]~~ maintain evidence of WBL activities and assurances in each LEA

developed in coordination with a student's:

(i) IEP;

(ii) Plan for College and Career Readiness; and

(iii) 504 requirements;

~~[(h)g]~~ require the inclusion of all student groups within the LEA in career development and preparation;

~~[(i)h]~~ demonstrate WBL coordination with employers and with other school and community development activities;~~[-]~~

~~[-] (j) verify that sufficient budget for a WBL coordinator, facilities, materials, equipment, and support staff is available;~~

~~[(k)i]~~ participate in ~~[initial]~~ongoing state-sponsored WBL coordinated professional development~~[and in periodic ongoing coordination and professional development activities];~~

~~[-] (l) require that the WBL team utilize a database system developed by the LEA for the LEA's specific needs; and]~~

~~[(m)j]~~ participate in the CTE Program Approval evaluation~~[every three years];[-]~~
and

_____ (k) ensure all program requirements are in accordance with section R277-114-5.

R277-915-6. Consistency with Law and State and LEA Board Rules and Policies.

(1) A ~~[WBL]~~workplace experience shall be consistent with the provisions of the Fair Labor Standards Act, 29 U.S.C. Sec. 201, et seq.

_____ (2) An LEA internship program shall have internship safety agreements in accordance with 53G-7-904 or meet the requirements of 53G-11-402.

~~[(2)3]~~ WBL programs shall operate consistently with Board rules and LEA polices, including:

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- (a) student transportation;
- (b) credit toward graduation;
- (c) attendance; [~~and~~]
- (d) fee waivers; and [;]
- (e) standards and training for non-licensed employees and volunteers.

KEY: public schools, work-based learning

Date of Last Change: [~~February 7, 2017~~]2022

Notice of Continuation: December 2, 2021

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53G-7-902; 53E-3-401(4)