

Legislative Analysis



GRANTING ACADEMIC CREDIT FOR INTERNSHIPS

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House Bill 4106 (reported from committee as H-4)
Sponsor: Rep. Beau Matthew LaFave

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5676 as reported
Sponsor: Rep. Brandt Iden

(Enacted as Public Acts 184 and 185 of 2018)

Committee: Workforce and Talent Development
Complete to 3-20-18

BRIEF SUMMARY:

House Bill 4106 would add Section 1279h to the Revised School Code to require that students in grades 9 through 12 be awarded high school credit for completing a qualifying internship or work experience. The bill would also establish conditions that the internship or work experience must meet, as well as conditions for potential denial of credit.

House Bill 5676 would amend the School Aid Act to provide that students could not be considered to be less than full-time equated students solely due to their participation in an internship or work experience.

House Bills 4106 and 5676 are tie-barred together, meaning neither can take effect unless both are enacted. Each bill would take effect 90 days after enactment.

FISCAL IMPACT:

The bills would have no fiscal impact for the state, but there could be an indeterminate, but likely minimal, cost increase for local school districts or PSAs.

Local school districts and PSAs could incur added administrative and operational expenses to exercise oversight of a pupil's internship or work experience and overseeing the appeal process for the denial of internship credit. House Bill 4106 would allow local school districts and PSAs to deny high school credit to pupil if the cost of oversight exceeds 16.67% of the minimum foundation allowance for the current fiscal year.

THE APPARENT PROBLEM:

House Bill 4106 is intended to simplify the internship process for students and small- to medium-sized businesses. According to some, smaller businesses have a difficult time placing students in internships due to administrative burdens and not understanding the placement process outlined in the MDE Pupil Accounting Manual. House Bill 5676 is intended to prevent schools from losing funding due to student participation in internships.

THE CONTENT OF THE BILLS:

House Bill 4106 (proposed MCL 380.1279h)

The bill would amend the Revised School Code to require the board of a school district or board of directors of a public school academy (PSA, or charter school) to grant high school credit to students in grades 9 through 12 who complete an internship or work experience.

Students could receive high school credit if they attend the internship/work experience for at least 4 hours per week for the same duration of weeks that the student would attend a traditional course for credit.

Under the bill, a school board or board of directors could not require a student to attend an internship for more than 10 hours per week. Also, with permission from the student's parent or guardian, the board or board of directors must ensure that the student attending an internship is excused for at least 1 period of class time each day that the student attends an internship.

A board or board of directors, or its designee, would exercise oversight of the student's internship as needed to ensure that requirements for earning credit are met.

Additionally, a board or board of directors could require a student participating in an internship/work experience to complete a reflection project. That project could include a copy of a time card, a résumé including the internship, or a written summary of the experience.

The board or board of directors could deny credit if any of the following apply:

- The student has a history of course failure or is not on track to graduate in 4 years.
- The student previously earned credit for an internship with the same employer (unless the new internship is substantively different than the previous internship/work experience).
- The student failed to request credit for the internship before the school's schedule for that term was determined.
- The student failed to satisfy the requirements of a previous internship.
- The student failed to complete a reflection project, if required by a board or board of directors.
- The internship is not consistent with the student's educational development plan under section 1278b of the Revised School Code.
- The employer with which the internship is performed is unable to demonstrate that it complies with all applicable general liability coverage requirements of the Michigan Worker's Disability Compensation Act.¹
- The cost of overseeing the internship exceeds 16.67% of the minimum foundation allowance for the district's or PSA's current fiscal year.²

¹ MCL 418.10 to 418.941

² As calculated under Section 20 of the School Aid Act (MCL 388.1620).

If a student is denied credit for an internship or work experience, the student could appeal the denial by submitting an appeal letter to the superintendent of the ISD. An appeal letter must include the school board's or board of directors' reasons for denial and the student's argument for reversal. The superintendent could uphold or reverse the denial within 5 business days of receipt of the letter. If the denial is reversed, the board or board of directors would award the credit to the student.

Finally, the proposed section should not be construed to affect the applicability of any existing state or federal laws regarding the employment of minors.

House Bill 5676 (MCL 388.1606)

The bill would amend the School Aid Act to make complementary changes regarding the calculation of district, ISD, or PSA membership, so that students participating in an internship or work experience could not be considered to be less than full-time equated students solely because of their engagement in an internship or work experience.

BACKGROUND INFORMATION:

The Michigan Department of Education (MDE) lists in its 2017-2018 Pupil Accounting Manual the requirements which must be met in order for a student completing a work based learning experience (WBLE), apprenticeship, or internship to be counted in the membership of a school district. In contrast, HB 4106 lists the requirements which must be met in order for the district or charter school to award high school credit for an internship or work experience. Several of these requirements are similar to those in HB 4106—such as the stipulation that employers comply with worker's disability compensation requirements for employers with which the internship is being conducted. However the manual allows up to 24 hours of work per week while school is in session; HB 4106 would limit schools to requiring 10 hours of work per week for the purpose of receiving credit.

In 2017, the Indiana State Board of Education voted to adopt recommended changes to the state's "graduation pathways," as put forth by the Indiana Graduation Pathways Panel.³ One the three required graduation pathways recommended by the panel includes an option for work-based learning experiences, such as internships.⁴ The recommendations are intended to make Indiana high school students more workforce ready upon graduation.

ARGUMENTS:

For:

Proponents of these bills argue that the bills would allow students more opportunities to explore alternative career paths and learn valuable job skills. This is especially important in rural areas or smaller schools, where certain career learning programs might not be

³ <http://www.news-sentinel.com/news/local-news/2017/12/06/indiana-state-board-of-education-approves-new-graduation-pathways-after-lengthy-public-comment-asking-them-to-resolve-unanswered-questions/>

⁴ Indiana State Board of Education Graduation Pathways Panel Recommendations, 11-7-17
<http://www.in.gov/sboe/files/Grad%20Pathways%20-%20Draft%20Pathway%20Recommendations.v6.pdf>

offered. Also, the bills would allow small- and medium-sized businesses, which otherwise might not have been able to participate due to administrative burdens, to offer internships.

Against:

No one testified or voted against the bills in committee.

POSITIONS:

Representatives from the following entities indicated support for the bills:

- Michigan Department of Education (3-13-18)
- Oakland Schools (3-13-18)
- Michigan Association of Secondary School Principals (3-13-18)
- Great Lakes Education Project (3-13-18)
- Barry, Branch, Calhoun, Jackson, Lenawee and Monroe ISDs (3-13-18)
- Associated Builders and Contractors (3-13-18)
- Gladstone Area Schools (3-13-18)
- Carney-Nadeau Public Schools (3-13-18)

The following organizations support HB 4106:

- Michigan Education Association (11-7-18)
- Michigan Association of Intermediate School Administrators (11-7-18)
- Michigan Association of School Boards (3-13-18)
- Michigan Association of School Administrators (3-13-18)

A representative from Breitung Township Schools indicated support of HB 4106 in concept. (3-13-18)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.