

WORK PERMITS

Before accepting employment, a student under the age of 18 who is subject to the State's compulsory attendance law, including students who have not yet graduated from high school or have 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 minor student between the ages of 14-17. The District also may issue a permit to any minor 12-17 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 because he/she arrived from another state within ten days before the end of the school term pursuant to Education Code 48231. (Education Code 49111, 49113, 49160)

If a minor has obtained an offer of employment in the entertainment industry, he/she 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 11752-11743.

A student shall not be required to obtain a permit if he/she is self-employed; is working at odd jobs such as yard work and baby-sitting in private homes where he/she is not regularly employed; is a self-employed news carrier delivering newspapers to consumers on a regular route; is employed by his/her parent/guardian in domestic labor on or in connection with premises the parent/guardian owns, operates, or controls; or is otherwise exempted by law.

Persons Authorized to Issue Work Permits

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

1. The Superintendent designates the school site Principal who may also designate another site administrator.
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.

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 Principal may authorize another person to issue the permit. (Education Code 49110).

Students Outside the District

The Superintendent of county schools may issue a work permit if the minor resides in a portion of the County not under the jurisdiction of the District Superintendent.

Private School Students

The Principal of a private school (or designee) who has self-certified his/her working knowledge of child labor laws may issue a work permit.

A work permit may be issued by the public school principal (or designee) to a pupil who attends a private school located within the public school district boundaries, even though the student is not a resident of the school district. The California Department of Education has found that, pursuant to written authorization from the Superintendent of the public school district, a work permit may validly be issued for such a student. California compulsory school attendance laws apply. However, charter and private schools do have the ability to issue their own work permits; therefore, the District may not wish to assume the responsibility of a work permit and may deny for this reason alone.

Home school Students

EC Section 49910 authorizes school officials to issue work permits to eligible students. Students eligible for work permits are subject to California's compulsory attendance laws. The principal of a private school (including Home Schools) may issue, or designate another administrator in the school to issue work permits to pupils who attend the school by self-certifying a working knowledge of child labor laws and all laws pertaining to the issuance of work permits. However, principals and designated administrators are not authorized to issue work permits to his or her own child (EC Section 49110).

Non-California Resident Students

The local school may issue a work permit if the minor enters the attendance area from another State within ten days or less before the end of the school term. The minor may be issued a work permit to work full-time because he/she is exempted from school attendance for the remainder of the school term (EC Section 48321). However, out-of-state student residents still must have been abiding by the California compulsory attendance laws within the school of attendance. The requirement for a work permit issuance is that the minor resides in the district that issues the work permit. The minor does not have to be a California resident, be enrolled in the school, or reside with parents (EC Section 49110). Any minor wishing to work in California must adhere to the State's work standards and regulations, even if not a permanent or full-time resident of California (LC sections 1286 and 1299).

Approval Process

No work permit shall be issued until the student's parent/guardian, foster parent, caregiver with whom the student resides, or residential shelter services provider has filed a written request for the work permit. (Education Code 49110)

The request for the work permit shall be submitted to the site Principal or designee on a form approved by the California Department of Education (CDE). The Principal or designee shall have discretion to determine whether or not to issue the work permit.

In determining whether to approve a work permit, the Principal 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 Board of Trustees. Students must maintain a 2.0 grade point average, satisfactory school attendance, and making progress toward graduation. The Principal 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.

Full-time employment may be authorized for students age 14-17 only in accordance with Education Code 49130-48135. All work permits shall be issued in a format approved and authorized by the CDE. (Education Code 49117)

Each work permit shall authorized work for a specific employer. Whenever a student changes employers, he/she shall request a new permit.

The student may be issued more than one work permit if he/she 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. After issuing a work permit, the Principal or designee shall periodically inspect the student's grades and attendance records 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 in accordance with the procedures specified in the section Approval Process above.

Revocation of Work Permits

The Principal or designee shall revoke a student's work permit whenever he/she determines that employment is interfering with the student's education, that any provision or condition

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of the permit is being violated, or that the student is performing work in violation of law. (Education Code 49116, 49164).

Retention of Records

The Principal 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. (5CCR 16026).