

# Age and schooling certificates

by Donna Williams  
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Now that the summer break is coming to an end, some students may be thinking of keeping their summer jobs during the school year. Other students may be reaching the age of 14 — the legal age for working in Ohio — and may be looking for opportunities to earn their own money. This article reviews the legal provisions for student employment.

## Who must have an age and schooling certificate?

Also known as work permits, all minors, persons under the age of 18, who are in paid employment must have valid age and schooling certificates during the school year, and 14- to 15-year-olds must obtain age and schooling certificates for employment at all times of the year.

## Who can issue work permits?

According to Ohio Revised Code Section (RC) 3331.01, work permits are issued by the superintendent, or his or her designee, of the school district in which the student resides, and only after the superintendent or designee has received satisfactory proof from the student that he or she is at least 14 years old. Students that work in Ohio but reside in another state, must obtain their work permits from the superintendent or designee of the district in which the place of employment is located.

## Verifying employers

Before issuing work permits, superintendents or their designees must have satisfactory proof from students that their potential employers are not prohibited by any laws regulating the employment of minors. In other words, students must provide the superintendents or designees proof that the employers identified by the students are places of employment where minors

can legally work.

## Who approves and files the proper forms?

The State Board of Education approves all age and schooling certificate forms, including those submitted electronically. Forms shall not display students' social security numbers. In addition, students must sign the work permits in the presence of the issuing officer. Superintendents or their designees shall electronically file the work permits with the director of the Ohio Department of Commerce.

## Requirements for work permits

According to RC 3331.02, before a work permit can be issued, the superintendent or designee must receive, examine and approve the following documents before filing:

- The written pledge or promise of the employer to legally employ the student; that the work performed by the student will permit the student to attend school; and that the employer will give notice within five days if the student withdraws from employment or is dismissed from employment, and the reasons for such withdrawal or dismissal.
- The student's school record or notification properly filled out and signed by the person in the school last attended by the student that contains the student's:
  - age,
  - address,
  - standing in studies,
  - rating in conduct,
  - attendance in days during the school year.
- Evidence of the student's age as obtained by a certified copy of an original birth record or a certification of birth. In lieu of a birth certificate, a passport, baptismal record or other documentary evidence satisfactory to the superintendent or designee is acceptable. However, this documentary evidence cannot be an affidavit of the parent, guardian or custodian.

If no documentary proof of age can be obtained, the superintendent or designee may receive and file an application signed by the parent, guardian or custodian of the student that a medical certificate is being secured to establish the age of the student and that the parent, guardian or custodian is unable to obtain any documentary proof. The application must contain the alleged age of the student; place and date of birth; the student's present residence; and other facts that may help determine the student's age.

- A certificate, including an athletic certificate of examination from a physician, physician assistant, clinical nurse specialist, certified nurse practitioner or district health commissioner, showing that the student is physically fit to be employed.

The physical fitness certificate is valid while the student remains employed in job duties of a similar nature as the job duties for which the student was issued the work permit. The superintendent or designee determines what are similar job duties.

## Special conditions for students over 16

According to RC 3331.04, if a student over the age of 16 cannot pass a test for the completion of seventh-grade work, but is not so below normal in mental development that the student cannot profit from further schooling, a work permit excusing the student from full-time enrollment may be issued by the superintendent or designee upon proof of the following facts and written agreement by the student and his or her parents, guardian or custodian:

- The student is addicted to no habit which is likely to detract from his or her reliability or effectiveness as a worker, or proper use of the student's earnings or leisure, or the probability of the student faithfully carrying out the conditions to which the student agrees, and in addition, any one of the following

groups of facts:

a. The student has been a resident of the school district for the last two years; has diligently attended school for the last two years; and is able to read, write and perform the fundamental operations of arithmetic.

b. The student has not been a resident for the last two years, but has diligently attended school for the last school year and has diligently attended school in the present school district for the time that the student has been a resident.

c. The student has moved to the present school district since the beginning of the last school session and instruction adapted to the student's needs is not provided in the regular schools in the district.

d. The student is not sufficiently familiar with the English language to be properly instructed in the full-time schools of the district.

e. The student must provide for his or her own support; support or care for his or her parents; or support or care for siblings for whom the parents

are unable to provide support or care, and the student cannot render such needed care or support outside of school hours. In this situation, proof of this situation must be given to the superintendent or designee by the juvenile judge and the department of job and family services.

● If the student is granted a work permit in accordance with points a, b, c or e, that until reaching the age 18, the student will diligently attend, in addition to part-time classes, such evening classes as will add to his or her education for literacy, citizenship or vocational preparation, whether offered in or out of the district, as may be directed by the superintendent or designee.

● If the student is granted a work permit in accordance with point d, that until age of 18, the student will attend, in addition to part-time classes, such evening classes that will help the student learn the English language or advance in Americanization, which may be made available in the district and may be directed to attend by the superintendent or designee.

## How to appeal when a work permit is refused

If the superintendent or designee refuses to grant a work permit, an appeal may be made to the county juvenile judge who has the final decision (RC 3331.08).

## Revoking work permits

The superintendent or designee that issues the work permit may revoke it for noncompliance with stipulations, physical condition of the student or other sufficient cause, or failure to attend part-time schools or classes (RC 3331.09).

## Conclusion

Ohio law has very specific provisions for issuing age and schooling certificates, also known as work permits. Although students may want or need to earn money for many reasons, school administrators must assure that students' educational needs are not neglected. Sample policies addressing this topic are included with this issue of *PDQ*.

# Ensuring safety at school athletic events

by Greta Gardner  
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While families are finishing up vacation plans, school district employees are putting the finishing touches on the buildings and vehicles. Although the administration is responsible for ensuring everything is in working order, all safety issues have been reviewed and plans are in place, one area that may be overlooked is safety at athletic and other extracurricular events.

Many middle school games, as well as certain high school games, attract smaller crowds of spectators, involve less emotional rivalry and do not present major security concerns.

However, school athletic events, such as high school football and basketball games, draw larger crowds, are highly

competitive and require significant attention to security issues. There is something about mixing a large crowd and adding competition that brings out

the worst in people.

Certainly, the number of violent incidents at school athletic events are a concern to all. These incidents have

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