

## **Students**

### **WORK PERMITS**

**AR 5113.2**

Before accepting employment, a student under 18 years of age who is subject to the state's compulsory attendance laws, including a student who has not yet graduated from high school or has not received a certificate of proficiency, shall obtain a work permit.

The district may issue a permit authorizing employment while school is in session, including employment connected with a work experience education program pursuant to Education Code 51760-51769.5, to a student 14-17 years of age. Additionally, the district may issue a permit to any student 12-17 years of age to be employed during a regular school holiday, during a regular or specified occasional public school vacation, and when the student is exempt from compulsory school attendance pursuant to Education Code 48231 because the student arrived from another state within 10 days before the end of the school term. (Education Code 49111, 49113, 49160)

If a student has obtained an offer of employment in the entertainment industry, the student shall request a work permit from the California Department of Industrial Relations, Division of Labor Standards Enforcement, pursuant to Labor Code 1308.5 and 8 CCR 11752-11753.

A work permit shall not be required for a student who meets all of the following criteria: (5 CCR 10121)

1. Is not receiving pay or financial reimbursement for services rendered in volunteer services or educational purposes
2. Is not in an employer-employee relationship in accordance with the Fair Labor Standards Act, and is serving as an unpaid trainee or volunteer or in an in-school placement
3. Has submitted written parent/guardian permission

In addition, a student shall not be required to obtain a work permit if the student is self-employed; is working at odd jobs such as yard work and babysitting in private homes where the student is not regularly employed; is a self-employed news carrier delivering newspapers to consumers on a regular route; is employed in agricultural, horticultural, viticultural, or domestic labor during non-school hours when the work is performed for or under the control of the parent/guardian and is performed upon or in connection with premises the parent/guardian owns, operates, or controls; or is otherwise exempted by

## **Students**

### **WORK PERMITS**

**AR 5113.2**

law.

#### **Persons Authorized to Issue Work Permits**

The following individuals are authorized to issue a work permit to a student in the district: (Education Code 49110)

1. The Superintendent
2. An employee holding a services credential with a specialization in pupil personnel services or a certificated work experience education teacher or coordinator, when authorized by the Superintendent in writing
3. A principal, or another school administrator designated by the principal, provided that the principal or designee:
  - a. Provides a self-certification that the principal or designee understands the requirements of law for issuing a work permit
  - b. Does not issue a work permit to the principal's or designee's own child

If the person designated to issue work permits is not available and delay in issuing a permit would jeopardize a student's ability to secure work, the Superintendent may temporarily authorize another person to issue the permit. (Education Code 49110)

#### **Application**

The student's parent/guardian, foster parent, caregiver with whom the student resides, or residential shelter services provider shall file a written request for a work permit. (Education Code 49110)

The request for a work permit shall be submitted to the Superintendent or designee on a form approved by the California Department of Education (CDE).

If the student is applying for a full-time work permit, the student and the student's parent/guardian shall generally be required to appear before, and submit the application to, the Superintendent or designee. (Education Code 49132)

## **Students**

### **WORK PERMITS**

**AR 5113.2**

The Superintendent or designee shall, before or at the time of signing the work permit, issue the student a document clearly explaining basic labor rights extended to workers, as specified in Education Code 49110.5.

In the event of an extended physical closure of the campus due to a natural disaster, pandemic, or other emergency, the required documentation, including signatures, may be collected electronically. In addition, if the application is for a full-time work permit, the student and parent/guardian shall not be required to appear in person before the Superintendent or designee if the completed application has been successfully submitted electronically and the student and parent/guardian have attended a video conference with the person issuing the work permit. (Education Code 49132, 49200)

#### **Approval Process**

The Superintendent or designee shall have discretion to determine whether to issue the work permit.

In determining whether to approve a work permit, the Superintendent or designee shall verify the student's date of birth, the type of work permit to be issued, and whether the student meets any other criteria established by the Governing Board. The Superintendent or designee may inspect the student's records and/or may confer with at least one of the student's teachers for evidence of satisfactory grades and school attendance and to determine whether the student possesses the motivation and maturity to maintain academic progress while working.

However, a work permit shall not be denied based on a student's grades, grade point average, or school attendance under either of the following circumstances: (Education Code 49120, 49200)

1. The student's school has been physically closed for an extended time due to a natural disaster, pandemic, or other emergency
2. The student is applying for a work permit in order to participate in a government-administered employment and training program that will occur during the regular summer recess or vacation of the student's school

## **Students**

### **WORK PERMITS**

**AR 5113.2**

Students shall not be approved to work in environments declared hazardous or dangerous for young workers or otherwise prohibited by child labor laws. (Labor Code 1290-1298; 29 CFR 570.33, 570.50-570.72)

The Superintendent or designee shall ensure that the requested work hours do not exceed the maximum work hours specified in law based on the student's age and whether the employment will occur while school is in session. (Education Code 49111, 49112, 49116; Labor Code 1391-1391.1; 29 CFR 570.35)

Full-time employment may be authorized for students 14-17 years of age in accordance with Education Code 49130-49135.

All work permits shall be issued on forms provided by or authorized by CDE. (Education Code 49117)

Each permit shall authorize work for a specific employer. Whenever a student changes employers, the student shall request a new permit.

The student may be issued more than one work permit if the student works concurrently for more than one employer, provided that the total number of hours worked does not exceed the total number of hours allowed by law and the district.

Whenever a work permit is issued by a principal or other designated school administrator, the principal or designee shall submit to the Superintendent a copy of the work permit issued, along with a copy of the application and a self-certification that the principal or designee understands the requirements in existing law for issuing a work permit. (Education Code 49110)

The Superintendent or designee shall periodically inspect the grades and attendance records of students granted work permits to ensure maintenance of academic progress and any additional criteria established in Board policy.

### **Expiration of Work Permits**

Work permits issued during the school year shall expire five days after the opening of the next succeeding school year. (Education Code 49118)

Before the work permit expires, a student may apply for a renewed work permit

## Students

### WORK PERMITS

AR 5113.2

in accordance with the procedures specified in "Approval Process" above.

#### Revocation of Work Permits

The Superintendent or designee shall revoke a student's work permit whenever the Superintendent or designee determines that the employment is impairing the health or education of the student, any provision or condition of the permit is being violated, the student is performing work in violation of law, or any condition for the issuance of the permit no longer exists or never existed. (Education Code 49116, 49164; Labor Code 1300)

The Superintendent may revoke a work permit issued by a principal of a public or private school located within the district if the Superintendent becomes aware of any grounds upon which the student may be deemed ineligible for a work permit under law. (Education Code 49110)

#### Retention of Records

In accordance with Administrative Regulation 3580 - District Records, the Superintendent or designee shall retain a copy of the work permit application and the work permit until the end of the fourth year after the work permit was issued. (5 CCR 16026)

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#### *Policy Reference Disclaimer:*

*These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

<b>State</b>	<b>Description</b>
5 CCR 10120-10121	<a href="#"><u>Work permits</u></a>
5 CCR 16023-16027	<a href="#"><u>District records; retention and destruction</u></a>
8 CCR 11701-11707	<a href="#"><u>Prohibited and dangerous occupations for minors</u></a>
8 CCR 11750-11763	<a href="#"><u>Work permits and conditions; minor employed in entertainment industry</u></a>
Ed. Code 48230	<a href="#"><u>Exemption from full-time school attendance for students with work permits</u></a>
Ed. Code 48231	<a href="#"><u>Exemption from compulsory attendance for students entering attendance area near end of term</u></a>
Ed. Code 49100-49101	<a href="#"><u>Compulsory attendance</u></a>
Ed. Code 49110-49119	<a href="#"><u>Permits to work</u></a>
Ed. Code 49130-49135	<a href="#"><u>Permits to work full time</u></a>

## Students

### WORK PERMITS

AR 5113.2

Ed. Code 49140-49141  
Ed. Code 49160-49165  
Ed. Code 49180-49183  
Ed. Code 49200

Ed. Code 51760-51769.5  
Ed. Code 52300-52462  
Lab. Code 1285-1312  
Lab. Code 1391-1394

#### **Federal**

29 CFR 570.1-570.129

#### **Management Resources**

Attorney General Opinion  
CA Department of Industrial  
Relations Publication  
California Department of Education  
Publication  
California Department of Education  
Publication  
California Department of Education  
Publication  
Website

Website

Website

#### **Cross References**

#### **Policy**

1700  
3580  
3580  
5112.1  
5112.1  
5113.1  
5113.1  
5113.11  
5121  
5121  
5125  
5125  
5147  
6115  
6115

#### Exceptions

Employment of minors; duties of employers

#### Violations

Permit to work during extended emergency school  
closure

Work experience education

Career technical education

Employment of minors

Working hours for minors

#### **Description**

Child labor regulations

#### **Description**

18 Ops.Cal.Atty.Gen. 114 (1951)

Child Labor Laws, 2013

Basic Labor Rights Information Sheet Template

Statement of Intent to Employ a Minor and Request for a  
Work Permit - Certificate of Age, Form B1-1

Permit to Employ and Work, Form B1-4

CSBA District and County Office of Education Legal  
Services

California Department of Education, Work Experience  
Education

California Department of Industrial Relations

#### **Description**

Relations Between Private Industry And The Schools

District Records

District Records

Exemptions From Attendance

Exemptions From Attendance

Chronic Absence And Truancy

Chronic Absence And Truancy

Attendance Supervision

Grades/Evaluation Of Student Achievement

Grades/Evaluation Of Student Achievement

Student Records

Student Records

Dropout Prevention

Ceremonies And Observances

Ceremonies And Observances

**Students**

**WORK PERMITS**

**AR 5113.2**

6146.1	<a href="#"><u>High School Graduation Requirements</u></a>
6146.2	<a href="#"><u>Certificate Of Proficiency/High School Equivalency</u></a>
6146.2	<a href="#"><u>Certificate Of Proficiency/High School Equivalency</u></a>
6146.2-E(1)	<a href="#"><u>Certificate Of Proficiency/High School Equivalency</u></a>
6177	<a href="#"><u>Summer Learning Programs</u></a>
6178	<a href="#"><u>Career Technical Education</u></a>
6178	<a href="#"><u>Career Technical Education</u></a>
6178.1	<a href="#"><u>Work-Based Learning</u></a>
6178.1	<a href="#"><u>Work-Based Learning</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
6184	<a href="#"><u>Continuation Education</u></a>

**Regulation**

**PASADENA UNIFIED SCHOOL DISTRICT**

**Approved:** November 14, 1995

Pasadena, California

**Revised:** 08/28/2014; 02/23/2023; 10/23/2025;