

MODESTO CITY SCHOOLS

Board Policy

BP 5113.2

STUDENTS

Work Permits

The Modesto City Schools Board of Education recognizes that many students hold jobs. Part-time jobs can give these students needed supplementary income, valuable work experience, and enhanced self-esteem.

The Board of Education also recognizes that all school-aged persons should acquire an education and that work permit laws exist to prevent outside employment from impairing a student's health and educational progress. Before accepting employment, students must obtain work permits which school authorities have been given the responsibility of issuing.

The Superintendent/designee shall issue work permits only to the extent that outside employment will not significantly interfere with the student's schoolwork. Students who meet District eligibility requirements may be issued a work permit.

→ ~~Governing Board recognizes that part-time employment can provide students with income, job experience, and valuable life skills and should be permitted to the extent that such employment does not interfere with a student's education. Before accepting any offer of employment, district students who are minors shall obtain work permits from the Superintendent or designee, regardless of whether the employment will occur when school is in session and/or not in session, unless otherwise exempted by law.~~

(cf. 6178 – Career Technical Education) (N/A)

~~In determining whether to grant or continue a work permit, the Superintendent or designee shall consider whether employment is likely to significantly interfere with the student's schoolwork. Students granted~~

Bold Black Underline = MCS Language

Bold Red = CSBA Language

Regular Black = Common Language

→ Denotes changes being suggested

BP 5113.2 (a)

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work permits shall be required to demonstrate and maintain a 2.0 grade point average and satisfactory school attendance, except during periods of extended school closure due to an emergency as described in Education Code 49200 and the accompanying administrative regulation. On a case-by-case basis, the Superintendent or designee may approve a maximum work hour limit that is lower than the limit specified in law and administrative regulation.

(cf. 5121 – Grades/Evaluation of Student Achievement) (N/A)

→ ~~Students with work permits may be exempted from attendance in a full-time day school provided they attend part-time classes. (Education Code 48230)~~

(cf. 5112.1 – Exemptions from Attendance)

→ Work permits shall be limited to part-time employment as defined by law, except when the Superintendent or designee determines that circumstances warrant the granting of a permit for full-time employment.

~~Any student authorized to work full time when school is in session shall be enrolled in part-time continuation classes. A student age 14 or 15 who receives a permit to work full time shall also be enrolled in a work-experience education program. (Education Code 49130, 49131, 49135)~~

(cf. 6178.1 – Work-Based Learning) (N/A)

(cf. 6184 – Continuation Education)

Legal References:

EDUCATION CODE

48230 *Exemption from full-time school attendance for students with work permits*

48231 *Exemption from compulsory attendance for students entering attendance area near end of term*

49100-49101 *Compulsory attendance*

49110-49119 *Permits to work*

49130-49135 *Permits to work full time*

49140-49141 *Exceptions*

49160-49165 *Employment of minors; duties of employers*

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Legal References (cont.):

EDUCATION CODE (cont.)

49180-49183 Violations

49200 Permit to work during extended emergency school closure

51760-51769.5 Work experience education

52300-52499.66 Career technical education

LABOR CODE

1285-1312 Employment of minors

1391-1394 Working hours for minors

CODE OF REGULATIONS, TITLE 5

10120-10121 Work permits

16023-16027 District records, retention and destruction

CODE OF REGULATIONS, TITLE 8

11701-11707 Prohibited and dangerous occupations for minors

11750-11763 Work permits and conditions, minor employed in entertainment industry

CODE OF FEDERAL REGULATIONS, TITLE 29

570.1-570.129 Child labor regulations

ATTORNEY GENERAL OPINIONS

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Permit to Employ and Work, Form B1-4

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

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Child Labor Laws, 2013

WEB SITES

California Department of Education, Work Experience Education: <http://www.cde.ca.gov/ci/ct/we>

California Department of Industrial Relations: <http://www.dir.ca.gov>

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