

Work Permits

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 acceptable grades (2.0 GPA), acceptable citizenship, (no more than two U's on report card at reporting period or three days suspension per semester), and acceptable attendance (no more than six unexcused days absent or 36 period absences per quarter.) If the requesting student's records indicate unacceptable citizenship, grades and/or the student is classified as a habitual truant, the work permit may not be issued. The student may (1) reapply the following semester if the reason(s) for denial have been rectified or (2) students may request a school performance contract with the site representative, i.e., teacher, counselor, administrator or work experience supervisor for a probationary work permit.
 - 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 and/or designee, shall periodically check to assure that the student is maintaining an acceptable scholastic record (2.0 GPA,) an acceptable citizenship record (no more than three days suspension or recommendation for expulsion,) and acceptable attendance records (not more than six unexcused days absent or 36 period absences per quarter.) This regulation does not apply to summer vacation work permit. If a student's record shows evidence of unacceptable citizenship, grades, and/or habitual truancy, the work permit probation and revocation process may be initiated. The Superintendent and/or designee will notify parents/guardians, students, and employer if the work permit is revoked. The student may: (1) reapply the following semester if the reason(s) for denial have been rectified or (2) the student may request a school performance contract with the site representative for a probationary work permit.
4. The Superintendent or designee may revoke a student's work permit whenever he/she determines that employment is impairing the student's health or education. The Superintendent and/or designee will notify the student's employer, parents/guardians, and students. (Education Code 49164)

Permits to Work Part Time When School Is In Session

1. A 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 student is required by law to attend school. The following exceptions shall apply: (Education Code 49112)
 - 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 #15.

The maximum number of hours that these students may work each day is eight. (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)

2. 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)

3. 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: (Education Code 49112)

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 for future employment and education.

4. All work permits must be renewed five days after the expiration date. Work permits may be issued for a full school year. However, students enrolled in Alternative Programs may be issued a work permit for less than a full school year.

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 has successfully completed elementary school (K-8), provided that the permit expires no later than the end of the 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 that 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 to learn necessary skills, habits and responsibilities related to maintaining employment.

The Superintendent or designee, or the work liaison, 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)

(cf. 6178.1 - Work Experience Education)

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, or the work liaison, 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)

Hours of Work

Minors under 18 years of age shall not be permitted to work before 5 a.m. or after 10 p.m., but a minor may work until 12:30 a.m. on any day preceding a non-school day. (Legal Code 1391-1399)

Private School

The Superintendent of any school district may designate the principal or other person having charge of a private school within the district, in which students are enrolled pursuant to Section 48222, as a person authorized to issue work permits to students of the school in accordance with this chapter. Where the student resides in a portion of the county not under the jurisdiction of the Superintendent of any school district, the County Superintendent of Schools may designate the principal or other person having charge of a private school as the person authorized to issue such work permits. The Superintendent of the school district, or the County Superintendent of Schools, as the case may be, shall periodically ascertain that the designated person has complied with the requirements of this chapter pertaining to issuing authorities. (Education Code 49110.1)

Work permits for more than 20 hours per week during the school year may be issued only with the approval of the work liaison to the student's school site.

TO INSURE COORDINATION OF THE ISSUANCE OF WORK PERMITS BY THE SCHOOL CAMPUSES AND THE OFFICE OF STUDENT SERVICES, THE FOLLOWING PROCEDURE WILL BE USED.

1. The school of residence is responsible for issuing work permits, except during the following specific school district vacation periods: winter (Thanksgiving and Christmas), spring, and summer vacations.
2. Permits issued by the Office of Student Services are to be valid for only 14 days, when issued during winter vacation, spring vacation, and on Friday before a weekend, whenever the issuing person at the school site is not available.
3. The Office of Student Services will set the standards for the individuals not on record at the regular school sites.

Education Code 46145 Students - Grade 12 - Five Courses - Exemptions

Commencing with the first semester or quarter that begins after January 1, 1984, students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses per quarter. If any student in grade 12 is required by medical prescription to attend school for less than five courses during the semester or the equivalent school number of courses during the quarter, the average daily attendance allowed for that student's attendance shall bear the same proportion to one day of attendance as the number of courses in which the student is enrolled bears to five or the equivalent number for the quarter system.

However, this requirement shall not apply to students enrolled in regional occupational programs, regional occupational centers, courses at accredited post secondary educational institutions, independent study, special education programs where the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs approved under the provisions of Article 7 (commencing with Section 51760) of Chapter 5 of Part 28, or any other course of study authorized by the governing

board which is equivalent to the approved high school course of study. (Amend. Stats. 1985, Ch. 1597)

Regulation FRESNO UNIFIED SCHOOL DISTRICT

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