

WORK PERMITS**A. Scope and Purpose**

Minors over twelve (12) and under eighteen (18) years of age wishing to accept employment must first apply for permits to work. These permits will be issued by persons authorized by the superintendent. Such permits will be issued in accordance with the California State Law and are contingent upon satisfactory attendance, grades and behavior.

B. General**Approval/Revocation of Work Permits**

1. No work permit shall be issued until the student's parent/guardian, foster parent or residential shelter services provider has filed a written request with the district. (Education Code 49110)
2. To help in determining the extent to which outside employment may be approved, the Superintendent or designee shall:
 - a) Inspect the student's records for evidence of satisfactory grades and attendance.
 - b) Confer with at least one of the student's teachers to determine whether the student appears to have the time, stamina, motivation and maturity to maintain academic progress while working.
3. After issuing a work permit, the Superintendent or designee shall periodically inspect the student's scholastic and attendance records.
4. The Superintendent or designee shall revoke a student's work permit whenever he/she determines that employment is impairing the student's health or education. (Education Code 49164)

Permits to Work Part Time When School Is in Session

Student 16 or 17 years of age who has completed the seventh grade may receive a permit to work outside of school hours for no more than four hours on any day on which the

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student is required by law to attend school. (Education Code 49112) The following exceptions shall apply:

- a) The four-hour limit may be exceeded for students 16 or 17 years of age who are employed in a school-approved work experience or cooperative vocational education program or in personnel attendance occupations as defined in Industrial Welfare Commission Minimum Wage Order #1-74. (Education Code 49116)
 - b) A student 16 or 17 years of age may receive a permit to work outside of school hours for no more than eight hours on any day on which the student is required by law to attend school, provided it is a day which immediately precedes a nonschool day. (Education Code 49112)
1. While school is in session, a student 14 or 15 years of age who has completed the seventh grade may receive a permit to work outside of school hours for no more than three hours on any school day and no more than 18 hours in any week. (Education Code 49112,49116)

If enrolled in and employed pursuant to a school-supervised and school-administered work experience and career exploration program, a student 14 or 15 years of age may be employed for up to 23 hours a week, any portion of which may occur during school hours. (Education Code 49116)

2. With the consent of the Superintendent or designee, a student who is 13 years old and has completed the sixth grade may receive a permit to work for no more than two hours on any given day, up to a maximum of four hours each week, provided that:
 - a) The student has been identified by the district as a potential dropout, and
 - b) The student is participating in an employment program that is conducted on school premises and sponsored by one or more school districts to foster student appreciation of the importance of education in preparing the future employment and education.

Permits to Work Full Time When School Is In Session, Students 14 or 15 Years of Age

A permit to work full time may be issued to a minor 14 or 15 years of age who holds an elementary school diploma, provided that the permit expires no later than the end of the

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current school year, and provided that one of the following circumstances exists: (Education Code 49130)

1. The parent/guardian presents a sworn statement that the parent/guardian is incapacitated for labor through illness or injury, or that through the death or desertion of the father or mother, the family is in need of the minor's earnings and sufficient aid cannot be secured in any other manner.
2. The minor is unable to reside with his/her family and needs his/her earnings for his/her support.
3. The minor is residing with a foster care provider, or a guardian receiving foster care funds for the minor, provided that:
 - a) The provider or guardian obtains written authorization from the minor's social worker, probation officer or child protective services worker acting as an officer of the court, and
 - b) The minor's case plan documents that the purpose of the employment is to further the goal of emancipation pursuant to law, or to enable the minor or learn necessary skills, habits and responsibilities related to maintaining employment.

The Superintendent or designee shall sign a statement that he/she has investigated the conditions under which the work permit application has been made and has judged that the minor's earnings are necessary for the minor's support and that sufficient aid cannot be secured in another manner. If issuing a work permit subject to circumstance # 3 above, the Superintendent or designee shall sign a statement that he/she has received authorization from the minor's social worker, probation officer or child protective services worker. (Education Code 49130)

A minor who applies for a full-time work permit pursuant to the above circumstances shall be duly enrolled in a work experience education program. (Education Code 49130)

WORK PERMITS (Continued)Permits to Work Full Time When School Is in Session, Students 16 or 17 Years of Age

A permit to work full time may be granted to a student 16 or 17 years of age when the Superintendent or designee has received and approved the following documents: (Education Code 49133)

1. The student's school record, including age, grade, and attendance for the current term, signed by the principal or teacher.
2. Evidence of sufficient age, such as a birth certificate, passport or affidavit of the student's age, signed by the parent/guardian.
3. A written statement from the prospective employer stating that work is waiting for the student and describing the nature of the work.

The Superintendent or designee shall give the name of the student and his/her employer to the continuation school. The student shall then enroll in the continuation school. (Education Code 49135)

Permits to Work When School Is Not in Session

Students 12 through 17 years of age may receive a permit to work on a regular school holiday, during a regular or specified occasional public school vacation, and when the student is exempt from compulsory school attendance because he/she arrived from another state within 10 days before the end of the school term. (Education Code 49111)

C. Forms and References

Work Permit

D. Procedures

Issuance of Work Permits

Work permits are issued by counselors and certain work experience education teachers and coordinators. The permit to work will be issued when a written request therefore from the parent or guardian has been filed with the appropriate counseling and/or teaching personnel. A work permit issued during the school year will expire five (5) days after the opening of the next succeeding school year.

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No minor having a permit to work and no minor under eighteen (18) years of age, who is otherwise required by law to attend school, shall be out of school and unemployed for a period longer than ten (10) consecutive days while the public schools are in sessions, but shall enroll and attend school.

Work Experience Education Course

A permit to work may be issued to a minor who is under the age of eighteen (18) years and over the age of fourteen (14) years who is regularly enrolled in school or who has been assigned to a vocational course in a place of employment, and who will work part time as a properly enrolled pupil in a work experience education course that meets all the requirements of such course as provided in Sections 51760 to 51769, inclusive.

E. Reports Required

None

F. Record Retention

None

G. Responsible Administrative Unit

Educational Services
Site Principals

H. Approved by

Assistant Superintendent of Educational Services