# WORK-BASED LEARNING MEMORANDUM OF AGREEMENT FOR EXTENDED CLASSROOM

This establishes an agreement between **Business/School District/BOCES Name** and the school district/BOCES stated above relating to the Extended Classroom experiences for students in the **Program Name (e.g. Theater)** Program. The following are general expectations and requirements that are agreed upon by the undersigned.

1. The students will be supervised by a certified district employee at all times.
2. A Certificate of Insurance (liability) shall be provided by the school district/BOCES.
3. This site will be considered an extension of the school district/BOCES **Program Name (e.g. Theater)** classroom.
4. The school district/BOCES will comply fully with **ALL** appropriate New York State labor laws including laws specific to prohibitive occupations and New York State Education Department laws/regulations.
5. When appropriate, the experiences will be coordinated by a certified Coordinator of Work Based Learning Programs for Career Development.
6. After appropriate discussion, any party may elect to discontinue this agreement at any time.
7. This agreement shall expire one to five years after the date of its execution but may be extended by written agreement of the parties.

|  |
| --- |
| Sponsoring Business/Agency/School District/BOCES Signature:  Date:  Printed Name and Title:  Program Expiration Date |
|  |
|  |

## **General Responsibilities:**

* Appropriate general safety instruction will be provided.
* A school district/BOCES name employee will act as a mentor/supervisor for the students for the duration of the experience.
* This program will comply with all Federal and State Labor Department and New York State Education Department laws/regulations**. In the event the student may be working in a New York State Department of Labor (NYSDOL) deemed hazardous location and/or a prohibitive occupation, all parties will comply with current NYSDOL regulations.**
* Students will be accepted into this program and otherwise treated without regard to age, color, religion, creed, disability, marital status, national origin, race, gender or sexual orientation.
* The program/experience will comply fully with **ALL** of the following criteria points, which are outlined in the United States Department of Labor’s Employment Relationships Under the Fair Labor Standards Act—

Whether trainees or students are employees of the institution under the Fair Labor Standards Act will depend upon all of the circumstances surrounding their activities on the premises of the institution. If **ALL** of the following criteria apply, the trainees or students are **NOT** considered employees within the meaning of the Act:

1. the training, even though it includes actual operation in the facilities of the institution, is similar to that which would be given in the Career and Technical Education Program;
2. the training is for the benefit of the trainees or students;
3. the trainees or students **DO NOT DISPLACE** regular employees but work under their close observation;
4. the institution that provides the training **DERIVES NO IMMEDIATE ADVANTAGE** from the activities of the trainees and, on occasion, operations may actually be impeded; the trainees or students are not necessarily entitled to a job at the conclusion of the training period; and
5. the institution and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in the extended classroom.

## **Student Responsibilities:**

* The students must abide by all regulations set forth by participating business/agency/institution. Failure to do so can cause immediate removal from the experience (i.e., dress code, behavior).
* The student is representing the school district/BOCES in the community; therefore, the student is expected to act and behave appropriately according to the expectations of the company.