

# ALASKA STATE SENATE



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## SENATE JUDICIARY COMMITTEE

Senator Ralph Seekins, Chairman  
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### Senate Bill 369 Sponsor Statement

**"An Act exempting a person who allows a student of the University of Alaska to gain practical work experience with the person while participating in a practicum from vicarious liability as an employer, and exempting the student participating in a practicum from the Alaska Wage and Hour Act and workers' compensation coverage.**

[Senate Bill 369](#) amends current law by exempting University of Alaska students participating in practicum programs from wage and hour provisions. It also provides certain protections relating to vicarious liability. The bill's intent is to revitalize private sector involvement in a key element of the educational process.

The University offers certain fields of study which require students achieve experience and proficiency in a "real world" setting before a degree can be conferred. By and large, these involve medically oriented endeavors such as the dental profession. Over the years it has become increasingly difficult for the University to entice private sector placement sites to become involved in an internship program.

The legitimate concern expressed by placement sites is that, absent statutory clarification, practicum students could be considered as *employees* with respect to certain labor laws. But of particular distress is the exposure to vicarious liability. High costs associated with potential liability have effectively chilled the private sector's willingness to be involved in vital practicum programs.

Senate Bill 369 proposes a statutory fix designed to protect practicum sites interested in offering their facilities to University interns. The threshold requirement that the students not be paid ensures that sites will not use practicum placement immunity to take advantage of employees who are *also* students. From a liability perspective, this proposal is designed to leave each entity — the university, the student, and the site — responsible for its own liability.