

Exemption for more than 10 school days and under 110 school days for a student at a non-state school. Amendment - *Education (General Provisions) Act 2006.*

Relevant amendment

1. A Non-State school's principal may grant exemption from requirement to attend school for a child enrolled at the school if the principal is reasonably satisfied the child cannot attend or it would be unreasonable to require the child to attend the school; and the period of the exemption would not be more than 110 school days in a year.
2. A parent of a child may apply for an exemption for the child
 - a) for more than 110 school days – to the chief executive
 - b) for fewer than 110 school days – to the principal of the non-State school at which the child is enrolled.
3. The applicant must provide relevant information required to decide the application
4. The non-state school principal must consider the application and either grant or refuse the exemption and inform them of the exemption decision
5. The governing body of a non-state school must keep a record of each decision made by the school's principal
6. The record must be kept for at least 5 years from the day the decision was made

This amendment is intended to provide those with the best knowledge of the students in their community the authority to approve absences up to 110 school days.

Applications of greater than 110 days in any one school year need to be referred to the Office of Non-State Schooling – paperwork is available [here](#).

A parent may apply for an exemption from compulsory schooling for their child. Either a parent or a young person may apply for an exemption from the compulsory participation phase. Applications for exemption must include signed consent of a parent.

Situations for which exemptions may apply (see below) are defined within the Act as including but not limited to:

- Illness
- Family reasons
- Cultural or religious reasons

A non-state school principal may decide to:

- grant an exemption without conditions, or
- grant an exemption with conditions, or
- grant an exemption for a lesser period than applied for or the full period applied for, or
- grant an exemption partially (only available for compulsory participation phase), or
- refuse to grant an exemption.

Principals (non-state schools) are responsible for determining if an exemption is the best option in meeting a student's educational and other needs, and approving exemptions for students enrolled in their school. Non-state school principals may only approve applications for exemption that are for up to and including 110 school days in a calendar year and that do not cause the total period of exemptions granted in the year to exceed 110 school days.

The following form is to be used for students enrolled in a Brisbane Catholic Education school to apply for an exemption from **compulsory schooling** or from the **compulsory participation phase** for

a period longer than 110 school days or that would cause the total exemptions granted in a year to exceed 110 school days.

Compulsory schooling commences when a child is at least 6 years and 6 months old and ends when they turn 16 or complete Year 10, whichever is sooner.

A young person's **compulsory participation phase** starts when s/he stops being of compulsory school age (i.e. turns 16 or completes Year 10 whichever comes first) and ends when the person:

- gains a Senior Certificate, Certificate III or Certificate IV; or
- has participated in eligible options for 2 years after the person stopped being of compulsory school age; or
- turns 17.

Circumstances for exemption from compulsory schooling

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.

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
- desire to become an apprentice or trainee but without an established training contract with an employer.