

AMENDED IN ASSEMBLY APRIL 23, 2008

AMENDED IN ASSEMBLY APRIL 8, 2008

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2213**

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**Introduced by Assembly Member Houston**

February 20, 2008

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An act to amend Section 49110 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2213, as amended, Houston. Pupils: work permits.

Existing law authorizes the superintendent of a school district in which a minor resides, the chief executive officer of a charter school, or specified school employees authorized by the superintendent or chief executive officer in writing, to issue a work permit to a pupil upon receipt of a written request from a parent, guardian, foster parent, or other specified person. A superintendent of a school district also is authorized to designate the principal or another person having charge of a private school to issue work permits. Existing law imposes limits on the number of hours per schoolday and per week that a pupil with a work permit may work.

This bill, in addition, would authorize the principal of a public or private school, subject to specified requirements and conditions, to issue, or designate another administrator in the school to issue, work permits to pupils who attend the school. The bill, notwithstanding the hour limitations imposed by existing law, would require that the hour limitations that apply to a work permit issued by any of the officials or

employees authorized to issue work permits be based on the school calendar of the school the pupil attends.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 49110 of the Education Code is amended  
2 to read:

3 49110. (a) It is the intent of the Legislature that school district,  
4 charter school, and private school personnel responsible for issuing  
5 work permits to pupils have a working knowledge of California  
6 labor laws as they relate to minors and be trained to provide the  
7 pupils practical personal guidance in career education.

8 (b) Any of the following individuals may issue a work permit  
9 to a minor subject to the requirements and conditions of this  
10 chapter:

11 (1) The superintendent of a school district in which the minor  
12 resides.

13 (2) The chief executive officer, or the equivalent position, of a  
14 charter school that the minor attends.

15 (3) A person holding a services credential with a specialization  
16 in pupil personnel services authorized by the superintendent of the  
17 school district or chief executive officer in writing, or a certificated  
18 work experience education teacher or coordinator authorized by  
19 the superintendent of the school district or chief executive officer  
20 in writing.

21 (4) If the minor resides in a portion of a county not under the  
22 jurisdiction of the superintendent of a school district and does not  
23 attend a charter school, the county superintendent of schools, a  
24 person holding a services credential with a specialization in pupil  
25 personnel services authorized by the county superintendent of  
26 schools in writing, or a certificated work experience education  
27 teacher or coordinator authorized by the county superintendent of  
28 schools in writing may issue a work permit.

29 (5) Subject to the requirements and conditions in subparagraphs  
30 (A) to (C), inclusive, the principal of a public or private school  
31 may issue, or designate another administrator in the school to issue,  
32 work permits to pupils who attend the school. If the principal of  
33 a public or private school chooses not to issue work permits

1 pursuant to this paragraph, work permits shall be issued to pupils  
2 attending that school pursuant to paragraph (1), (3), or (4) or  
3 Section 49110.1.

4 (A) A principal who issues a work permit pursuant to this  
5 paragraph shall provide a self-certification that he or she  
6 understands the requirements in existing law for issuing a work  
7 ~~permit along with copies of the application and the permit~~ permit.  
8 *The principal shall submit a copy of each work permit he or she*  
9 *issues along with a copy of the application for each work permit*  
10 *to the superintendent of the school district in which the school is*  
11 *located.*

12 (B) The superintendent of a school district may revoke a work  
13 permit issued by the principal of a public or private school located  
14 within the district if the superintendent becomes aware of any  
15 grounds upon which the pupil may be deemed ineligible for a work  
16 permit under existing law.

17 (C) A principal of a public or private school shall not issue a  
18 work permit to his or her own child.

19 (c) A work permit shall not be issued until the written request  
20 for the work permit from the parent, guardian, foster parent,  
21 caregiver with whom the minor resides, or residential shelter  
22 services provider, has been filed with the issuing authority.  
23 “Residential shelter services” refers to residential and other support  
24 services provided to minors by a governmental agency, a person  
25 or agency under contract with a governmental agency to provide  
26 these services, an agency receiving funding from community funds,  
27 or a licensed community care facility or crisis resolution center on  
28 a temporary or emergency basis in a facility that services only  
29 minors.

30 (d) If the certificated person designated to issue work permits  
31 by the superintendent of a school district or the chief executive  
32 officer, or the equivalent position, of a charter school is not  
33 available, and delay in issuing a permit would jeopardize the ability  
34 of a pupil to secure work, another person authorized by the  
35 superintendent of *the* school district or the chief executive officer,  
36 or the equivalent position, of a charter school may issue the work  
37 permit.

38 (e) If a school district or charter school does not employ or  
39 contract with a person holding a services credential with a  
40 specialization in pupil personnel services or with a certificated

1 work experience education teacher or coordinator, the  
2 superintendent of the school district or the chief executive officer,  
3 or the equivalent position, of a charter school may authorize, in  
4 writing, a person who does not hold that credential to issue work  
5 permits during periods of time in which the superintendent is absent  
6 from the district or the chief executive officer is absent from the  
7 charter school.

8 (f) Notwithstanding the hour limitations imposed by this chapter  
9 or any other provision of law, the hour limitations that apply to a  
10 work permit issued by any of the individuals described in  
11 subdivision (b) shall be based on the school calendar of the school  
12 the pupil attends.