



## Mississippi State Capitol Visitor Services Internship Program

# Intern Academic Credit Agreement

### To the Student:

Please have the following parties complete their portions of the agreement: (1) Student, (2) Supervising Professor, and (3) Visitor Services.

The Visitor Services Internship at the Mississippi State Capitol: Visitor Services offers non-stipend (unpaid) internships for college/university students (18+) who seek academic credit only. Interns follow criteria set forth in the Fair Labor Standards Act for unpaid interns (attached herein). Visitor Services internships allow students the opportunity to be mentored by staff in a professional setting. Some portions of this agreement are subject to change (*e.g.* change of service hours required in case of illness or other unexpected circumstances.) Changes will be made with the approval of the supervising professor and Visitor Services.

**Student: Please read, complete, and sign at the end of the form with knowledge that all sections are completed, signed and returned to the Director of Visitor Services.**

Name: \_\_\_\_\_

Permanent mailing address: \_\_\_\_\_

Cell phone: \_\_\_\_\_ Email: \_\_\_\_\_

Classification (check one):  undergraduate  graduate  doctoral

If you are an undergraduate, what is your status (check one):  Sophomore  Junior  Senior

Major/Minor/Area of concentration: \_\_\_\_\_

Sponsoring college/university: \_\_\_\_\_

Department granting academic credit: \_\_\_\_\_

Department chair (Name, email, and phone number): \_\_\_\_\_

Supervising Professor (If different than the Department Chair – name, email, and phone number):

\_\_\_\_\_

**Supervising Professor: Please complete Academic Credit Information.**

Semester and Year: \_\_\_\_\_

This course will count toward: \_\_\_\_\_ major \_\_\_\_\_ minor \_\_\_\_\_ open electives

Name of course as listed with the sponsoring college/university registrar: \_\_\_\_\_

Credit hours: \_\_\_\_\_ Direct service hours required: \_\_\_\_\_ Start/end dates: \_\_\_\_\_

**Mississippi State Capitol Visitor Services Internship Supervisor:**

Name, email, and phone number: \_\_\_\_\_

Work site location for intern: \_\_\_\_\_

**Responsibilities of All Parties**

**Student:** I, \_\_\_\_\_ (please print), agree to serve as a non-stipend (unpaid) intern and commit to the following:

- To perform my intern tasks assigned by my Visitor Services intern supervisor to the best of my ability. These tasks will be related to my learning objectives and the responsibilities of my internship.
- To accept supervision, abide by Visitor Services policies and procedures, participate in record-keeping requirements, and respect rules governing my internship.
- To meet time requirements – always providing adequate notice when unable to make an assignment.
- To seek help in a timely manner when problems arise in need of staff assistance.
- To notify my Visitor Services supervisor and my sponsoring professor of any changes that I need to make to this agreement or any problems that may develop during my internship.
- To attend Visitor Services-supplied training that staff deems necessary.
- To act at all times as a conscientious member of the team, providing my full attention to my internship and to my Visitor Services intern supervisor.
- To be responsible for my transportation to and from the internship work site. Visitor Services interns will not be responsible for using their personal vehicle for intern-related tasks and will not be reimbursed for travel costs to and from the Mississippi State Capitol.
- To complete a Visitor Services exit survey at the conclusion of the internship that will be submitted to the Visitor Services supervisor and the sponsoring professor.

**Sponsoring Professor: The sponsoring professor will ensure the following:**

- To help formulate the learning objectives for the internship and specify the number of hours expected (e.g. 120 hours served for three hours of academic credit.).
- To submit the required paperwork to the college/university registrar prior to the start date of the internship and ensure that all steps are taken for the student to receive academic credit.

- To act at all times as a conscientious member of the team, providing guidance, support, and feedback to the student and to the Visitor Services Intern Supervisor. Also, the sponsoring professor will ensure that the exit interview is completed by the intern and submitted to Visitor Services, in effort to provide the best learning experience for the intern and Visitor Services staff.

**Visitor Service Intern Supervisor: The Visitor Services Intern Supervisor commits to the following:**

- To provide a Learning Plan to be used by the Faculty Sponsor and the student intern. Although it is preferable for the Learning Plan to be approved before the start date of the internship, it will be provided to the Faculty Sponsor no later than two weeks after the start of the internship.
- To serve as a mentor to the intern which will include: outlining the responsibilities and parameters of the internship with the student; working with the intern to develop goals and learning objectives that are consistent with the goals set by the sponsoring professor; providing ongoing supervision and feedback to the student intern about his/her performance; be available to the sponsoring professor as needed for the benefit of the intern (performance, site visits, any problems related to the intern, and/or changes pertaining to the internship).
- To provide a written evaluation of the student intern’s performance and sign any required paperwork provided by the sponsoring professor.
- To ensure that the intern will not be asked to fulfill an assignment that is inappropriate, unsafe, or unacceptable.

**Signatures of All Parties**

Students are required to obtain all signatures, with the exception of the Visitor Services Intern Supervisor, below. Please return this entire (completed) document to the Director of Visitor Services either by email, fax, U.S. Mail, or in person.

**Department Chair:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Sponsoring Professor:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Student Intern:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Visitor Services Intern Supervisor:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Please return by email, physical mail, or in person to:**

Ashley Kincses, Director of Visitor Services

[akincses@house.ms.gov](mailto:akincses@house.ms.gov) | 400 High St., Room 206, Jackson, MS 39201 | P. O. Box 1018, Jackson, MS 39215 | 601-359-3114

# U.S. Department of Labor Wage and Hour Division



(Updated January 2018)

## Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act

This fact sheet provides general information to help determine whether interns and students working for “for-profit” employers are entitled to minimum wages and overtime pay under the Fair Labor Standards Act (FLSA).<sup>1</sup>

### Background

The FLSA requires “for-profit” employers to pay employees for their work. Interns and students, however, may not be “employees” under the FLSA—in which case the FLSA does not require compensation for their work.

### The Test for Unpaid Interns and Students

Courts have used the “primary beneficiary test” to determine whether an intern or student is, in fact, an employee under the FLSA.<sup>2</sup> In short, this test allows courts to examine the “economic reality” of the intern-employer relationship to determine which party is the “primary beneficiary” of the relationship. Courts have identified the following seven factors as part of the test:

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.
3. The extent to which the internship is tied to the intern’s formal education program by integrated coursework or the receipt of academic credit.
4. The extent to which the internship accommodates the intern’s academic commitments by corresponding to the academic calendar.
5. The extent to which the internship’s duration is limited to the period in which the internship provides the intern with beneficial learning.
6. The extent to which the intern’s work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

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<sup>1</sup> The FLSA exempts certain people who volunteer to perform services for a state or local government agency or who volunteer for humanitarian purposes for non-profit food banks. WHD also recognizes an exception for individuals who volunteer their time, freely and without anticipation of compensation, for religious, charitable, civic, or humanitarian purposes to non-profit organizations. Unpaid internships for public sector and non-profit charitable organizations, where the intern volunteers without expectation of compensation, are generally permissible.

<sup>2</sup> E.g., *Benjamin v. B & H Educ., Inc.*, --- F.3d ---, 2017 WL 6460087, at \*4-5 (9th Cir. Dec. 19, 2017); *Glatt v. Fox Searchlight Pictures, Inc.*, 811 F.3d 528, 536-37 (2d Cir. 2016); *Schumann v. Collier Anesthesia, P.A.*, 803 F.3d 1199, 1211-12 (11th Cir. 2015); see also *Walling v. Portland Terminal Co.*, 330 U.S. 148, 152-53 (1947); *Solis v. Laurelbrook Sanitarium & Sch., Inc.*, 642 F.3d 518, 529 (6th Cir. 2011).

Courts have described the “primary beneficiary test” as a flexible test, and no single factor is determinative. Accordingly, whether an intern or student is an employee under the FLSA necessarily depends on the unique circumstances of each case.

If analysis of these circumstances reveals that an intern or student is actually an employee, then he or she is entitled to both minimum wage and overtime pay under the FLSA. On the other hand, if the analysis confirms that the intern or student is not an employee, then he or she is not entitled to either minimum wage or overtime pay under the FLSA.

### **Where to Obtain Additional Information**

This publication is for general information and is not a regulation. For additional information, visit our Wage and Hour Division Website:

<http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

**U.S. Department of Labor**  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

**1-866-4-USWAGE**  
TTY: 1-866-487-9243  
**Contact Us**