



The State University of New York
Student Assembly

**Legislative Affairs Committee
Academic Affairs Committee**

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RESOLUTION

TO: Members of the Executive Committee

FROM: The Legislative Affairs Committee and Academic Affairs Committee

DATE: August 22, 2015

SUBJECT: Unpaid credit-bearing internships

We recommend that the Executive Committee of the Student Assembly of the State University of New York (SUNYSA) adopt the following resolution:

Resolution

Whereas the Student Assembly of the State University of New York is the single recognized voice for the interests of over 450,000 students; and

Whereas Chancellor Zimpher has advocated for applied learning to be a graduation requirement for all SUNY students; and

Whereas the 2014-15 New York State Executive Budget included language to institute an applied learning experience as a graduation requirement for all SUNY students, which was replaced in the enacted budget by language requiring SUNY to make applied learning opportunities available to all of its students and for campuses to study the feasibility of making applied learning a graduation requirement ; and

Whereas SUNY System Administration has created an applied learning steering committee with Student Assembly representation, which will be sending guidance on complying with the enacted law to all SUNY campuses early in the Fall 2015 semester; and

Whereas internships are a major aspect of applied learning and are associated with better student outcomes but may sometimes be unpaid; and

Whereas multiple lawsuits have challenged the legality of unpaid internships in recent years, the most recent of which ruled against the Department of Labor's six criteria for internship programs under the Fair Labor standards Act

in favor of a less restrictive standard stating that the intern must be the primary beneficiary of the arrangement; and

Whereas the National Association of Colleges and Employers (NACE) have developed internship standards that both ensure a beneficial student experience and are not overly restrictive for partners or employers offering internship opportunities; and

Whereas the NACE standards protect students from unfair work by characterizing internships as a learning experience with clearly defined objectives that would not displace regular employees, with professional supervision, routine feedback, and a defined beginning and end; and

Whereas the enforcement of fair internship standards are critical to their success, but enforcement mechanisms for fair internship standards are often weak or not sufficiently advertised to the students who need them; and therefore, be it

Resolved that the Student Assembly urges SUNY System Administration to adopt the NACE criteria, as attached, for internships to ensure that internship experiences are educational and primarily benefit the students; and be it further

Resolved that the Student Assembly advocates that students and community partners be provided with a fact sheet before choosing whether or not either will participate in an unpaid credit-bearing internship; and be it further

Resolved that the above mentioned fact sheet will at a minimum contain an overview of all substantive laws and SUNY System Administration policies relevant to unpaid credit-bearing internships with particular regard to protections against unfair labor, the NACE standards, that students are never required to work more hours than was indicated at the time of commitment, and, for students, a link to the student evaluation database and available appeals and reporting processes for grievances including applicable campus offices and the SUNY University Auditor (OUA); and be it further

Resolved that the Student Assembly calls on the SUNY System Administration to guarantee that students are never required to take part in an unpaid credit-bearing internship unless they explicitly choose to in writing after receiving the proper information; and be it further

Resolved that the Student Assembly urges SUNY System Administration to require all credit-bearing internships to publish in a form available to prospective interns the required number of hours per week and treat exceeding them as a violation of the NACE standards for the purposes of this resolution; and be it further

Resolved that the Student Assembly calls on SUNY System Administration to prohibit approving unpaid credit-bearing internships that violate the NACE standard, are offered by employers who have repeatedly violated the NACE standard within the past five years, or displace actual paid workers or those who would otherwise be needed if the internship did not exist; and be it further

Resolved that the Student Assembly calls on SUNY System Administration to direct the University Auditor (OUA) to audit compliance to the NACE standard and other SUNY Student Administration rules related to unpaid credit-bearing internships across System Administration following the implementation of the NACE standard in System Administration; and be it further

Resolved that the Student Assembly calls on the SUNY System Administration to require regular anonymous student evaluations of unpaid credit-bearing internships specifically on whether they meet each NACE standard and maintain the evaluations in a system wide database accessible to all relevant campus bodies and prospective interns, to give students the right to terminate the internship at any point during the term without academic penalty if the standards are being violated, and to require that facilitators of the internship be prepared with alternative ways for the student to earn the credit they are enrolled in for such cases; and be it further

Resolved that the Student Assembly requests all methods of increasing the number of paid internships throughout the system be explored; and finally, be it

Resolved that the Student Assembly will send this resolution the SUNY Board of Trustees, Chancellor Zimpher, The University Faculty Senate, The Faculty Council of Community Colleges and requests that it be included in the guidance being sent to each campus by the Applied Learning Steering Committee.