

## **Legal Issues Affecting School-to-Work Experiences**

### **Fair Labor Standards Act**

Employment Relationship Under the Fair Labor Standards Act:

[http://www.osha.gov/pls/epub/wageindex.download?p\\_file=F11973/WH1297.pdf](http://www.osha.gov/pls/epub/wageindex.download?p_file=F11973/WH1297.pdf)  
(US Dept. of Labor)

Unpaid Interns and Trainees: [http://www.oregon.gov/BOLI/TA/T\\_FAQ\\_Interns.shtml](http://www.oregon.gov/BOLI/TA/T_FAQ_Interns.shtml)  
(BOLI, State of Oregon)

Child Labor Laws: School-to-Work:

[http://www.oregon.gov/BOLI/TA/T\\_FAQ\\_Stw.shtml](http://www.oregon.gov/BOLI/TA/T_FAQ_Stw.shtml) (BOLI, State of Oregon)

### **Civil Rights**

Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act of 1990

US Equal Employment Opportunity Commission: <http://www.eeoc.gov/>

Employers' Practical Guide to Reasonable Accommodation Under the Americans with Disabilities Act (ADA): <http://www.jan.wvu.edu/Erguide/index.htm> (Job Accommodation Network, Office of Disability Employment Project, US Dept. of Labor)

On-site Civil Rights Review, Community College Self-Assessment Checklist, Section 8. Work Study, Cooperative Education and Job Placement:  
<http://www.ode.state.or.us/opportunities/grants/perkins/postsecondary/ccselfassessmentchecklistmjb.pdf> (Office of Educational Improvement & Innovation, Oregon Dept. of Education)

On-site Civil Rights Review, Secondary Self-Assessment Checklist, Section 8. Career Related Learning Experiences:  
<http://www.ode.state.or.us/opportunities/grants/perkins/secondary/secondaryselfassessmentchecklistmjb.pdf> (Office of Educational Improvement & Innovation, Oregon Dept. of Education)

### **Family Educational Rights and Privacy Act**

General Guide to FERPA: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>  
(US Dept. of Education)

### **Workers Compensation**

Workers Compensation Division (Oregon):

<http://www.cbs.state.or.us/external/wcd/index.html> (Consumer & Business Services Department, State of Oregon)

Insurance for Business (Washington): <http://www.lni.wa.gov/ClaimsIns/Insurance/>  
(Washington State Dept. of Labor and Industries)

## **Legal Issues Affecting School-to-Work Experiences**

### **Employment for International Students**

F-1 Student Employment: <http://www.ice.gov/sevis/employment/> (US Immigration and Customs Enforcement)

Curricular Practical Training: <http://www.ice.gov/sevis/students/cpt.htm> (US Immigration and Customs Enforcement)

International Education Program - Employment: <http://www.pcc.edu/about/international/employment/> (Office of International Education, Portland Community College, Oregon)

### **Accreditation**

Operational Policy A-6 - Contractual Relationships with Organizations Not Regionally Accredited:  
<http://www.nwccu.org/Standards%20and%20Policies/Operational%20Policies/Policy%20A6/Operational%20Policy%20A6.htm> (Northwest Commission on Colleges and Universities)

### **State Guidelines for Cooperative Work Experiences**

Community College Handbook for Policies and Procedures: Cooperative Work Experience – pp. 48-49:  
<http://egov.oregon.gov/CCWD/pdf/CommunityCollegeHandbook.pdf> (State of Oregon)

CWE Best Practices at Community College: <http://www.weco-online.org/cwebestpractices.pdf> (State of Oregon Dept. of Education via WECO)

SBCTC Policy Manual, Chapter 4, Appendix E – Work Based Learning Guidelines:  
[http://www.sbctc.ctc.edu/docs/policy\\_manual.pdf](http://www.sbctc.ctc.edu/docs/policy_manual.pdf) (State of Washington)

### **Other Legal Issues?**

Pre-screening student applicants; OSHA; religious accommodation; intellectual property rights; freedom of speech; workplace harassment; Uniformed Services Employment & Reemployment Rights Act; sexual offender registry; smoke-free workplace laws; electronic communications usage; personal privacy; independent contractors (as employers or interns); others?

Prepared by  
George Knox, Coordinator,  
Sylvania Cooperative Education,  
Portland Community College  
Portland, Oregon  
November 2008