

Students

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.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

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 age 14-17. (Note: District work experience education programs are limited to students in grades 11 and 12.) The district also may issue a permit to any minor age 12 through 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 10 days before the end of the school term pursuant to Education Code 48231. (Education Code 49111, 49113, 49160 , 49160)

(cf. 6178.1 - Work Based Learning)

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 11752-11753. Students requesting an entertainment permit must meet the same academic and attendance standards as students with a regular work permit.

A student shall not be required to obtain a work permit if he/she is self-employed; is working at odd jobs such as yard work and babysitting 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
2. An employee holding a services credential with a specialization in pupil personnel services or

WORK PERMITS (continued)

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 he/she:
 - a. Provides a self-certification that he/she understands the requirements of law for issuing a work permit
 - b. Does not issue a work permit to his/her 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 authorize another person to issue the permit as long as that person's name is included on the "Authorized Permit Issuer" list submitted to the California Department of Education by the Superintendent. (Education Code 49110)

Approval Process

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 on a form approved by the California Department of Education. (Education Code 49110, 49162, 49163) Middle school students needing a work permit should be referred to the high school into which their school feeds.

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). The Superintendent or designee shall have discretion to determine whether or not 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.

If an issuer denies a permit because of a student's academic standing and/or poor attendance, the principal at that student's school may make an exception to support efforts to retain and encourage the student to improve his/her academic performance.

(cf. 5121 - Grades/Evaluation of Student Achievement)

WORK PERMITS (continued)

Minors 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) However, students in Career Technical Education (CTE) programs who have been sufficiently trained according to Labor Code may be issued work permits for specific hazardous work while enrolled in a related CTE course.

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

Allowable work hours for students with permits issued by EGUSD are as follows for students enrolled in work experience education and for students with a permit, but not enrolled in work experience:

Age	School type	Not enrolled in work experience		Enrolled in work experience
		During school year	During summer	
12-13	Trad MS	0	up to 40	n/a
14-15	Trad HS	up to 18	up to 40	n/a
	Continuation	up to 18	up to 48	n/a
16-17	Trad HS	up to 20	up to 48	up to 48
	Continuation	up to 40	up to 48	up to 48

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

(cf. 6184 - Continuation Education)

All work permits shall be issued in a format approved and authorized by the CDE. (Education Code 49117)

Each permit shall authorize 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.

Permits may be issued for any portion of a school year in order to support the educational goals of the students (i.e., quarterly or semesterly).

WORK PERMITS (continued)

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) Permits issued during summer also will expire five days after the opening of the next succeeding school year.

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. Within 30 days of the start of the school year, permits may be issued for any portion of that school year and up to the fifth day after the opening of the subsequent school year.

Revocation of Work Permits

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

Revocation of a permit must be performed at the student's place of work by the issuer of the permit.

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

The Superintendent or designee shall retain a copy of the work permit application and the work permit at the students' school of attendance until the end of the fourth year after the work permit was issued. (5 CCR 16026)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Regulation
approved: September 6, 1994
Revised: November 15, 2017

ELK GROVE UNIFIED SCHOOL DISTRICT
Elk Grove, California