

Case 15: Is Rafa’s unpaid internship really a job?

Content note

This case explains general rules. It is not legal advice for your situation.

Overview

Students read a story in which a studio offers Rafa an unpaid summer internship running its inbox. The studio says college credit makes it legal. They read the listing, the studio’s reply and Gia’s questions, and they apply the seven factors in the Department of Labor’s Fact Sheet #71. They then write Rafa’s email asking the studio about the learning plan and supervision.

Before this case

Students should already be able to:

- underline key words in a short text
- sort examples into two groups
- write a question that asks for a fact

Objectives

Students will be able to:

- separate learning tasks from working tasks in a job listing
- decide whether an offer looks more like school or a job, with a reason
- write one question Rafa should ask before saying yes

Materials

- This chapter, one copy per student
- Task cards cut from the listing, one set per pair
- Evidence A and C on half-pages

The task in this edition

Task: Sort the internship’s daily tasks into “learning” and “working,” then tell a partner whether it looks more like school or a job.

Students make: Sorted chart plus 3—4 sentences

Pacing

Opener (page 251): 5 min. Short on time: 5 min.

Key terms (pages 252 and 253): 8 min. Short on time: 3 min. Read the key terms aloud. Skip Who is involved.

Look at the evidence (pages 256 and 257): 12 min. Short on time: 12 min.

Key idea (pages 258 and 259): 8 min. Short on time: skip. Read the first paragraph of the key idea aloud. Skip the code of ethics.

Sort the evidence (page 260): 10 min. Short on time: 3 min. Do the first row together and stop.

Practice (page 261): 8 min. Short on time: skip.

Pacing, continued

Your task (pages 262 and 263): 20 min. Short on time: 18 min. Sort the task cards together on the board.

Check your work (pages 264 and 265): 6 min. Short on time: skip. Score the work yourself with the rubric.

Questions to discuss (page 266): 10 min. Short on time: 4 min. Use question 3 as an exit ticket.

Talk about this case at home (page 267): at home.

Periods: full chapter 87 minutes; one period 45 minutes.

Standards

RI.6.1 Use evidence from the text to support what it says directly and what you can infer from it.

W.6.2 Write an informative text that explains a topic by choosing, organizing and analyzing relevant information.

W.6.5 With help from peers and adults, strengthen writing by planning, revising, editing or rewriting.

SL.6.1.c Ask and answer specific questions with details that add to the discussion.

SL.6.1.d Review the main ideas of a discussion and show you understand other views by reflecting and paraphrasing.

Case 15 plan, continued

Standards, continued

RI.7.1 Use several pieces of evidence from the text to support what it says directly and what you can infer.

W.7.2 Write an informative text that explains a topic by choosing, organizing and analyzing relevant information.

W.7.5 With help from peers and adults, strengthen writing by planning and revising, focusing on purpose and audience.

SL.7.1.c Ask questions that draw out more detail, and respond with relevant ideas that bring the discussion back on topic.

SL.7.1.d Take in new information from others and change your view when the evidence calls for it.

RI.8.1 Use the evidence that most strongly supports your analysis of what a text says and implies.

W.8.2 Write an informative text that explains a topic by choosing, organizing and analyzing relevant information.

W.8.5 With help from peers and adults, strengthen writing by planning and revising, focusing on purpose and audience.

SL.8.1.c Ask questions that connect several speakers' ideas, and respond with relevant evidence and observations.

Standards, continued

SL.8.1.d Take in new information from others and qualify or defend your view based on the evidence.

Codes of ethics

- **NACE Principles for Ethical Professional Practice:** 4. Comply with laws
- **ABA Model Rules of Professional Conduct:** Rule 4.1 Truthfulness in Statements to Others
- **ABA Model Rules of Professional Conduct:** Rule 4.3 Dealing with Unrepresented Person

Heat map

- **Opener (page 251):** Low
- **Key terms (pages 252 and 253):** Low
- **Look at the evidence (pages 256 and 257):** Low
- **Key idea (pages 258 and 259):** Low
- **Sort the evidence (page 260):** Low
- **Practice (page 261):** Low
- **Your task (pages 262 and 263):** Low
- **Check your work (pages 264 and 265):** Low

Try it at your school

Ask what the work is before you accept it.

- Before accepting any internship, ask for duties, hours, supervision and pay in writing

Try it at your school, continued

- Take the offer to your school counselor or college career center
- Check your state labor department's page on minimum wage and youth work
- Compare the offer with your other commitments before deciding

Who to ask: School counselor, college career center, work-permit officer where your state uses them, state labor department

Safety: If you're under 18, federal and state rules limit hours and certain jobs. Involve a trusted adult before accepting any work arrangement.

Sources

- U.S. Court of Appeals for the Second Circuit, via Justia, "Glatt v. Fox Searchlight Pictures," 2016
- U.S. Department of Labor, Wage and Hour Division, "Fact Sheet #71: Internship Programs Under the Fair Labor Standards Act," No date listed

Case 15: Is Rafa's unpaid internship really a job?

A studio offers Rafa an unpaid summer internship running its customer inbox and says college credit makes it legal.

On your own Read What happened and underline what Rafa would do all summer. About 5 minutes.



Nexo, one of the crew's companions, points to where a meeting and a work shift overlap on a calendar. Rafa's internship would take time from his shifts at the family shop.

Your role: You're the one who checks each factor of the test before Rafa says yes. **New skill:** Apply a legal test factor by factor.

What happened

Rafa, 18, is a first-year college student who commutes to class and helps at his family's shop. In April, a studio posted a listing on the campus job board for a "Summer Editing Intern." The internship is unpaid. The listing says the intern will run the customer inbox all summer. Rafa reads it twice, looking for the editing.

On Tuesday at 11:20 a.m., the studio answers Rafa's message. The email says college credit makes it "totally legal" not to pay him. It also asks him to start right after finals.

At lunch, Rafa talks it over with Gia, who fits café shifts around her classes. Gia asks whether the studio paid someone to run the inbox last year. Rafa says the studio's assistant ran it. Taking the internship would also cost Rafa paid shifts at the shop. He has not said yes yet.

Your question: Is the internship mainly training for Rafa or unpaid work for the studio, and what should he ask before he decides?

Pacing

Full chapter: 5 min.

Short on time: 5 min.

Say this

"The job title says "Editing Intern." What would you expect to do all summer?" — Collect two or three answers, then read the listing.

Watch for

Misconception: Students trust the job title. **Listen for:** "It says editing, so he'll learn editing." **Then:** Ask them to find "editing" in the list of duties. It appears only in the title.

Support

- Read What happened aloud while students follow along.

Heat check

Low.

Key terms

On your own Read each key term and its example, then write your first guess in the box. About 8 minutes.

Primary beneficiary test The primary beneficiary test is how the U.S. Department of Labor decides whether an intern at a for-profit company is an employee.

En español: prueba del beneficiario principal

In this case: The studio gets its customer inbox answered all summer. Rafa asks what he would learn and who would train him.

Fair Labor Standards Act The Fair Labor Standards Act is a federal law that sets minimum wage and overtime rules for most workers.

En español: Ley de Normas Justas de Trabajo

In this case: If Rafa counts as an employee under this law, the studio must pay him at least the minimum wage.

Academic credit Academic credit is credit toward a degree that a school gives for approved work, such as an internship.

En español: créditos académicos

In this case: The studio says credit makes the unpaid role “totally legal.” Credit is one factor out of seven.

Who is involved



Rafa

Offered an unpaid summer internship

“The listing says ‘Summer Editing Intern.’ Then it says I’d run the customer inbox all summer. I read it twice looking for the editing.”



Gia

Talking the offer over with Rafa

“I almost said ‘take it, it’ll look good.’ Easy for me to say. I’m not the one giving up a summer.”

⌚ Pacing

Full chapter: 8 min.

✂ Short on time: 3 min. Read the key terms aloud. Skip Who is involved.

💬 Say this

“Write your first guess now. You will check it against the evidence later.” — First guesses stay private unless a student wants to share.

👁 Watch for

Misconception: Students think the test asks whether Rafa likes the job. **Listen for:** “He benefits if he enjoys it.” **Then:** Reread the term. The test asks who mainly benefits: the intern’s learning or the employer’s work.

📋 Support

- Give factor cards with an icon and one line each: training, credit, school calendar, length, paid work.
- **Cognates:** academic (académico), credit (crédito), employee (empleado), supervision (supervisión), beneficiary (beneficiario), factor (factor), minimum (mínimo), experience (experiencia).

🌡 Heat check

■□□ Low.

🔑 Answer key

Any first guess is fine. Students return to it on the My take page.

Your first guess

Before you look at the evidence, is Rafa's offer more like training or more like a job?

I think it is more like ___ because ___.

👉 I think it is more like training because it is called an internship.

Notes

This page continues page 252. The notes for both pages are on the sheet for page 252.

Reading passage

Looking for the editing

On your own Read the passage. At each Stop and think box, pause and answer the question in your head or with a partner. About 5 minutes.

Words to know

- **Primary beneficiary test:** The primary beneficiary test is how the U.S. Department of Labor decides whether an intern at a for-profit company is an employee.
- **Fair Labor Standards Act:** The Fair Labor Standards Act is a federal law that sets minimum wage and overtime rules for most workers.
- **Academic credit:** Academic credit is credit toward a degree that a school gives for approved work, such as an internship.
- **Compensation:** Compensation is all the pay and benefits a worker receives, including hourly rates, bonuses and overtime.

The story: An internship with a catch

Rafa is 18. He is in his first year of college, commutes to class and helps at his family's shop. In April, a studio posts a listing on the campus job board: "Summer Editing Intern (unpaid)." The listing says the intern will run the customer inbox all summer. Rafa reads it twice, looking for the editing.

On Tuesday at 11:20 a.m., the studio answers his message. "Since interns get college credit, it's totally legal for us not to pay," the email says. The studio wants him to start right after finals.

At lunch, Rafa talks it over with Gia. She asks a sharp question: didn't the studio pay someone to run the inbox last year? Yes, Rafa says. Their assistant did. Taking the internship would also cost Rafa paid shifts at the shop.

Your role is to check each part of the test before Rafa says yes.

Stop and think. Why does Rafa read the listing twice?

A test with seven parts

The **primary beneficiary test** is how the U.S. Department of Labor decides whether an intern at a for-profit company is an employee. It asks who mainly benefits from the internship, the intern or the company. An intern who counts as an employee must be paid under the **Fair Labor Standards Act**. That is a federal law that sets minimum wage and overtime rules for most workers.

Pacing

Reading: about 5 min (460 words). Short on time: read it aloud together, pausing at each Stop and think.

Stop and think

1. **After "The story: An internship with a catch":** Why does Rafa read the listing twice?
2. **After "A test with seven parts":** Why doesn't college credit settle whether Rafa should be paid?
3. **After "Real interns who sued":** What questions should Rafa ask the studio before he decides?

A test with seven parts, continued

The test has seven factors. They include training, links to coursework or **academic credit**, the school calendar and how long the learning lasts. Academic credit is credit toward a degree that a school gives for approved work, such as an internship. Another factor asks whether the intern's work adds to paid workers' work or replaces it. No single factor decides the test.

So the studio's email does not settle anything. Rafa put it well: "Credit is one factor out of seven. So that's one. What about the other six?"

In Case 12, you compared facts to a court case. Here, you compare facts to a test, one factor at a time. Some facts point one way. The main job is the inbox, and a paid assistant did it last year. Other facts are missing. Who trains Rafa? How many hours a week? In Case 11, you learned that **compensation** is all the pay and benefits a worker receives. Here, the offer includes none.

Gia almost told Rafa to take it because it would look good. Then she stopped. "Easy for me to say," she admits. She is not the one giving up a summer. She leaves the decision to him.

? **Stop and think.** Why doesn't college credit settle whether Rafa should be paid?

Real interns who sued

Two unpaid interns on the 2010 film *Black Swan* sued Fox Searchlight. They said they should have been paid. In 2015, a federal appeals court said the question is who is the primary beneficiary of the internship (LAist, July 2, 2015). That is the test used today.

? **Stop and think.** What questions should Rafa ask the studio before he decides?

Sources

Real source | LAist (AirTalk) | July 2, 2015

Appeals court reverses 'Black Swan' interns' victory over Fox

Notes

This page continues page 254. The notes for both pages are on the sheet for page 254.

Look at the evidence

On your own Read each document, then fill in both boxes under it. About 12 minutes.

Evidence A | Job listing

Studio listing on the campus job board, April

"Summer Editing Intern (unpaid). Join our fast-paced studio! You'll run the customer inbox all summer, help with client files and get great exposure to the industry. College credit available."

Look closely: Which words describe learning? Which words describe work?

What it shows

➤ Rafa would run the customer inbox all summer for no pay.

One question I still have

➤ What editing would Rafa learn, and who would teach him?

Evidence C | Chat

Gia and Rafa, Tuesday lunch

Gia: Didn't they pay someone to do the inbox last year?

Rafa: Yeah, their assistant.

Gia: And it's your summer, not theirs. What about your shifts at the shop?

Look closely: Who ran the customer inbox last year? Was that person paid?

What it shows

➤ Last year, a paid assistant ran the customer inbox.

One question I still have

➤ How many paid shifts at the shop would Rafa lose?

⌚ Pacing

Full chapter: 12 min.

✂ Short on time: 12 min.

💬 Say this

"Underline every task in the listing. Now circle the ones where Rafa learns." — Pause and ask what that tells them.

"Listen to the studio's reply: "Since interns get college credit, it's totally legal for us not to pay." What does it claim?" — Evidence B is not printed for grades 6—8. Read it twice.

👁 Watch for

Misconception: Students call the studio's email a lie. **Listen for:** "They're lying to him." **Then:** The email makes a claim. Ask which document could test it. Nobody knows what the studio believes.

📖 Support

- Read the listing aloud and offer it on its own half-page.
- Reduce the factors to three: training, credit and paid work.
- **Cognates:** academic (académico), credit (crédito), employee (empleado), supervision (supervisión), beneficiary (beneficiario), factor (factor), minimum (mínimo), experience (experiencia).

🔗 Stretch

- Ask which factors the studio's email addresses and which it skips.

🔥 Heat check

■□□ Low.

This page continues page 256. The notes for both pages are on the sheet for page 256.

Key idea: the primary beneficiary test

On your own Read the key idea and the code of ethics, then answer the question in the box. About 8 minutes.

A job title does not show how the work is arranged. The **primary beneficiary test** is how the U.S. Department of Labor decides whether an intern at a for-profit company is an employee. It asks whether the intern or the employer mainly benefits from an unpaid internship. An intern who counts as an employee must be paid under the **Fair Labor Standards Act**. The Fair Labor Standards Act is a federal law that sets minimum wage and overtime rules for most workers.

The Department of Labor's Fact Sheet #71 lists seven factors. They include training, links to coursework or **academic credit**, the school calendar and how long the learning lasts. Academic credit is credit toward a degree that a school gives for approved work, such as an internship. Another factor is whether the intern's work adds to paid employees' work or replaces it. The test is flexible, and no single factor decides it.

So the studio's email does not settle the question. Calling a job an internship does not decide it. Neither does college credit, or an intern agreeing to work for no pay. The test also has limits. It applies to for-profit employers, and state rules may differ. To apply the test, you need facts about the duties, training, supervision and hours.

Professional standards

Real source | National Association of Colleges and Employers (NACE)

NACE Principles for Ethical Professional Practice: 4. Comply with laws

"Comply with laws ... associated with local, state, and federal entities"

In plain words: Career offices and employer recruiters who belong to NACE agree to follow federal, state and local laws.

Question: The campus job board lists the internship. What should the career office ask the studio about the seven DOL factors?

Your answer

The career office should ask ____.

➞ The career office should ask who trains the intern and whether a paid worker did this job before.

⌚ Pacing

Full chapter: 8 min.

✂ Short on time: skip this page. Read the first paragraph of the key idea aloud. Skip the code of ethics.

💬 Say this

"The studio says one factor settles the test. What does the key idea say about a single factor?" — Wait for "no single factor decides it."

"The NACE principle asks career offices to follow the law. What should the office ask the studio?" — List answers on the board.

👁 Watch for

Misconception: Students think the NACE principles bind the studio. **Listen for:** "The studio broke the NACE code." **Then:** Say: "NACE's principles guide its members, career offices and employer recruiters. A code of ethics is not a law."

📖 Support

- Read the code quotation aloud. Point out the label: it is a real source, quoted word for word, with a gap marked "...".

🔗 Stretch

- Try the ABA Rule 4.1 question: what does Fact Sheet #71 say about whether one factor, credit, decides the test?

🔥 Heat check

■□□ Low.

Real source | PBS NewsHour (YouTube) | August 26, 2023

Reports that nearly half of U.S. interns were unpaid in 2022 and who can afford to take those jobs.

Real source | NPR | May 18, 2013

Explains when an unpaid internship can break wage law, using the 'Black Swan' intern lawsuit.

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Sort the evidence

On your own Match each piece of evidence to the claim it supports or challenges, and mark what is still unknown. About 10 minutes.

Test the studio’s claim against the factor list. Which evidence points toward training, which toward a job, and what is still unknown?

Evidence	Claim 1 College credit makes the unpaid internship legal.	Claim 2 The role looks more like a job than training.
1 DOL: credit is one of seven factors, and no single factor decides	Challenges	Neither
2 The listing: Rafa runs the customer inbox all summer	Neither	Supports
3 A paid assistant ran the inbox last year	Neither	Supports
4 The role is openly unpaid and offers credit (factors 1 and 3)	Neither	Challenges

Still open

- Is there a learning plan, and who supervises?

Whose perspective is missing?

Whose view is missing from these documents? What would you ask them?

The view that is missing is _____. I would ask _____.

The assistant who ran the inbox last year is missing. I would ask what that job was like.

Pacing

Full chapter: 10 min.

Short on time: 3 min. Do the first row together and stop.

Say this

“Some evidence points toward a job and some toward training. Find one of each.” — Model the first row with the listing.

Watch for

Misconception: Students ignore the evidence that points toward an internship. **Listen for:** “Every single fact says it’s a job.” **Then:** Point to the unpaid label and the credit offer. A fair analysis counts evidence on both sides.

Support

- Let students write S, C or ? in each box before they write sentences.

Heat check

Low.

Practice: choose a response

On your own Choose what Rafa should do next and explain why, then fix the two marked lines. About 8 minutes.

The studio's unpaid internship has Rafa running its customer inbox all summer, the job a paid assistant did last year. The studio says college credit makes it legal. What should Rafa do next?

- ☐ A Accept the studio's answer, since college credit settles the question.
- ☒ B Ask for the learning plan, supervision, schedule and how the role relates to paid employees' work.
- ☐ C Tell the studio that unpaid internships are against the law.

Why I chose it

➤ B. It asks for the facts that show whether Rafa would learn or only work.
A and C both decide too fast.

Improve a draft

A student's first draft

Hi, thanks so much for the offer! I'm really excited about this opportunity and I know it will look great on my résumé. I just wanted to ask ① if this is legal since it's unpaid? My friend said unpaid internships aren't allowed. Also how many hours is it? ② I can start whenever you need me. I really want to get into editing and this seems like a good way in. Let me know! Thank you again for thinking of me, Rafa

Rewrite each marked phrase so it says only what the evidence supports.

Rewrite phrase 1

➤ Who would train me, and what would I learn each week?

Rewrite phrase 2

➤ Before I agree to a start date, could you tell me the weekly hours?

Pacing

Full chapter: 8 min.

✂ Short on time: skip this page.

Say this

“Rafa has the studio's email open. What should he do next?” — Hold a vote before any discussion.

Watch for

Misconception: Students choose to tell the studio the internship is illegal. **Listen for:** “Unpaid internships are against the law.” **Then:** Ask where the evidence says that. The test depends on facts, so ask what facts Rafa needs first.

Support

- Read the three options aloud before students choose.

Heat check

■□□ Low.

Answer key

A revised version: Hi, thank you for the offer. Before I decide, could you help me understand the arrangement? What would a normal week look like, and how much of it is the customer inbox? Who would supervise and give feedback, and is there a written learning plan? How many hours per week, and for how many weeks? Does the role cover work a paid staff member did before? You mentioned college credit; I'm checking with my school about that. I also work at my family's shop, so I need to know the schedule before committing. Thanks, Rafa

Other notes on the draft:

- “I know it will look great on my résumé” Repeats the listing's pitch. What do you want to learn?

Grades 6—8

Your task

On your own Read the steps and fill in the planner boxes before you start your draft.

Sort the internship's daily tasks into "learning" and "working," then tell a partner whether it looks more like school or a job.

Use: The listing and a kid-friendly summary of the seven factors.

You'll make: Sorted chart plus 3—4 sentences

Time: 45 minutes

- 1 Underline each task Rafa would do in the listing in Evidence A.
- 2 Sort each task into the Learning box or the Working box.
- 3 Count the tasks in each box and circle the bigger box.
- 4 Tell a partner whether the offer looks more like school or a job.
- 5 Write 3 or 4 sentences in the Your draft box, ending with one question for the studio.

Show it your way

Write it: Write 3—4 sentences with the frame "Most of the tasks are __, so __."

Say it: Tell a partner whether the internship looks more like school or a job, using two task cards as your proof.

Show it: Sort the task cards into two columns, learning and working, and star the task Rafa would do most.



Prefer typing? Scan to open the online workspace.

Case 15 | Your task | Grades 6—8 educator edition

Pacing

Full chapter: 20 min.

✂ Short on time: 18 min. Sort the task cards together on the board.

Say this

"Hold up one task card. Is Rafa learning here, or working for the studio?" — Sort the first two cards together.

Watch for

Misconception: Students put "help with client files" under learning. **Listen for:** "He'll learn from the files." **Then:** Ask what the listing says he would learn. It names no teacher and no skill.

Support

- Task cards to sort
- Frames: "Most of the tasks are __, so __."
- Vocabulary: intern, employee, wage, training
- Discussion first
- Frame: "Most of the tasks are ____, so ____."

Stretch

- Name one question Rafa should ask before saying yes.

Heat check

■□□ Low.

Your task, continued

Learning

🔗 “Great exposure” and college credit, but no teacher is named.

Working

🔗 Run the customer inbox all summer. Help with client files.

Your draft

Most of the tasks are ____, so ____.

🔗 Most of the tasks are working, so the offer looks more like a job. Rafa would run the customer inbox all summer. A paid assistant did that last year. Rafa should ask who would teach him editing.

Notes

This page continues page 262.

📋 Standards

Common Core, grade 6: RI.6.1; W.6.2; W.6.5; SL.6.1.c; SL.6.1.d.

Common Core, grade 7: RI.7.1; W.7.2; W.7.5; SL.7.1.c; SL.7.1.d.

Common Core, grade 8: RI.8.1; W.8.2; W.8.5; SL.8.1.c; SL.8.1.d.

The Case plan sheet gives each code in plain words.

🔗 Answer key

A strong response:

- Sorts tasks accurately
- Gives a reason
- Asks a useful question
- Doesn't declare it illegal

What to notice in the sample:

1. Uses Evidence C as a reason.
2. Ends with a question that asks for a fact.

Check your work

On your own Answer the Check your work questions, mark your level in each rubric row and write one change you made. About 6 minutes.

- Did you sort every task from the listing? ☒ Yes ☐ No
- Do your sentences give a reason from the evidence? ☒ Yes ☐ No
- Do you end with a question Rafa could ask? ☒ Yes ☐ No
- Did you avoid saying the internship is illegal? ☒ Yes ☐ No

How your work is scored

Mark one box in each row.

Skill	Beginning	Developing	Proficient	Advanced
Evidence	☐ Relies on rumor.	☐ Mentions pay only.	☐ Asks about several factors.	☐ Asks about factors and notes what the credit claim doesn't settle.
Reasoning	☐ Declares legal or illegal.	☐ Asks for a verdict.	☐ Gathers facts before deciding.	☐ Connects each question to a reason it matters.
Audience & purpose	☐ Gives away leverage or accuses.	☐ Polite but vague.	☐ Specific, respectful questions.	☐ Specific questions plus Rafa's own constraints.
Revision	☐ No change.	☐ Tone only.	☐ Replaces rumor with factor-based questions.	☐ Explains how each question helps Rafa decide.

Pacing

Full chapter: 6 min.

 Short on time: skip this page. Skip this page. Score the work yourself with the rubric.

Say this

“Mark your level in each row. Then change one question so it asks for a fact.” — Circulate and ask which factor each question connects to.

Watch for

Misconception: Students soften the tone but keep the legal question. **Listen for:** “I made it more polite.” **Then:** Point to the Revision row. Tone alone is level 2; replace the legal question with factor questions.

Heat check

 Low.

Answer key

How to assess: The educator checks the sort for accuracy and the sentences for a reason and a useful question, with no legal verdict.

Proficient looks like:

- **Evidence:** Asks about several factors.
- **Reasoning:** Gathers facts before deciding.
- **Audience & purpose:** Specific, respectful questions.
- **Revision:** Replaces rumor with factor-based questions.

Check your work, continued

One change I made

I changed ___ because ___.

Q I changed “it’s illegal” to a question about training, because we don’t know the facts yet.

Notes

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

This page continues page 264. The notes for both pages are on the sheet for page 264.

Questions to discuss

On your own Write a short answer to each question, then complete each sentence frame. About 10 minutes.

1 What would count as evidence that the promised training is happening?

➤ A person teaching Rafa editing, a plan of what he will learn and time set aside for learning.

2 If Rafa's school grants credit, does that settle whether the studio should pay him? Why or why not?

➤ No. Credit is only one factor. Training and whether Rafa replaces a paid worker matter too.

My take

I think Rafa should ___ because ___.

➤ I think Rafa should ask questions before saying yes because the listing is mostly inbox work.

The evidence that changed my first guess is ___.

➤ The chat changed my first guess. A paid assistant did the inbox job last year.

One question I still have is ___.

➤ One question I still have is who would teach Rafa editing.

Pacing

Full chapter: 10 min.

✂ Short on time: 4 min. Use question 3 as an exit ticket.

Say this

“Answer with a detail from the evidence, not a story about a job you or your family had.” — Post the question numbers and collect one answer per question.

Stretch

- Compare what the offer costs Rafa with what it would cost a student who does not need summer pay.
- Going further: Read Fact Sheet #71 from the Department of Labor. For each of the seven factors, mark whether Rafa's offer points toward training, toward a job or is still unknown.
- Going further: Suppose the studio answers, “We'll give college credit.” What problem does that solve for the studio? What problem does it leave for Rafa?
- Going further: Make a two-column worksheet that compares what the listing promises with a normal week of duties. Ask a classmate to fill it in, and see which gaps they find.
- Going further: Before you accept any internship, ask for the duties, hours, supervision and pay in writing. Take the offer to your school counselor or college career center. If you are under 18, involve a trusted adult before you agree to any work.
- Look up whether your state has its own internship or minimum-wage rules

Heat check

■□□ Question 1: Low.

Talk about this case at home

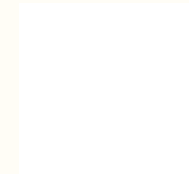
Case 15: Is Rafa's unpaid internship really a job?

In this case, a college student is offered an unpaid summer internship, and the studio says college credit makes that legal. Your student compared the offer with a federal test and wrote questions to ask before saying yes.

Questions to talk about

- 1 What questions would you ask before accepting an unpaid internship?
- 2 How can someone tell whether a role is mostly learning or mostly work?
- 3 Who can help a student check a job or internship offer?

Nobody needs to share personal stories or private information to talk about this case.



See the case online.

Case 15 | Talk about this case at home | Grades 6—8 educator edition

Pacing

At home: this page takes no class time.

Say this

“Share this page at home, or read it with an adult you trust.”
— Nobody needs to share a personal story to complete it.