S T A T E O F N E W Y O R K

5306

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. MORELLE, SCHIMMINGER, CUSICK, WEISENBERG -- Multi-Sponsored by -- M. of A. CHRISTENSEN, GREENE, MAGEE, McENENY -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to creating the empire state internship program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings. The legislature hereby finds and declares that secondary school students who may be interested in specific careers have little or no opportunity to explore those interests beyond the classroom.

The legislature also finds that students who gain practical work experience through internships generally become more committed to their academic fields, more serious about their course work, and more constructive contributors in the classroom.

The legislature further finds that internships provide exposure to advanced technologies and equipment not available in the classroom. Students learn about the competitive nature of job markets and what is needed to prepare themselves to make career choices.

Therefore, the legislature declares that students interested in exploring opportunities related to their specific career interests be eligible for internships and deserve recognition that exemplifies the students' scholastic achievement.

S 2. The education law is amended by adding a new article 12-B to read as follows:

ARTICLE 12-B

EMPIRE STATE INTERNSHIP PROGRAM

SECTION 565. SHORT TITLE.
566. DEFINITIONS.
567. ADMINISTRATION.
568. WORK-BASED LEARNING COORDINATION.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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569. PROGRAM COMPONENTS.
570. REPORTING AND EVALUATION.
571. RULES AND REGULATIONS.

S 565. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "EMPIRE STATE INTERNSHIP PROGRAM".

S 566. DEFINITIONS. FOR THE PURPOSE OF THIS ARTICLE THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "INTERNSHIP" SHALL MEAN AN ACTIVITY THAT PLACES A STUDENT IN A LEARNING ENVIRONMENT, OTHER THAN THE CLASSROOM, PROVIDING A WORKSITE ASSIGNMENT DESIGNED TO HELP STUDENTS UTILIZE AND APPLY PRINCIPLES AND THEORIES TAUGHT IN THE CLASSROOM TO THE WORKPLACE;

2. "EMPLOYER" SHALL MEAN PUBLIC, PRIVATE AND NOT-FOR-PROFIT EMPLOYERS;

3. "STIPEND" SHALL MEAN A GRANT OF SUCH FUNDS AS MAY BE AVAILABLE FROM FEDERAL, STATE OR LOCAL SOURCES AWARDED TO A PARTICIPATING STUDENT AS PART OF A WORKPLACE EXPERIENCE;

4. "MENTOR" SHALL MEAN AN INDIVIDUAL DESIGNATED BY THE EMPLOYER IN THE WORKPLACE TO INSTRUCT AND CRITIQUE THE PERFORMANCE OF THE STUDENT, CHALLENGE THE STUDENT TO PERFORM WELL, WORK IN CONSULTATION WITH THE WORK-BASED LEARNING COORDINATOR AND THE EMPLOYER, AND SHALL POSSESS THE SKILLS AND KNOWLEDGE TO BE MASTERED BY A STUDENT AT THE WORKPLACE;

5. "ELIGIBLE STUDENT" SHALL MEAN ANY STUDENT SIXTEEN YEARS OR OLDER ENROLLED IN A PUBLIC SECONDARY INSTITUTION AS A JUNIOR IN THE YEAR PRECEDING THE AWARD;

6. "WORK-BASED LEARNING COORDINATOR" SHALL MEAN AN INDIVIDUAL WHO HOLDS CERTIFICATION FROM THE DEPARTMENT AS A DIVERSIFIED COOPERATIVE EDUCATION COORDINATOR AS ESTABLISHED IN SUBDIVISION (F) OF SECTION 80-2.5 OF TITLE EIGHT OF THE NEW YORK STATE CODES, RULES AND REGULATIONS OR HAS COMPLETED COURSE WORK OR IN-SERVICE TRAINING PURSUANT TO SECTION FIVE HUNDRED SIXTY-EIGHT OF THIS ARTICLE.

S 567. ADMINISTRATION. 1. THE COMMISSIONER SHALL ESTABLISH AN EMPIRE STATE INTERNSHIP PROGRAM HEREAFTER KNOWN AS "THE PROGRAM". SUCH PROGRAM SHALL INCLUDE COMPONENTS DEVELOPED PURSUANT TO SECTION FIVE HUNDRED SIXTY-NINE OF THIS ARTICLE.

2. THE COMMISSIONER SHALL:

(A) CONSULT WITH STATE AGENCIES INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF LABOR FOR THE PURPOSE OF DEVELOPING THE PROGRAM; AND

(B) COORDINATE WITH PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION TO ENSURE THAT THEY ARE ABLE TO ASSESS AND EVALUATE THE INTERNSHIP AS PART OF AN APPLICATION FOR ADMISSION INTO A POST SECONDARY EDUCATIONAL OR TRAINING PROGRAM.

3. THE DEPARTMENT SHALL:

(A) PROVIDE TECHNICAL ASSISTANCE TO SCHOOL DISTRICTS INTERESTED IN ESTABLISHING AND MAINTAINING SUCH PROGRAM; AND

(B) DEVELOP GUIDELINES FOR THE PROGRAM SUBJECT TO THE COMMISSIONER'S RULES AND REGULATIONS PURSUANT TO SECTION FIVE HUNDRED SEVENTY-ONE OF THIS ARTICLE. GUIDELINES SHALL, AT A MINIMUM, INCLUDE:

(I) STATEMENT OF PROGRAM OBJECTIVES;

(II) DUTIES AND RESPONSIBILITIES OF WORK-BASED LEARNING COORDINATORS;

(III) DUTIES AND RESPONSIBILITIES OF THE SCHOOL DISTRICT AND EMPLOYER INCLUDING, BUT NOT LIMITED TO MENTORING THE STUDENT;

(IV) PROCEDURES FOR ESTABLISHING INTERNSHIP OPPORTUNITIES FOR ELIGIBLE STUDENTS INCLUDING, BUT NOT LIMITED TO: (1) DEFINITION OF THE POSITION AVAILABLE; (2) DESCRIPTION OF THE TASKS INVOLVED IN EACH POSITION; AND (3) EXPLANATION OF THE SKILLS NEEDED TO PERFORM THOSE TASKS;

(V) STATEMENT OF THE MANNER IN WHICH PROGRAM COMPONENTS PURSUANT TO SECTION FIVE HUNDRED SIXTY-NINE OF THIS ARTICLE SHALL BE INTEGRATED WITH

ACADEMIC CURRICULA SUPPORTING EFFORTS OF STUDENTS TO MEET THE STATE'S HIGHER LEARNING STANDARDS;

(VI) STRATEGIES FOR SCHOOL DISTRICTS TO ENSURE STUDENT PARTICIPATION;

(VII) PROCEDURES FOR STUDENT APPLICATIONS INCLUDING, BUT NOT LIMITED TO:

(1) A SCHEDULE FOR DATES FOR APPLICATION, SUCH THAT THE INTERNSHIP CAN BEGIN NO LATER THAN OCTOBER FIRST OF THE STUDENT'S SENIOR YEAR;

(2) CRITERIA FOR STUDENT SELECTION INCLUDING, BUT NOT LIMITED TO: (A) STUDENT CAREER INTEREST; (B) ACADEMIC PERFORMANCE; AND (C) AN INTERVIEW WITH A WORK-BASED LEARNING COORDINATOR;

(VIII) PERFORMANCE STANDARDS FOR PARTICIPATING IN THE INTERNSHIP INCLUDING, BUT NOT LIMITED TO: (1) ATTENDANCE; (2) PARTICIPATION REQUIREMENTS FOR STUDENTS; (3) COMPLETION OF A FINAL PROJECT PURSUANT TO SUBDIVISION TWO OF SECTION FIVE HUNDRED SIXTY-NINE OF THIS ARTICLE; AND (4) COMPLETION OF ALL OTHER ACADEMIC COURSES; AND

(IX) PROCEDURES FOR SCHOOL DISTRICTS TO EVALUATE AND ASSESS EACH INTERNSHIP FOR THE PURPOSE OF AWARDING ACADEMIC CREDITS.

S 568. WORK-BASED LEARNING COORDINATION. EACH PARTICIPATING SCHOOL DISTRICT SHALL IN A MANNER CONSISTENT WITH GUIDELINES COORDINATE STUDENTS AND EMPLOYERS PARTICIPATING IN SUCH PROGRAM BY:

1. IDENTIFYING APPROPRIATE CERTIFIED STAFF WITHIN THE SCHOOL DISTRICT SUCH AS A GUIDANCE COUNSELOR WHO EITHER HAS EXPERIENCE OR HAS RECEIVED IN-SERVICE TRAINING ENABLING HIM OR HER TO COORDINATE INTERNSHIP ACTIVITIES; OR

2. ENTERING INTO A COOPERATIVE SHARED SERVICE AGREEMENT WITH A BOARD OF COOPERATIVE EDUCATION SERVICES (BOCES) TO SECURE THE SERVICES OF A WORK-BASED LEARNING COORDINATOR.

S 569. PROGRAM COMPONENTS. THE PROGRAM SHALL INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING COMPONENTS: 1. WORKPLACE EXPERIENCES. WORKPLACE EXPERIENCES OFFERED BY EMPLOYERS SHALL:

(A) TAKE PLACE IN THE PRIVATE SECTOR OR IN ANY PUBLIC OR PRIVATE NOT-FOR-PROFIT AGENCY OTHER THAN THE SCHOOL DISTRICT;

(B) BE FOR A DURATION OF NOT LESS THAN THREE MONTHS AND INCLUDE A MINIMUM OF ONE HUNDRED HOURS;

(C) CONFORM WITH THE REQUIRED NEW YORK STATE LABOR LAWS;

(D) INVOLVE THE DIRECT APPLICATION OF SKILLS LEARNED IN THE CLASSROOM;

(E) INCLUDE THE ASSIGNMENT OF A WORKPLACE MENTOR;

(F) CARRY ACADEMIC CREDIT PURSUANT TO DEPARTMENTAL GUIDELINES DEVELOPED IN SECTION FIVE HUNDRED SIXTY-SEVEN OF THIS ARTICLE; AND

(G) MAY INCLUDE A STIPEND, AT LOCAL DISCRETION, PROVIDED THAT SUCH AWARD SHALL NOT BE COUNTED AS INCOME FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR PUBLIC ASSISTANCE AND CARE AS DEFINED IN SUBDIVISION EIGHTEEN OF SECTION TWO OF THE SOCIAL SERVICES LAW AND THAT THE STUDENT IS NOT SIMULTANEOUSLY EMPLOYED BY THE EMPLOYER PROVIDING THE WORKPLACE EXPERIENCE.

2. FINAL PROJECT. THE INTERNSHIP SHALL INCLUDE A FINAL PROJECT WHICH MAY BE EITHER A WRITTEN OR ORAL PRESENTATION CONNECTED WITH THE WORK EXPERIENCE.

3. CERTIFICATE. UPON COMPLETION OF MEETING THE REQUIREMENTS OF THE INTERNSHIP THE STUDENT SHALL BE AWARDED THE EMPIRE STATE INTERNSHIP CERTIFICATE WHICH SHALL BE NOTED ON THE STUDENT'S TRANSCRIPT.

S 570. REPORTING AND EVALUATION. ON OR BEFORE OCTOBER FIRST, TWO THOUSAND ELEVEN AND EVERY OCTOBER FIRST THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE SENATE, THE CHAIR OF THE ASSEMBLY EDUCATION COMMITTEE, THE CHAIR OF THE SENATE EDUCATION COMMITTEE AND THE CHAIR OF THE LEGISLATIVE COMMISSION

ON SKILLS DEVELOPMENT AND CAREER EDUCATION ON THE PROGRAM. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:

1. IDENTIFICATION OF PARTICIPATING DISTRICTS;
2. IDENTIFICATION OF PARTICIPATING SCHOOLS IN EACH DISTRICT;
3. NUMBER OF STUDENTS IN EACH SCHOOL PARTICIPATING IN THE PROGRAM;
4. NUMBER AND TYPE OF BUSINESSES PARTICIPATING IN THE PROGRAM; AND
5. DESCRIPTION OF THE TYPES OF INTERNSHIPS.

S 571. RULES AND REGULATIONS. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ARTICLE.

S 3. This act shall take effect September 1, 2010.