

House Bill 3304

Sponsored by Representative MORGAN, Senator SMITH DB, Representative EVANS; Representative WRIGHT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Education, in collaboration with certain other agencies, to establish criteria for recognizing student internship programs.

Makes student internship programs eligible for career and technical education revitalization grants. Modifies references in certain career and technical education funding provisions to focus on high demand jobs.

Removes cap on number of students that may participate in youth apprenticeship programs per biennium.

A BILL FOR AN ACT

1
2 Relating to youth career-training opportunities; creating new provisions; and amending ORS 327.372,
3 344.059, 344.075 and 344.745.

4 **Be It Enacted by the People of the State of Oregon:**

STUDENT INTERNSHIP PROGRAMS

SECTION 1. (1) As used in this section:

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8
9 (a) "Apprenticeable occupation" has the meaning given that term in ORS 660.010.

10 (b) "Intern" means a person who performs work for an employer for the purpose of
11 training if:

12 (A) The employer is not committed to hire the person performing the work at the con-
13 clusion of the training period; and

14 (B) The work performed:

15 (i) Supplements training given in an educational environment that may enhance the
16 employability of the intern;

17 (ii) Provides experience for the benefit of the person performing work;

18 (iii) Does not displace regular employees;

19 (iv) Is performed under the close supervision of existing staff; and

20 (v) Provides no immediate advantage to the employer providing the training and may
21 occasionally impede the operations of the employer.

22 (c) "Local joint committee" has the meaning given that term in ORS 660.010.

23 (d) "Youth job development organization" has the meaning given that term in ORS
24 344.415.

25 (2) The Department of Education, in collaboration with the Office of Community Colleges
26 and Workforce Development, the Bureau of Labor and Industries and the State Apprenticeship
27 and Training Council, shall establish criteria for student internship programs for high
28 school students who are 16 years of age or older. To meet the criteria required by this sec-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **tion, a student internship program must:**

2 (a) **Be available to any student 16 years of age or older who is enrolled in high school or**
 3 **an approved high school equivalency program such as a General Educational Development**
 4 **(GED) program and who is on track for graduation or completion of the program;**

5 (b) **Be developed and administered based on Department of Education best practices; and**

6 (c) **Offer occupational skills training that:**

7 (A) **Is recognized toward meeting high school graduation requirements; and**

8 (B) **If the student internship program is in an apprenticeable occupation, is recognized**
 9 **by the local joint committee that is operating an apprenticeship program in the applicable**
 10 **locality for that apprenticeable occupation as previous creditable work experience, education**
 11 **or training for which advance credit must be given to an apprentice entering the appren-**
 12 **ticeship program.**

13 (3) **A student internship program described in this section may be established or admin-**
 14 **istered by a school district, education service district, public school, public charter school**
 15 **or community college or any combination thereof or in partnership with one or more youth**
 16 **job development organizations or local employers. In licensed trades for building and con-**
 17 **struction and for the operation of equipment and machinery defined as hazardous, on-the-job**
 18 **training for student interns 16 or 17 years of age may be simulated cooperatively at a**
 19 **training site.**

20 (4) **Criteria established under subsection (2) of this section must address how the ad-**
 21 **ministrator of the student internship program will:**

22 (a) **Ensure that there is a clear understanding between student interns and employers**
 23 **that there is no expectation or entitlement of employment for student interns;**

24 (b) **Provide for academic credit-bearing training similar to training given in an educa-**
 25 **tional environment, including clinical or other hands-on training;**

26 (c) **Structure student internships to be limited in duration and to be made available**
 27 **during the school year and during the summer months between school years;**

28 (d) **Assume responsibility for specific jobs or work tasks to be completed by student in-**
 29 **terns; and**

30 (e) **Share the costs of utilizing student interns, including but not limited to supervision**
 31 **and oversight, discipline and responsibility for workers' compensation coverage.**

32 (5)(a) **The administrator of a student internship program shall cooperate with local**
 33 **school districts to develop educationally aligned articulations for internships.**

34 (b) **For an internship in an apprenticeable occupation, employers under ORS 660.002 to**
 35 **660.210 shall cooperate with the State Director of Apprenticeship and Training through the**
 36 **applicable apprenticeship committee, and with the administrator of the student internship**
 37 **program, to develop training guidelines consistent with providing training standards for the**
 38 **apprenticeable occupation that a student intern may earn credit for through completion of**
 39 **the student internship.**

40 (c) **Articulations and guidelines developed pursuant to this subsection must provide a**
 41 **listing of work processes and related training to be provided that will permit a student intern**
 42 **to acquire necessary skills. A student intern's progress must be evaluated during the term**
 43 **of the internship based on a schedule agreed upon between the school district, the employer**
 44 **and the administrator of the student internship program.**

45 (6) **A student intern may not displace a regular employee of an employer participating in**

1 **a student internship program.**

2 (7) **The Department of Education may apply for and obtain gifts and grants of money**
 3 **from any public or private source for the use and benefit of student internship programs and**
 4 **shall expend funds received in accordance with the terms of the gifts or grants.**

5
 6 **STUDENT INTERNSHIP PROGRAM FUNDING;**
 7 **CAREER AND TECHNICAL EDUCATIONAL PROGRAM FUNDING**

8
 9 **SECTION 2.** ORS 327.372 is amended to read:

10 327.372. (1) Activities related to science, technology, engineering and mathematics education and
 11 activities related to career and technical education that can lead to [*high wage and*] high demand
 12 jobs shall be funded as provided by this section.

13 (2) The Department of Education shall distribute moneys in the Connecting Education to Ca-
 14 reers Account established by ORS 327.376 as follows:

15 (a) Forty percent for activities related to science, technology, engineering and mathematics ed-
 16 ucation that are described in subsection (3) of this section. Moneys shall be distributed by the de-
 17 partment under this paragraph based on recommendations of the STEM Investment Council.

18 (b) Sixty percent for activities related to career and technical education that can lead to [*high*
 19 *wage and*] high demand jobs and that are described in subsection (4) of this section. Moneys shall
 20 be distributed by the department under this paragraph based on recommendations of the committee
 21 established under ORS 344.075.

22 (3) Moneys distributed as provided by subsection (2)(a) of this section to fund activities related
 23 to science, technology, engineering and mathematics education shall be used to:

24 (a) Expand and sustain regional networks that support science, technology, engineering and
 25 mathematics.

26 (b) Award grants that expand the implementation of effective programs related to science,
 27 technology, engineering and mathematics, that propose innovative approaches or programs related
 28 to science, technology, engineering and mathematics or that provide professional development re-
 29 lated to teaching science, technology, engineering and mathematics.

30 (c) Provide funding to recruit, retain and support underserved students, as defined by the State
 31 Board of Education by rule, for programs that are offered at community colleges and public uni-
 32 versities and that can lead to [*high wage and*] high demand jobs related to science, technology, en-
 33 gineering and mathematics.

34 (d) Develop a systematic survey of facility use to determine how savings for science, technology,
 35 engineering and mathematics education can be achieved.

36 (e) Fund any other activities related to science, engineering and mathematics education that are
 37 identified by the STEM Investment Council.

38 (4) Moneys distributed as provided by subsection (2)(b) of this section to fund activities related
 39 to career and technical education that can lead to [*high wage and*] high demand jobs shall be used
 40 for:

41 (a) Programs that expose students to career and technical education programs that can lead to
 42 [*high wage and*] high demand jobs.

43 (b) Career and Technical Education Revitalization grants awarded under ORS 344.075.

44 (c) Student leadership organizations **and youth job development organizations as defined in**
 45 **ORS 344.415** related to career and technical education programs that can lead to [*high wage and*]

1 high demand jobs.

2 (d) Distribution to school districts to support career and technical education programs in the
 3 school district that are approved by the Department of Education as being high quality and that can
 4 lead to *[high wage and]* high demand jobs. Moneys must be distributed to each school and public
 5 charter school in the school district based on the number of students enrolled at the school with the
 6 following characteristics:

7 (A) Students who are enrolled in and earned three or more credits for courses that are part of
 8 a career and technical education program that can lead to *[high wage and]* high demand jobs and
 9 that are approved by the Department of Education.

10 (B) Students who acquire an industry credential that can lead to a *[high wage and]* high demand
 11 job and that is approved by the Department of Education.

12 (C) Students described in subparagraph (A) or (B) of this paragraph who are historically under-
 13 served, as defined by the State Board of Education by rule.

14 (e) Administration of grants for the purpose of expanding teacher training programs and oppor-
 15 tunities related to career and technical education that can lead to *[high wage and]* high demand
 16 jobs.

17 (f) Administration of a pilot program to increase students' exposure and access to career and
 18 technical education that can lead to *[high wage and]* high demand jobs.

19 (g) Funding any other activities related to career and technical education that can lead to *[high*
 20 *wage and]* high demand jobs and that are identified by the committee established under ORS 344.075.

21 (5) Except as otherwise provided, moneys distributed under subsections (3) and (4) of this section
 22 shall be distributed to school districts, education service districts, public schools, public charter
 23 schools, community colleges, public universities or statewide nonprofit organizations promoting stu-
 24 dent leadership in career and technical education, **youth job development organizations as de-**
 25 **defined in ORS 344.415** or any combination thereof or in partnership with *[youth job development*
 26 *organizations, as defined in ORS 344.415,]* other nonprofit organizations or other entities identified
 27 by the State Board of Education by rule.

28 (6) From the moneys available under subsection (2) of this section, the Department of Education,
 29 the STEM Investment Council and the committee established under ORS 344.075 combined may re-
 30 tain no more than a total of five percent of all moneys distributed for a fiscal year for administrative
 31 expenses incurred under this section.

32 (7) The Department of Education, in collaboration with the STEM Investment Council and the
 33 committee established under ORS 344.075, shall submit a biennial report to the Legislative Assembly
 34 related to distributions made under this section. The report must include metrics that identify how
 35 distributions made under this section are contributing to the development of a skilled workforce that
 36 is able to secure *[high wage and]* high demand jobs.

37 **SECTION 3.** ORS 344.059 is amended to read:

38 344.059. The Department of Education shall advance the policy on career and technical educa-
 39 tion described in ORS 344.055 by:

40 (1) Administering the distribution of grants or entering into contracts for the purpose of ex-
 41 panding teacher training programs related to career and technical education that can lead to *[high*
 42 *wage and]* high demand jobs. Grants awarded, or contracts entered into, under this subsection may
 43 be funded with moneys available under ORS 327.372 and must:

44 (a) Not exceed \$250,000 per grant or contract;

45 (b) Be awarded to, or be entered with, an educator preparation program or an educator prepa-

1 ration provider, regardless of whether courses are offered in a traditional setting, by an alternative
 2 delivery method or by an alternative time frame;

3 (c) Be awarded or entered into for an educator preparation program that has a plan for re-
 4 cruiting students to the program;

5 (d) Be used to develop and provide coursework that:

6 (A) Qualifies for credit or as professional development and that satisfies licensure or endorse-
 7 ment requirements; and

8 (B) Is provided in a broad group of instructional areas that are grouped to give context for ac-
 9 cademic, technical and career learning; and

10 (e) To the extent practicable, align with grant distribution requirements of the Career and
 11 Technical Education Revitalization Grant Program described in ORS 344.075.

12 (2) Developing and supporting the infrastructure for an online system that is accessible state-
 13 wide and that delivers courses and professional development to teachers of career and technical
 14 education. For the purpose of this subsection, the department may retain up to eight percent of the
 15 moneys available to the department under this section.

16 (3) Collaborating with the Teacher Standards and Practices Commission to:

17 (a) Enable experts in trade or industry to become teachers of career and technical education;

18 (b) Coordinate communications about career and technical education, including communications:

19 (A) Intended to identify potential teachers of career and technical education from trade or in-
 20 dustry;

21 (B) With experts in trades or industry about the requirements for transitioning from employment
 22 in a trade or an industry to teaching; and

23 (C) With educator preparation programs and educator preparation providers about teaching op-
 24 portunities related to career and technical education; and

25 (c) Review statutes and rules for necessary changes and to review and recommend alternative
 26 methods to increase available funding options.

27 (4) Developing and maintaining the website described in ORS 344.141.

28 **SECTION 4.** ORS 344.075 is amended to read:

29 344.075. (1) The Career and Technical Education Revitalization Grant Program is established
 30 within the Department of Education.

31 (2) Subject to the availability of funds, the department shall award grants each biennium to
 32 school districts, education service districts, public schools or public charter schools, or any combi-
 33 nation thereof or in partnership with youth job development organizations as defined in ORS 344.415,
 34 for the uses described in subsection (3) of this section.

35 (3) Grants received under this section must be used to enhance the collaboration between edu-
 36 cation providers and employers by:

37 (a) Developing or enhancing career and technical education programs of study;

38 (b) Expanding the professional growth of and career opportunities for students through career
 39 and technical education programs **or student internship programs under section 1 of this 2023**
 40 **Act;**

41 (c) Assessing the ability of each career and technical education program **or student internship**
 42 **program** to meet workforce needs and give students the skills required for jobs in this state that
 43 [*provide high wages and*] are in high demand; and

44 (d) Supporting the achievement of the high school diploma and modified diploma requirements
 45 established under ORS 329.451.

1 (4) Any school district, education service district, public school or public charter school, or any
2 combination thereof or in partnership with a youth job development organization as defined in ORS
3 344.415, may apply for a grant under this section.

4 (5)(a) The department and the Bureau of Labor and Industries shall jointly establish a committee
5 to:

6 (A) Assist with the grant program established under this section, including setting goals for the
7 program, developing grant criteria, reviewing all grant applications and making recommendations
8 related to the awarding of grants.

9 (B) Make recommendations to the Superintendent of Public Instruction related to the distrib-
10 ution of moneys under ORS 327.372.

11 (b) The committee established by this subsection must equally represent business, industry, labor
12 and education providers.

13 (c) The department in awarding grants, and the committee in fulfilling its duties related to
14 grants, shall award grants based on the ability of the applicant to use the grant as required under
15 subsection (3) of this section. In addition, the department and the committee shall give priority to
16 applicants that:

17 (A) Represent a diverse number of students served and a diverse selection of geographic lo-
18 cations;

19 (B) Have received commitments from business, industry, labor or education providers to enhance
20 collaboration and to provide resources for any collaborative efforts; and

21 (C) Demonstrate that the collaboration between education providers and employers enhanced
22 by the grant will be sustainable beyond the life of the grant.

23 (6) The State Board of Education may adopt any rules necessary for the implementation of this
24 section.

25 (7) The department may pay the expenses incurred by the department in administering this
26 section out of moneys that are available to the department for purposes of awarding grants under
27 this section. For each biennium, the department may spend on administrative expenses an amount
28 that does not exceed five percent of the total amount of moneys available to the department during
29 the biennium for purposes of awarding grants under this section.

30
31 **YOUTH APPRENTICESHIP AND TRAINING AND WORK BASED LEARNING PROGRAMS**

32
33 **SECTION 5.** ORS 344.745 is amended to read:

34 344.745. (1) The State Apprenticeship and Training Council and the Department of Education
35 shall establish youth apprenticeship and training and work based learning programs to provide oc-
36 cupational skill training for [up to 2,000 individual] high school students [in each biennium.
37 *Notwithstanding the limitation on the number of program participants, the department and the Bureau*
38 *of Labor and Industries may increase the number of participants if federal funds become available for*
39 *such an increase. In the building and construction trades industries, there shall be a maximum of 100*
40 *youth apprentices or trainees per biennium. However, the council has the authority to increase the*
41 *number of youth apprentices in building and construction trades on the basis of demonstrated industry*
42 *need*].

43 (2) Participating students must be 16 years of age or older and must be enrolled in a high school
44 career and technical education program that is applicable to the specific youth apprenticeship and
45 training or work based learning program for which they are applying. Students must demonstrate

1 mastery of the essential competencies contained in an approved career exploration curriculum prior
2 to being registered as a youth apprentice or trainee. In licensed trades for building and construction
3 and for the operation of equipment and machinery defined as hazardous, on-the-job training for stu-
4 dents 16 or 17 years of age may be simulated cooperatively at a training site.

5 (3) Participating schools shall develop and maintain a list of students eligible for youth appren-
6 ticeship and training programs. In a cooperative effort, school districts, education service districts
7 and local apprenticeship and training committee members shall review and select students for par-
8 ticipation from the list of eligible students established under this subsection.

9 (4) Employers under ORS 660.002 to 660.210 shall cooperate with the State Director of Appren-
10 ticeship and Training through the applicable apprenticeship committee to develop training guidelines
11 consistent with youth apprenticeship and training standards for a specific trade. The guidelines shall
12 provide listing of work processes and related training to be done that will permit the student to
13 acquire necessary skills. The employer, school and youth apprentice shall evaluate [*monthly*], **on a**
14 **schedule agreed upon between the parties**, the student's progress in high school curriculum, re-
15 lated training and on-the-job training.

16 (5) No registered youth apprentice or trainee shall displace a regular employee of an approved
17 employer.

18
19 **CAPTIONS**

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21 **SECTION 6. The unit captions used in this 2023 Act are provided only for the convenience**
22 **of the reader and do not become part of the statutory law of this state or express any leg-**
23 **islative intent in the enactment of this 2023 Act.**