

CLIENT NEWS BRIEF

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NEW LAWS AFFECT ISSUANCE OF STUDENT WORK PERMITS AND GRADUATION REQUIREMENTS FOR FOSTER STUDENTS

Assembly Bill (“AB”) 66 amends Education Code section 49110 to allow school principals to issue work permits to students. Existing law authorizes the superintendent of a school district, the chief executive officer of a charter school, or specified charter school employees, to issue work permits to a student. AB 66 authorizes the principal of a public or private school to issue work permits or to designate another administrator to issue work permits for students that attend their school. However, the individual with the authority to issue a work permit is prohibited from issuing a permit to his or her own child. If the principal of a private or public school chooses not to issue work permits, work permits may be issued to students attending that school by the superintendent of the school district where the student goes to school.

Even though AB 66 authorizes principals to issue work permits, the superintendent of a school district retains the right to revoke a work permit issued by the principal of a private or public 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. Additionally, AB 66 requires a principal who issues a work permit to provide a self-certification that he or she understands the requirements of existing law for issuing a work permit and, requires the principal to provide copies of the application and the permit to the superintendent of the school district in which the school is located.

Another new law, AB 167, amends Education Code section 51225.3 to exempt foster students, under certain circumstances, from district-specific requirements for graduation that exceed state graduation requirements. Existing law requires foster students to complete additional coursework that the governing board of a school district is authorized to specify as a condition for graduation. AB 167 requires school districts to exempt a student in foster care from district graduation requirements that exceed state requirements if the student transfers into the district, or transfers from one high school to another within a district, in the 11th or 12th grade. However, school districts are not required to exempt a student in foster care from district graduation requirements that exceed the state requirements if the district makes the finding that the student is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits pursuant to state law. AB 167 also

requires that the district notify and provide specified information to the pupil if the exemption granted would affect the student's ability to gain admission to a postsecondary institution.

If you have any questions about these new statutes, please contact one of our seven offices statewide.

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.



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