



## POLICY DIRECTIVE

Policy:	<b>DOC 1.3.17 STUDENT INTERNS</b>
Effective Date:	11/08/2007 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	05/07/2020; 04/24/2026
Signature/Title:	/s/ Eric Strauss, Director

### I. POLICY

The Department maintains processes for recruitment and selection of student interns that provide fair and equitable access to Department work experience opportunities.

### II. APPLICABILITY

All Department of Correction divisions, facilities, and programs.

### III. DEFINITIONS (see Glossary)

### IV. REQUIREMENTS

#### A. General Requirements

1. Student internships consist of a supervised and structured practical experience to enhance the interns' understanding of the Department and establish future network partnerships.
2. The Department may provide student internships on a compensated basis with a competitive hiring process or non-compensated basis without a competitive hiring process.
  - a. If an internship position changes from non-compensated to compensated, the incumbent intern must participate in a competitive selection process.

#### B. Recruitment

1. Any candidate who wishes to apply for a student internship must complete the appropriate section of the *Intern Application and Proposal*.
2. Interns must meet minimum qualifications for a position and are responsible for obtaining any necessary certification.
3. The hiring authority must complete a reference and criminal background check on selected applicants.
4. At the beginning of a student internship, the supervisor and intern will complete the *Intern Application and Proposal* to confirm whether the internship will be compensated or non-compensated.
  - a. Non-compensated intern duties and responsibilities must be carefully outlined so there is no misunderstanding over whether the service performed is compensable under the Fair Labor Standards Act or includes bona fide work.
5. Interns will receive orientation to the Department and the assigned division, facility, or program.
6. At the end of the internship, the supervisor will provide the intern with a written evaluation outlining strengths and recommendations for future improvement related to the goals and objectives identified at the beginning of the internship.
  - a. The supervisor may forward a copy of the evaluation to Human Resources.
7. Upon request from the supervisor, Human Resources may conduct an exit interview with the intern.

### C. Compensated Interns

1. Divisions, facilities, or programs wanting to recruit a **compensated** intern must have an FTE available or get approval from Financial Services, which will submit a Budget Change Document (BCD) to the Governor's Budget Office with a completed FTE detail sheet:
  - a. The hiring authority must submit the following to the Department budget office:
    - 1) a signed letter from the Department Director stating why the Department needs the paid position; and
    - 2) an Authorization to Recruit form.
  - b. The Department budget office will submit the request to the Governor's budget office requesting a position be created for the intern.
2. Paid interns will be recruited externally in accordance with the *Montana Operations Manual*.
3. Compensation will be based on the nature of the internship, the duties, and the individual's qualifications. The supervisor will establish the rate after consulting with Human Resources to ensure consistency.
4. All paid interns must fill out the new hire employment paperwork on their first day of work.

### D. Non-Compensated Interns

1. A **non-compensated** internship position must meet the following criteria:
  - a. the position experience, though operational, is similar to that which would be obtained in a post-secondary institution of higher learning;
  - b. experience is for the benefit of the student;
  - c. intern does not displace an employee and is under supervision of a Department employee;
  - d. the Department derives no immediate advantage from the activities of the intern;
  - e. intern is not entitled to a job at the conclusion of the internship; and
  - f. supervisor and intern understand that the position is non-compensated.
2. The hiring authority must ensure that interns under their supervision have continuous Workers' Compensation coverage during the internship.

## V. CLOSING

Provisions of this policy not required by statute will be followed unless the provisions conflict with negotiated labor contracts, which will take precedence to the extent applicable.

Questions about this policy should be directed to Human Resources.

## VI. REFERENCES

- A. 2-18-101, MCA
- B. 29 USC Chapter 8: Fair Labor Standards Act

## VII. FORM

*Intern Application and Proposal*