

FLSA-597

February 4, 1976

This is in reply to your letter of December 9, 1975, concerning the status under the Fair Labor Standards Act of high school students engaged in activities in connection with a school publication which appears in the local newspaper.

You present the following fact situation: The publication class of a local high school, as part of the regular curriculum, writes, edits and physically makes up a "school page" which appears as a student section every other week in the Saturday edition of a local newspaper. This student section is printed by employees of the newspaper. The section appears to be physically made up after school by the students in the newspaper establishment. All other work is done by the students in the classroom. All activities engaged in by the students relate to the "school page" and are performed in connection with their curriculum instruction.

Upon our review of the matter, and based upon the circumstances described, it is our view that the activities engaged in by the students in connection with the school publication do not constitute work within the contemplation of section 3(g) of the Act and do not result in an employer-employee relationship between the students and the local newspaper.

We hope that the above is of assistance to you in this matter.

Sincerely,

Ronald J. James
Administrator