



BPA WORK PERMIT POLICY

WORK PERMITS

The Governing Board recognizes that part-time jobs can give students needed supplementary income, valuable work experience, and enhanced self-esteem. However, the Board also believes that outside employment should not interfere with students' educational progress nor impair their health. In accordance with law, students under the age of 18 must obtain work permits from school authorities before accepting employment.

The Site Administrator or designee shall issue work permits only as allowed by law and only to the extent that outside employment does not significantly interfere with the student's schoolwork. Students granted a work permit must maintain satisfactory grades and attendance at the charter school after the work permit is issued.

1. Students must be in good standing at the school, attend regularly, complete assignments and generate ADA in order to maintain a valid work permit.
2. The Site Administrator may only reinstate students who have been denied a work permit or had their work permit revoked due to attendance or grades at the charter school.
3. During breaks when "school is **not** in session," all students are eligible for a work permit regardless of their school performance during the preceding school year. Identification and proof of age are required.

Legal Reference:

EDUCATION CODE

35160 General authority of the Governing Board

48231 Entrance into attendance area within 10 school days of end of term

Students

49110-49119 Permits to work

49130-49135 Permits to work full-time

49140-49141 Exceptions

49164 Inspection: cancellation or revocation

LABOR CODE

1285-1312 Employment of minors

1391-1394 Working hours for minors

Management Resources:

CDE MANAGEMENT ADVISORIES

1016.89 Local work permit policies

A. **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 submitted a completed B1-1 form with the school. (Education Code 49110)
2. To help in determining the extent to which outside employment may be approved, the Executive Director's designee shall inspect the student's records for evidence of attendance, work samples and ADA generated at the school.

B. **Grades:**

1. Previous grades and attendance generated by a student at another school are not used to determine eligibility for a work at the charter school. Eligibility to obtain a work permit is based on the student's efforts at the charter school.
2. If a student does not meet the requirements for a valid work permit, the Site Administrator or designee may issue a probationary work permit. A probationary work permit will be issued if the Site Administrator is convinced that outside employment may not interfere with the student's educational process or health, and that the student will achieve the necessary requirements for a work permit by the end of the next grading period.
3. The Site Administrator or designee must approve any exceptions to this regulation.
4. After issuing a work permit, the teacher shall periodically inspect the student's scholastic records.

C. **Testing Requirements:**

1. Any student who has been issued a work permit **must** attend, take and participate in all State and Federal required tests i.e.: CAHSEE, CAASPP, etc. **Students who do not comply with this requirement will have their work permit revoked.**
2. Any student who has not passed all sections of the CAHSEE and has a work permit must attend weekly tutorial sessions to maintain their work permit. **Failure to comply with this regulation will result in the work permit being revoked.**

D. **Attendance:**

1. Work permits will only be issued to students currently enrolled in the Charter School.
2. A work permit may be revoked if the student misses more than 10 days during a semester or does not complete required school work.
3. After issuing a work permit, the teacher/staff member shall inspect the student's scholastic and attendance records periodically.
4. The Site Administrator or teacher may revoke a student's work permit whenever he/she determines that employment is impairing the student's health, safety, moral's or education. (Education Code 49116, 49164)

5. The Site Administrator or designee must approve any exceptions to this process.

E. 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. (Education Code 49112) The maximum hours per week shall be 30 for a student not enrolled in Work Experience Education or ROP Retail Marketing class (Cooperative Vocational Educational program) and 48 for a student who is enrolled. The following exceptions may apply:
 - a. The four-hour limit may be exceeded for students 16-17 years of age who are employed in a school-approved work experience or cooperative vocational educational program or in personal attendance occupations as defined in Industrial Welfare Commission Minimum Wage Order 1-74.
 - 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 not-school day. (Education Code 49112)
2. A student 14 or 15 years of age who has completed the seventh grade may receive a permit to work outside of school hours (only before or after school) for no more than three (3) hours on any school days on which the student is required by law to attend school (Education Code 49112, 49116; Labor Code 1391) “while school is in session.”

California provides no precise definition of the phrase “while school is in session.” However, the phrase is also used in Federal regulations from which California’s standard is derived [29 CFR 570.35(a)]. The U.S. Department of Labor considers the term “school in session” to mean the scheduled school days of the Public School System in the County where the minor resides. A school week under Federal standards is any week during which school is in session for at least one day. Thus, school is considered in session during any week that has at least one scheduled school day. Since the school session is derived from the schedule for the County’s Public Schools, school may be considered in session for a minor who attends a private school that is closed during the summer if the Public Schools are in session at that same time.

The maximum hours worked per week shall be 18 hours for a student 14 or 15 years of age “while school is in session.” (Education Code 49116; Labor Code 1391)

“While school is in session” a student 14 or 15 years of age must perform work no earlier than 7:00 a.m. nor later than 7:00 p.m. any day of the week. From June 1 to Labor Day work hours may be extended to 9:00 p.m. (Labor Code 1391)

When “school is **not** in session” a student 14 or 15 years of age may work 8 hours per day (Labor Code 1391, 1392) and the maximum hours worked per week shall be 40 hours. (Labor Code 1391)

When “school is **not** in session” a student 14 or 15 years of age must perform work no earlier than 7:00 a.m. nor later than 7:00 p.m. any day of the week. From June 1 to Labor Day work hours may be extended to 9:00 p.m. (Labor Code 1391)

A student 14 or 15 years of age who has completed the seventh grade may be employed only in occupations permitted in Subpart C of Title 29 of the Code of Federal Regulation and adopted by inclusion by the State of California in Labor Code Section 1294.1(a)(2). A student 14 or 15 years of age will not be allowed to work in any restricted occupations, as per Child Labor Laws.