

Student Exemption Procedures

1. Definitions

- 1.1. *CEDP* refers to Catholic Education Diocese of Parramatta, inclusive of schools and central office.
- 1.2. *Executive Director* refers to the Executive Director of Catholic Education Diocese of Parramatta
- 1.3. *RTO* refers to Registered Training Organisation.
- 1.4. *The Minister* refers to the NSW Minister for Education.

2. General principles

- 2.1. A child may be exempt from being enrolled at and attending school if the Minister or delegate is satisfied that conditions exist which make it necessary or desirable that a Certificate should be granted. A Certificate of Exemption may be given subject to conditions and limited to a period specified in the certificate. Section 4 of this procedure outlines staff with delegated authority for granting exemptions.
- 2.2. In the case of parents/carers of children of compulsory school age seeking authority not to enrol, this must be considered as an application for exemption from school enrolment. Under Section 25 of the NSW Education Act 1990, the Minister may grant a certificate of exemption.
- 2.3. Certificates of Exemption must only be granted when it has been clearly demonstrated by the applicant that an exemption is in the student's best interests in the short and long term. Alternatives to exemption should have been fully explored. For example, it may be in the student's and be more appropriate to access Distance Education.
- 2.4. A Certificate of Exemption should not be approved where the student has been the subject of a child protection report to Family and Community Services and/or there are unresolved issues concerning a risk of harm. Prior to granting a Certificate of Exemption a risk assessment should be completed to identify and manage risks.
- 2.5. Where the delegate is aware of existing child protection concerns, (including where it may be in the child's best interests to grant the exemption), the Director Performance and Manager Wellbeing Team must be consulted prior to approval being granted.
- 2.6. In the case of students of compulsory school age who are enrolled in a school, applications for exemption from school attendance must be submitted in advance of the date from which exemption is sought.
- 2.7. Exemptions from school attendance cannot be granted retrospectively.
- 2.8. Refer to Appendix 1: Summary of Exemption documents for links to all relevant forms.

3. Authority to grant exemptions

- 3.1. Under Section 25 of the *NSW Education Act 1990*, the Minister may grant a Certificate of Exemption. This power is delegated to:
 - 3.1.1. Principals, in relation to granting of an exemption from school attendance for periods totalling up to 100 days in a 12 month period for any one student.
 - 3.1.2. Executive Director, in relation to granting of an exemption from enrolment totalling up to 100 days in a 12 month period.
- 3.2. Delegates cannot delegate this power.
- 3.3. A delegate can refer the granting of an exemption to a more senior delegate where they identify circumstances that may make this more appropriate but cannot delegate this power to a less senior delegate.
- 3.4. The power to exempt students in Catholic systemic schools for periods more than 100 days in a 12 month period remains with the Minister. Applications should be forwarded through CEDP to the Catholic Education Commission, NSW.
- 3.5. Table 1 outlines the delegated authority to grant exemptions.

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Student Services

Location
Public

Head policy
Student



Catholic Education
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Table 1

Powers - exemption from attendance at school	Delegates (this power cannot be delegated)
Exemption from school attendance for students engaged in employment in approved entertainment industry activities up to 100 days in a twelve month period for anyone student.	Principal Note: In large scale productions or for long term commitments to such a production the application should be referred to the Executive Director via Student Services
Exemption from school attendance for students participating in elite arts or elite sporting events up to 100 days in a twelve month period for anyone student.	Principal
Exemption from school attendance totalling up to 100 days in a twelve month period for anyone student.	Principal
Exemption from school attendance totalling 100 days or more in a twelve month period for anyone student.	NSW Minister for Education
Powers - exemption from enrolment at school	
Exemption from enrolment - Age	Executive Director
Exemption from enrolment - Health, learning, social needs or disability	
Exemption from enrolment - Completion of Education under Special Circumstances	Principal

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4. Granting exemptions

- 4.1. Certificates of Exemption from the compulsory education requirements of the Act may be granted by a delegated officer when it has been clearly demonstrated by the applicant that an exemption is in the student's best interests in the short and long term and that alternatives to exemption have been considered. For example, in some cases, application for Distance Education may be more appropriate than seeking an exemption from school attendance.
- 4.2. A Certificate of Exemption should not be approved where the student has been the subject a child protection report to Family and Community Services and/or there are unresolved issues concerning a risk of harm. Prior to granting a Certificate of Exemption a risk assessment should be completed to identify and manage risks. Where the delegate is aware of existing child protection concerns, (including where it may be in the child's best interests to grant the exemption) the Director Performance and Manager Wellbeing Team, must be consulted prior to approval being granted.
- 4.3. Applications for an exemption must be made in writing by the parent or carer. In exceptional circumstances, an oral request can be made to the principal, seeking assistance in completing an application for exemption from school attendance.

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- 4.4. Applications for an exemption must be submitted in advance. Exemptions from school attendance cannot be granted retrospectively.
- 4.5. Exemption from school attendance should only be granted where conditions exist which make it necessary or desirable in the view of the Minister or delegate, that a Certificate of Exemption be granted.
- 4.6. A Certificate of Exemption may be given subject to conditions and limited to a period specified in the certificate. Procedural fairness must be accorded to an applicant. If the delegate is considering refusing granting an exemption, the parent/carer should be given an opportunity to respond to the delegate's concerns before a final decision is made. This opportunity should be offered to the parent in writing.
- 4.7. For most exemptions parents/carers make an application by completing an Application for Exemption from Attendance/Enrolment at School. This must be made in writing and in advance (Appendix A). Parents/carers can seek assistance from the principal or delegate when completing an Application for Exemption from Attendance /Enrolment at School.
- 4.8. The parent/carer is not required to apply for an exemption in cases of the child being prevented from attending school because of a direction under the Public Health Act 2010. The principal may grant a Certificate of Exemption for the period determined by relevant authorities under this Act.
- 4.9. A delegate can cancel the Certificate of Exemption where they identify circumstances that they believe warrants this action. For example, where the conditions attached to the exemption are not being met or cease to apply.
- 4.10. Schools are to retain copies of all documentation relating to the exemption in the student's file until the student reaches the age of 25, or for seven years, whichever is greater and then destroy.

5. Reasons for exemptions from attendance

- 5.1. Principals may grant full day exemptions due to:
 - 5.1.1. Exceptional circumstances (including the health of the student where sick leave or alternative enrolment is not appropriate).
 - 5.1.2. The child being prevented from attending school because of a direction under the Public Health Act 2010. (The parent/carer is not required to complete an application for exemption).
 - 5.1.3. Employment in the entertainment industry. See *Information Sheet: Employment in the Entertainment Industry*.
 - 5.1.4. Participation in elite arts or elite sporting events. See *Information Sheet: Accredited Elite Sports Program/Elite Arts Program*.
- 5.2. Principals may grant part day/time exemptions due to:
 - 5.2.1. Students participating in the entertainment industry, elite arts or elite sporting programs who are required to attend regular activities/training during school time.
 - 5.2.2. Students participation in school based short term alternative education plan. Programs including behaviour management transition plans, student attendance plans.
 - 5.2.3. The requirements of a health care plan.
- 5.3. There are very few circumstances that would warrant an exemption.

6. Full day exemption from attendance

- 6.1. For exemption under 100 days in a 12 month period the following process is followed:
 - 6.1.1. Parent/carer submits the *Exemption from Attendance* (Form A2) to the principal
 - 6.1.2. If approved by the principal, a *Certificate of Approval* (C2) is issued. The attendance register must indicate full day exemptions with the code 'M'.
 - 6.1.3. If declined the principal will issue a letter *Declining an application for exemption attendance* (Letter D2).
- 6.2. For exemption over 100 days in a 12 month period the following process is followed:
 - 6.2.1. Parents/carers submit the *Exemption from Attendance* (Form A2) to the principal.
 - 6.2.2. Principal makes a recommendation (Part C) and forwards to Student Services StudentServicesAdmin@parra.catholic.edu.au.
 - 6.2.3. Executive Director makes a recommendation to the Minister's delegate at CECNSW (Part D).
 - 6.2.4. Application is forwarded to CECNSW for recommendation (Part E) to Assistant Director - Education Policy.

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- 6.2.5. If application is approved by the Minister, the principal issues a *Certificate of Approval* (C2) to the parents/carers. This includes any specific conditions that apply to the exemption.
- 6.2.6. A copy of the Certificate of Exemption must be filed in the student's record file.
- 6.2.7. The delegate should retain a copy of the signed Certificate of Exemption in the delegate's official records.
- 6.2.8. If the application is declined by the Minister, the principal issues a letter *Declining an application for exemption attendance* (Letter D2).

7. Part day/time exemption from attendance - short alternative educational programs

- 7.1. Students of compulsory school age may participate in a school based short term alternative individual education plan that incorporate behaviour management transition plans or health care plans to re-engage students with education. Students participating in such programs may be granted part day exemptions up to 100 days in a 12 month period for any one student. Close monitoring of exemption periods is necessary so that the approval period is not exceeded.
- 7.2. The process required for schools completing a Part Day/Time exemption includes:
 - 7.2.1. Complete short term transition plan in consultation with parents/carers to restore child to full-time attendance.
 - 7.2.2. For part day exemption due to the requirements of a health care plan, the principal should seek the parent/carer's consent to obtain information from professionals responsible for the health care of the child.
 - 7.2.3. Schools complete and submit *Exemption - Short term alternative educational program* to Manager Student Wellbeing prior to implementing the plan.
 - 7.2.4. Complete the certificate of exemption and provide original to parent/carer.
 - 7.2.5. Place a copy of certificate in the student file.
 - 7.2.6. Mark attendance register with Partial absence using reason code exempt late (M-E) or exempt left early (M-L).
 - 7.2.7. If the student is not in attendance at school for at least 5 hours a day, further school-based work should be provided to the student.

8. Reasons for exemption from enrolment

- 8.1. **Age, where a child turns six years on or after 1 October and is engaged in:**
 - 8.1.1. full time preschool education at an accredited preschool for the remainder of that school year.
 - 8.1.2. full or part-time accredited preschool programs for students with disabilities. leading to enrolment and full time attendance at school not later than six months after the child's sixth birthday.
- 8.2. **The health, learning or social needs or disability of a child** necessitating the continuation of an individual program supported by medical specialists not longer than six months after the child's sixth birthday.
- 8.3. **Entering a full time apprenticeship or traineeship:** secondary principals and the Executive Director may grant exemptions to students of compulsory school age from the requirement to be enrolled in school, provided they have completed Year 9 of secondary education and approval has been given to their entering a full time apprenticeship or traineeship before they have completed Year 10.

9. Exemption from enrolment – age, health, learning, social needs

- 9.1. The process required for exemption under 100 days in a 12 month period is:
 - 9.1.1. Parents/carers submit the *Exemption from Enrolment at School* (Form E1) to the principal.
 - 9.1.2. Principal makes a recommendation (Part B) and forwards to CEDP Student Services - StudentServicesAdmin@parra.catholic.edu.au.
 - 9.1.3. Student Services makes a recommendation (Part C).
 - 9.1.4. Executive Director makes recommendation/decision (Part D).
 - 9.1.5. If approved by the Executive Director, a *Certificate of Approval* (C3) is issued.
 - 9.1.6. If declined the principal will issue a letter *Declining an application for exemption enrolment* (Letter D3).

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- 9.2. Process required for exemption over 100 days in a 12 month period:
 - 9.2.1. Parents/carers submit the *Exemption from Enrolment at School* (Form E1) to the principal.
 - 9.2.2. Principal makes a recommendation (Part B) and forwards to CEDP Student Services StudentServicesAdmin@parra.catholic.edu.au.
 - 9.2.3. Head Student Services makes a recommendation (Part C).
 - 9.2.4. Executive Director makes a recommendation (Part D).
 - 9.2.5. Application is forwarded to CECNSW to Assistant Director - Education Policy for decision by the Minister (Part E).
 - 9.2.6. If application is approved by the Minister the principal issues a *Certificate of Approval* (C3).
 - 9.2.7. If application is declined by the Minister the principal issues a letter *Declining an application for exemption from enrolment at School* (Letter D3).
 - 9.2.8. The delegate may, for the purpose of establishing a child's eligibility for an exemption based on full time preschool attendance, require proof of enrolment or participation in the preschool. The delegate may, for the purpose of establishing a child's eligibility for an exemption on the ground of health or disability, require a statement in support of the exemption from the child's medical specialist.

10. Exemption from enrolment – completion of Year 10 by full time apprenticeship or traineeship

- 10.1. Secondary principals and the Executive Director may grant exemptions from enrolment in school to students of compulsory school age, for the purpose of completing full-time apprenticeship or traineeship.
- 10.2. Eligible students must have completed Year 9. The minimum age of 15 for TAFE may not apply to apprentices and trainees depending on TAFE approval to waive the requirement.
- 10.3. Exemption from enrolment due to full time apprenticeship or traineeship is to be rare and only under special circumstances.
- 10.4. Approval depends on the student holding a registered apprenticeship or traineeship employment contract and a NSW Apprenticeship/Traineeship – Training Proposal authorised by the Registered Training Organisation. The student approval process for apprentices and trainees involves a collaborative process between school principal, employer, RTO staff, student, parents/carers and the Commissioner for Vocational Training.
- 10.5. The employer must notify the CEDP (through the principal) if the apprenticeship or traineeship is abandoned before the student turns 17.
- 10.6. The process for granting this exemption is:
 - 10.6.1. Principal completes *Checklist for principal for students applying to leave* (*Checklist E2*) to complete the steps involved to exempt a student from school.
 - 10.6.2. Parent/carer completes Part A of written *Application for exemption from enrolment at School* (Form E2). Employer completes Part B of application. Parent/carer submits application to the principal.
 - 10.6.3. If approved by the principal or Executive Director, the principal issues a *Certificate of Exemption from Enrolment at School* (C3).
 - 10.6.4. The school keeps a copy of all completed forms in the student file.
 - 10.6.5. The student's destination is entered into the enrolment register and student removed from attendance register.
 - 10.6.6. If declined, the principal issues *Declining an application for exemption enrolment* (Letter D3).
- 10.7. The completion of education under special circumstances procedures is to be consulted in granting exemption from enrolment due to completion of Year 10 by full time apprenticeship or traineeship.

11. Record keeping

- 11.1. Certificates of Exemption issued by the Executive Director and principals must:
 - 11.1.1. Include the specific conditions that apply to the exemption.
 - 11.1.2. State that the exemption may be cancelled if these conditions cease.
 - 11.1.3. Specify a period for which the exemption had been granted.
- 11.2. The original Certificate of Exemption is to be provided to the parents/carers.
- 11.3. A copy of the Certificate of Exemption must be attached to the student's record.

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11.4. The delegate should retain a copy of the signed Certificate of Exemption in the delegate's official records.

12. Relevant documents

12.1. Student Attendance procedures

12.2. Completion of Education under special circumstances guidelines

13. Related legislation

13.1. *NSW Education Act 1990*

14. Appendices

14.1. Summary of attendance, leave and exemption documents

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Appendix 1

Summary of Attendance Documents

All documents are available on the [School Attendance oscar page](#).

	Form code	Document Type	Document Name
Extended Leave	A1	Application	Application for Extended Leave - Travel
	C1	Certificate	Certificate for Extended Leave - Travel
	D1	Letter	Declining an Application for Extended Leave
Application to undertake equivalent Year 10 at TAFE	A4	Application	Application to undertake the equivalent of Year 10 at TAFE NSW
Application to undertake full-time employment and/or training	A5	Application	Application to undertake full-time employment and/or training
Attendance Letters	L1	Template	Attendance Letter 1 - Attendance concern
	L2	Template	Attendance Letter 2 - Attendance planning meeting request
	L2a	Template	Attendance Letter 2a - Attendance planning meeting request 2
	L3	Template	Attendance Letter 3 - School advises referral attendance support
	L4	Template	Attendance Letter 4 - School advises referral attendance conference
	L5	Template	Attendance Letter 5 - CEDP advises attendance conference
	L6	Template	Attendance Letter 6 - CEDP advises referral DoE for Legal Action
		Template	Letter to General Practitioner
Attendance Intervention		Template	School Based Student Attendance Procedure
		Flowchart	Student Absenteeism process - Primary
		Flowchart	Student Absenteeism process - Secondary
		Template	Attendance Planning Meeting
		Form	Enrolment destination unknown

		Form	Authority to Release Medical / Mental Health Information
		Form (google)	Wellbeing Team referral form
		Form (google)	CEDP Attendance Conference referral form
Information Sheets			School Attendance register codes
			Attendance conference - Information for parents
			Compulsory school attendance - Information for parents
			Every Learner Every Day - Parent Infographic

Summary of Exemption Documents

	Form code	Document Type	Document Name
Exemption from attendance - full day	A2	Application	<i>Application for exemption from attendance at school</i>
	C2	Certificate	<i>Certificate for exemption from attendance at school</i>
	D2	Letter	<i>Declining application for exemption from attendance</i>
	I1	Information sheet	<i>Information Sheet: Accredited Elite Sports Program/Elite Arts Program</i>
	I2	Information sheet	<i>Information Sheet: Employment in the Entertainment Industry</i>
Exemption from attendance - part/day time	A3	Application	<i>Application for part day/time exemption from attendance at school</i>
	C2	Certificate	<i>Certificate for exemption from attendance at school</i>
Exemption from enrolment at school <i>(age, health, learning, social needs or disability)</i>	E1	Application	<i>Application for exemption from enrolment at school - age, health, learning, social needs or disability</i>
	C3	Certificate	<i>Certificate for exemption from enrolment at school</i>
	D3	Letter	<i>Declining an application for exemption of enrolment</i>
Exemption from enrolment at school <i>(for completion of Year 10 by full time traineeship or apprenticeship)</i>	E2	Application	<i>Application for exemption from enrolment at School - Apprenticeship/ Traineeship</i>
	C3	Certificate	<i>Certificate of Exemption from Enrolment at School</i>
	D3	Letter	<i>Declining an application for exemption of enrolment</i>
Application to undertake equivalent Year 10 at TAFE	A4	Application	<i>Application to undertake the equivalent of Year 10 at TAFE NSW</i>
Application to undertake full-time employment and/or training	A5	Application	<i>Application to undertake full-time employment and/or training</i>