

## EXEMPTIONS FROM STUDENT ATTENDANCE

### Under what law must children attend school?

Under the *Education (General Provisions) Act 2006 (Qld)* (“the EGPA”), parents have a legal obligation to ensure that their children attend school. The requirement is slightly different depending upon the age of the child, as follows.

#### **Compulsory school age**

A child is of compulsory school age if the child is at least 6 years and 6 months, and less than 16 years, and has not completed year 10.

Under section 176 of the EGPA, each parent of a child who is of compulsory school age must ensure the child is enrolled at a State school or non-State school and that the child attends the school on every school day for the educational program in which the child is enrolled, unless the parent has a reasonable excuse.

#### **Compulsory participation phase**

A young person’s compulsory participation phase starts when they are past the compulsory school age and ends when they—

- i. Gain a certificate of achievement, senior statement, certificate III or certificate IV; or
- ii. Have participated in eligible options for 2 years after the person stopped being of compulsory school age; or
- iii. Turn 17 years.

“Eligible options” are outlined in section 232 of the EGPA, and include attending a State school or non-State school, or being engaged with a VET course, apprenticeship or traineeship.

Under section 239 of the EGPA, each parent of a young person in the compulsory participation phase must ensure they are participating full-time in an

eligible option, unless the parent has a reasonable excuse.

### What is an exemption from attendance?

An exemption from attendance excuses parents from their legal obligation under the EGPA to ensure that their child:

- Is enrolled at or attends a school, if of compulsory school age, or
- Is participating full-time in an eligible option, if in the compulsory participation phase.

Parents may apply and exemptions may be granted under Chapter 9, Part 3 of the EGPA for students of compulsory school age. Full or partial exemptions for students in the compulsory participation phase may be granted under Chapter 10, Part 5 of the EGPA.

Exemptions may be granted by Principals for absences of between 10 and 110 schools day in a year (a cumulative total for the year). Governing bodies must now keep a record of each decision made by the Principal regarding an application for exemption for a period of at least 5 years.

Parents will not be liable for prosecution in relation to failure to enrol or attend:

- When an exemption has been granted; or
- While an application for exemption is being processed; or
- For a period of 14 days after an exemption decision is made; or
- Until the exemption application lapses.

### When should an exemption be sought?

An exemption from compulsory schooling or the compulsory participation phase should be sought by parents when a student cannot attend or it would be

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unreasonable in all the circumstances for them to attend school or participate in an eligible option, for a period of **more than 10 consecutive school days**, due to the circumstances outlined below.

A partial exemption may also be available if a student in the compulsory participation phase cannot participate at school on a full-time basis.

### Under what circumstances may an exemption be appropriate?

Circumstances where an exemption from schooling for a child or young person may be appropriate include (but are not limited to):

- Diagnosis of terminal medical condition;
- Illness or hospitalisation for a prolonged period of time;
- 'Carer' responsibilities;
- Mental health condition;
- Extended travel;
- Cultural or religious reasons; and
- Family reasons.

### When might an exemption be inappropriate?

Circumstances where an exemption from schooling for a child or young person may not be appropriate include (but are not limited to):

- Reluctance to attend school;
- Response to incidents at school such as bullying;
- Employment (for compulsory school aged child) or desire to seek employment;
- Difficulty with school curriculum; and
- Desire to become an apprentice or trainee but without an established training contract with an employer.

If the circumstances above exist, support and advice is available from [Student Services](#) at ISQ.

### Process for granting an exemption

See ISQ's flowchart below for details on the exemption process.

## MORE INFORMATION OR ADVICE

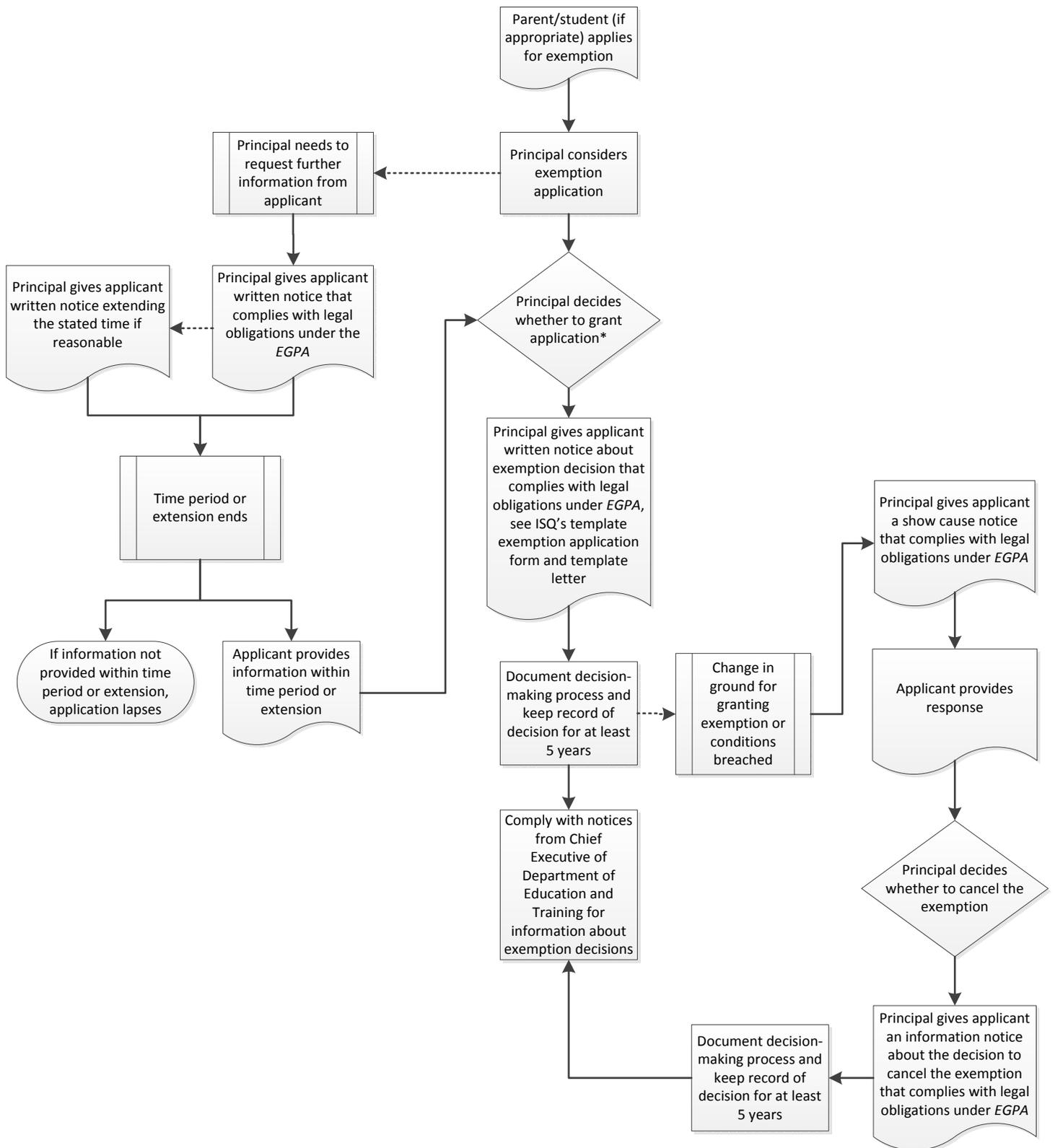
This advice is provided with the acknowledgement that not all the facts of the situation are known to Independent Schools Queensland. Independent Schools Queensland is able to provide more detailed advice upon request.

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# Exemption Process

2015



\*If total exemption period would exceed 110 school days for the year (cumulative total), use the Office of Non-State Education's approved form