



# ATTENDANCE EXEMPTION POLICY & PROCEDURES

S3

## 1. Policy Information

Policy title	Attendance Exemption Policy & Procedures
Policy number	S3
Classification	Students and Curriculum
Review cycle	2 years
Last review date	1 March 2021
Implementation date	10 March 2021
Next review date	1 March 2023
Approval Authority	Principal
Person/s responsible for policy	Executive

## 2. Overview

Each day of the school year, Toongabbie Christian College delivers an educational program to all students in attendance. However, from time to time, parents/carers choose, or are required, to take their children out of school in term time for a variety of reasons. This policy seeks to provide a mechanism for dealing with these occasions.

The aim of this policy is to outline the procedures to be followed when exercising delegations regarding a Certificate of Exemption from school enrolment and attendance in the following circumstances:

- Granting and cancelling of a Certificate of Exemption from being enrolled and attending school for periods totalling up to 100 days in a twelve month period;
- Granting and cancelling of a Certificate of Exemption from being enrolled and attending school for an indefinite period for students who have completed Year 9 of secondary education and who have been approved to undertake a full time apprenticeship or traineeship.

This policy applies to students of compulsory school-age who seek exemption from the legal requirement to be enrolled or attend school. It is the duty of parents/carers to comply with the *Education Act 1990* while the College's responsibility is to maintain records of enrolment and attendance, and to have policies and procedures in place to provide for a safe and supportive environment for students, including the provision for the wellbeing and protection of students.

Relevant Legislation and Policies regarding this policy are:

- *Education Act 1990*
- *NESA Registration Systems and Member Non-government Schools (NSW) Manual*
- *Public Health Act*
- The College's *Attendance Policy & Procedures*
- The College's *Child Protection Policy & Procedures*
- The College's *Privacy & Data Breach Policy*

## 3. Policy

3.1 A *Certificate of Exemption* can be granted by the Principal. A *Certificate of Exemption* is granted when the applicant has clearly demonstrated that the exemption is in the student's best interests in the short and long term and when, where appropriate, all other alternatives have been explored. The scope of the exemption is limited to the circumstances listed in the delegation.

3.2 An application for a *Certificate of Exemption* should be made in writing, in advance. Exemptions will not be granted retrospectively. Procedural fairness will be applied to the consideration of all applications. Appeals to decisions should be made in writing to the Principal, attaching any supplementary information.

3.3 A *Certificate of Exemption* should not be issued in the case where there are unresolved issues concerning a risk of significant harm associated with the application or the child has been subject of a DCJ referral. A risk assessment should be conducted to identify and manage risk prior to an approval being granted.

#### 3.4 Certificate of Exemption

3.4.1 If a *Certificate of Exemption* is granted, it will:

3.4.1.a include any specific conditions that apply to the exemption

3.4.1.b state that the exemption may be cancelled if these conditions cease to apply

3.4.1.c specify the period for which the exemption has been granted.

3.4.2 Student Services - Administration will provide the *Certificate of Exemption* to the parent/carer and a copy will be placed in the student's file.

#### 3.5 Exemptions from attendance at school may be granted for:

3.5.1 exceptional circumstance (such as health of the student, where sick leave or alternative enrolment is not appropriate)

3.5.2 employment in the entertainment industry

3.5.3 participation in sporting events (including for short periods of time (1 or 2 days) and at short notice)

3.5.4 participation in elite arts' program

3.5.5 the child being prevented from attending school because of a direction under section 42D of the *Public Health Act 1991* (the parent/carer is not required to complete an application for exemption). Please refer to Section 4.4.

#### 3.6 Travel or Holidays During School Terms

3.6.1 A Certificate of Exemption can no longer be granted for travel or holidays during school terms. Families are encouraged to travel or holiday during non-term time.

#### 3.7 Exemptions from enrolment at school may be granted for:

3.7.1 Age, where a child turns six years on or after 1 October or later in a school year and is engaged in:

3.7.1.a full time preschool education at an accredited preschool for the remainder of the year

3.7.1.b full or part-time accredited preschool programs for students with disabilities leading to enrolment and full time attendance at a government or registered non-government school not later than six months after the child's sixth birthday. (In both cases, proof of enrolment or participation in the preschool and a transition to school program are a condition of the exemption)

3.7.1.c an individual program supported by medical specialists for the health, learning or social needs or disability of a child necessitating the continuation of no longer than six months after the child's sixth birthday. (A statement from the child's medical specialist and a transition to school program are conditions of the exemption).

3.7.2 Entering a full-time apprenticeship or traineeship.

3.7.2.a The applicant can seek exemption from being enrolled and attending school for an indefinite period when they have completed Year 9 and when they have been approved to undertake a full-time apprenticeship or traineeship the following conditions apply:

- 3.7.2.a.i the Principal considers the student a suitable candidate to complete their education through an apprenticeship or traineeship
- 3.7.2.a.ii the student's parents/carer give permission for this to occur
- 3.7.2.a.iii the Principal has sighted a full time apprenticeship or traineeship contract signed by the employer and a summary training plan authorised by a Registered Training Organisation
- 3.7.2.a.iv the employer agrees to notify the Principal if the apprenticeship or traineeship is abandoned before the student turns 17 or if the program is terminated by the employer
- 3.7.2.a.v the apprenticeship or traineeship is subsequently approved by the Commissioner for Vocational Training, State Training Services as suitable for the student and the training contract attains 'registered' status.

## 4. Procedures

### 4.1 Applications

- 4.1.1 Applications will be made by parents/carers, in writing, using the applicable Application Form and directed to the Principal. See *Appendix A and B*.
- 4.1.2 All applications will be logged and filed in the student's file by Student Services - Administration.

### 4.2 Review of Applications

- 4.2.1 All applications will be reviewed by the Principal.
- 4.2.2 Parents/Carers will be informed of the decision in writing.
- 4.2.3 If successful, a *Certificate of Exemption* will be issued by the College to parents/carers. Please refer to *Appendix C and D*.
- 4.2.4 If unsuccessful, the parent/carer will be informed of the decision in writing. Please refer to *Appendix E*.
- 4.2.5 In the case where a refusal is being considered, parents/carers will have an opportunity to respond before the final decision is made.

### 4.3 Record Keeping

- 4.3.1 The College will keep a copy of the following documentation on the student's file:
  - 4.3.1.a The application
  - 4.3.1.b Review decision
  - 4.3.1.c Records tracking status of any conditions associated with the exemption
  - 4.3.1.d *Certificate of Exemption* (if granted)
  - 4.3.1.e Copy of delegation.
- 4.3.2 Student Services - Administration will also maintain a log detailing an overview of all applications and decisions made using the delegations.
- 4.3.3 Student Services - Administration will record the information on the register of attendance, using the required codes.

### 4.4 Section 42D of the *Public Health Act*: Duties of the Principal when there is an outbreak of a Vaccine Preventable Disease

- 4.4.1 The Principal, on becoming aware that a child enrolled at the College is suffering from a vaccine preventable disease, must inform the Medical Officer of Health for the medical district where the College is located that the child is suffering from the disease.
- 4.4.2 On being informed that a child is suffering from a vaccine preventable disease, a Medical Officer of Health may, for the purpose of preventing the spread of the disease, direct the Principal to do either or both of the following:
  - 4.4.2.a to send or deliver to the parent/carer of the child, and of every enrolled student at risk, a notice to the effect that, unless the requirements specified in the notice are complied with in respect of that parent's/carer's child within the period so specified, that child is to be excluded from the College for the

- duration of the outbreak of the disease (as determined by that Medical Officer)
- 4.4.2.b to take such other action with respect to the child suffering from the disease and the enrolled students at risk as may be specified in the direction.
- 4.4.3 In giving a direction under Section 4.4.2, a Medical Officer of Health must comply with such guidelines as may be issued from time to time by the Director-General of Health.
- 4.4.4 On receiving a direction under Section 4.4.2, the Principal must comply with the direction.
- 4.4.5 The Principal who sent or delivered a notice referred to in Section 4.4.2.a must ensure that the child to whom the notice relates, is excluded from the College for the duration of the outbreak of the disease (as determined by the Medical Officer of Health concerned), unless the requirements specified in the notice have been complied with, within the period so specified.
- 4.4.6 Sections 4.4.1 and 4.4.2 do not apply when the College is closed for a public holiday or non-term time, unless the College would reopen before the end of the duration of the outbreak of the disease (as determined by the Medical Officer of Health concerned).
- 4.4.7 No College staff member, except as provided by this section, should subject a child, who attends or is seeking to attend the College, to any detriment because of the child's immunisation status.

## 5. References

- NSW Education & Training Student Welfare Directorate *Exemption from School - Procedures*  
Robyn Yates, AISNSW



# APPLICATION FOR EXEMPTION: ATTENDANCE

S3: APPENDIX A

## APPLICATION FOR EXEMPTION FROM ATTENDANCE AT SCHOOL

### STUDENT DETAILS

To be completed by the student's parents/carers

Family name \_\_\_\_\_ Given name(s) \_\_\_\_\_

Grade \_\_\_\_\_ Date of birth \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Date of exemption applied for \_\_\_\_\_ to \_\_\_\_\_

Number of school days \_\_\_\_\_

Reason for application for exemption: \_\_\_\_\_ Please tick:

- Exceptional circumstance\* (does not include family weddings, illness of family members, family travel\*\*)   
\* For more information about exceptional circumstances, please visit [www.tcc.nsw.edu.au/Absence](http://www.tcc.nsw.edu.au/Absence)   
\*\* Please complete 'Notification of Student Absence' form at [www.tcc.nsw.edu.au/Absence](http://www.tcc.nsw.edu.au/Absence)
- Employment in entertainment industry (please also complete Part A)
- Participation in elite sporting event (please also complete Part B)
- Participation in elite arts program (please also complete Part B)
- Direction under Section 42D of the *Public Health Act 1991*

Please provide more detail about the reason for the application for exemption:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### DETAILS OF PRIOR/CURRENT EXEMPTIONS (if applicable)

Date of prior/current exemption from: \_\_\_\_\_ to \_\_\_\_\_

Number of school days \_\_\_\_\_

Copy of Certificate of Exemption attached: (Please tick one box) Yes  No

## PARENT DETAILS

Family name \_\_\_\_\_ Given name(s) \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Telephone number \_\_\_\_\_ Relationship to student \_\_\_\_\_

As the parent of the above mentioned student, I hereby apply for a *Certificate of Exemption* from attendance at school, under the *Education Act 1990*. I understand that if the exemption is granted:

- I am responsible for his/her supervision during the period of exemption
- the exemption is limited to the period indicated
- the exemption is subject to the conditions listed on the *Certificate of Exemption*
- the exemption may be cancelled at any time.

I declare the information provided in this application for a *Certificate of Exemption* is to the best of my knowledge and belief accurate and complete. I recognise that should statements in this application later prove to be false or misleading any decision made as a result of this application may be reversed. I further recognise that a failure to comply with any condition set out in the exemption may result in the exemption being revoked.

Signature of applicant/s \_\_\_\_\_ Date \_\_\_\_\_

See page 3 for

(A) Employment in the Entertainment Industry or

(B) Participation in Elite Sport or Elite Art Event

**PART A Employer's Details (in the case of employment in the Entertainment Industry)**

**To be completed by the Employer**

Name of company / corporation \_\_\_\_\_

Contact person \_\_\_\_\_

Address \_\_\_\_\_

Telephone number \_\_\_\_\_ Fax \_\_\_\_\_

Email address \_\_\_\_\_

Please attach and tick -

1. Detailed itinerary / work schedule for the period of exemption sought  Yes  No

2. Evidence of tutor's teaching qualifications (supplied by employer)  Yes  No

Employer's signature \_\_\_\_\_ Date \_\_\_\_\_

**PART B Participation in Accredited Elite Arts or Elite Sports**

**To be completed by the Applicant**

Name of accredited elite arts or elite sport program \_\_\_\_\_

A. Dates of exemption applied for (if block) \_\_\_\_\_

Number of school days \_\_\_\_\_

B. Individual dates applied for: \_\_\_\_\_

Number of school days \_\_\_\_\_

C. Hours of exemption (if partial exemption, eg 9am-11:30am): \_\_\_\_\_

**Reason for Application for Exemption (Please tick)**

Training for Elite Sport

Elite Sport Event or Tour

Elite Arts Program

**Note:** A schedule of participation, training or tour itinerary from the arts body or sporting body (eg Australian Institute of Sport) must be attached with contact names and numbers.



# APPLICATION FOR EXEMPTION: ENROLMENT

S3: APPENDIX B

## APPLICATION FOR EXEMPTION FROM ENROLMENT AT SCHOOL

### STUDENT DETAILS

To be completed by the student's parents

Family name \_\_\_\_\_ Given name(s) \_\_\_\_\_

Age \_\_\_\_\_ Date of birth \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Date of exemption applied for \_\_\_\_\_ to \_\_\_\_\_

Number of school days \_\_\_\_\_

Reason for application for exemption (Please tick: ✓ )

- Completion of education by completion of a full time apprenticeship/traineeship commencing in Year 10
- Exceptional circumstance
- Employment in entertainment industry (please also complete Part A)
- Participation in elite sporting event (please also complete Part B)
- Participation in elite arts program (please also complete Part B)
- Direction under Section 42D of the *Public Health Act 1991*

Please provide more detail about the reason for the application for exemption here:

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### DETAILS OF PRIOR/CURRENT EXEMPTIONS (if applicable)

Date of prior/current exemption from: \_\_\_\_\_ to \_\_\_\_\_

Number of school days \_\_\_\_\_

Copy of Certificate of Exemption attached: (Please tick one box) Yes  No



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**PARENT DETAILS**

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Family name \_\_\_\_\_ Given name(s) \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Telephone number \_\_\_\_\_ Relationship to student \_\_\_\_\_

As the parent of the above mentioned student, I hereby apply for a *Certificate of Exemption* from attendance at school, under the *Education Act 1990*. I understand that if the exemption is granted:

- I am responsible for his/her supervision during the period of exemption
- the exemption is limited to the period indicated
- the exemption is subject to the conditions listed on the *Certificate of Exemption*
- the exemption may be cancelled at any time.

I declare the information provided in this application for a *Certificate of Exemption* is to the best of my knowledge and belief accurate and complete. I recognise that should statements in this application later prove to be false or misleading any decision made as a result of this application may be reversed. I further recognise that a failure to comply with any condition set out in the exemption may result in the exemption being revoked.

Signature of applicant/s \_\_\_\_\_ Date \_\_\_\_\_

See page 3 for -

- (A) **Employment in the Entertainment Industry or**
- (B) **Participation in Elite Sport or Elite Art Event**
- (C) **Employment in an Apprenticeship or a Traineeship**

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**PART A Employer's Details (in the case of employment in the Entertainment Industry)**

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**To be completed by the Employer**

Name of company / corporation \_\_\_\_\_

Contact person \_\_\_\_\_

Address \_\_\_\_\_

Telephone number \_\_\_\_\_ Fax \_\_\_\_\_

Email address \_\_\_\_\_

Please attach and tick -

1. Detailed itinerary / work schedule for the period of exemption sought  Yes  No2. Evidence of tutor's teaching qualifications (supplied by employer)  Yes  No

Employer's signature \_\_\_\_\_ Date \_\_\_\_\_

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**PART B Participation in Accredited Elite Arts or Elite Sports**

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**To be completed by the Applicant**

Name of accredited elite arts or elite sport program \_\_\_\_\_

A. Dates of exemption applied for (if block) \_\_\_\_\_

Number of school days \_\_\_\_\_

B. Individual dates applied for: \_\_\_\_\_

Number of school days \_\_\_\_\_

C. Hours of exemption (if partial exemption, e.g. 9am-11:30am): \_\_\_\_\_

**Reason for Application for Exemption (Please tick)** Training for Elite Sport  Elite Sport Event or Tour  Elite Arts Program**Note:** A schedule of participation, training or tour itinerary from the arts body or sporting body (e.g. Australian Institute of Sport) must be attached with contact names and numbers.

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**PART C Employment in an Apprenticeship or Traineeship commencing in Year 10**

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**To be completed by the Applicant**

Name of organisation \_\_\_\_\_

\_\_\_\_\_

Contact person & phone number \_\_\_\_\_

Type of apprenticeship or traineeship \_\_\_\_\_

Date of commencement \_\_\_\_\_

**Note:** Please attach a copy of any documents from the organisation confirming the apprenticeship or traineeship.



# CERTIFICATE OF EXEMPTION: ATTENDANCE

S3: APPENDIX C

## CERTIFICATE FOR EXEMPTION FROM ATTENDANCE AT SCHOOL UNDER SECTION 25 OF THE EDUCATION ACT 1990

The student whose details appear below has been granted an exemption from attendance at school for the period indicated.

### STUDENT DETAILS

Family name \_\_\_\_\_ Given name(s) \_\_\_\_\_

Date of birth \_\_\_\_\_ Grade/s \_\_\_\_\_

Address \_\_\_\_\_

Date of exemption applied for \_\_\_\_\_

Number of school days \_\_\_\_\_

Reason for application for exemption:

\_\_\_\_\_

Conditions of the exemption (note: for a part day exemption the hours of program participation must be specified, including the plan to have the student attend school full time).

\_\_\_\_\_

It has been explained to the parent/carer of the above mentioned student that they are responsible for his/her supervision during the period of exemption.

Parent/Carer understands that this exemption is limited to the period indicated, acknowledges that the exemption is subject to the conditions listed and that the exemption may be cancelled at any time.

Name and position of delegate: **Johan Griesel, Principal**

\_\_\_\_\_  
Signature of delegate

\_\_\_\_\_  
Date

**This certificate has been issued without alteration and must be produced when requested by police or other authorised attendance officers.**



# CERTIFICATE OF EXEMPTION: ENROLMENT

S3: APPENDIX D

## CERTIFICATE FOR EXEMPTION FROM ENROLMENT AT SCHOOL UNDER SECTION 25 OF THE EDUCATION ACT 1990

The student whose details appear below has been granted an exemption from attendance at school for the period indicated.

### STUDENT DETAILS

Family name \_\_\_\_\_ Given name(s) \_\_\_\_\_

Age \_\_\_\_\_ Date of birth \_\_\_\_\_

Address \_\_\_\_\_

Date of exemption from \_\_\_\_\_ to completion of the apprenticeship/traineeship.

This exemption is granted for the sole purpose of completion of education by completion of a full time apprenticeship/traineeship commencing in Year 10 on the following conditions.

1. The training contract is approved by the State Training Services.
2. If the arrangement with the employer ceases the above named student must satisfy compulsory schooling requirements (ie complete Year 10 at school or at TAFE).
3. The employer must notify NSW Department of Education in writing, through the principal, if the above named student does not complete the qualification or departs the program before the age of 17.

It has been explained to the parent/carer of the above mentioned student that they are responsible for his/her supervision during the period of exemption. The parent/carer understands that this exemption is limited to the period indicated, acknowledges that the exemption is subject to the conditions listed and that the exemption may be cancelled at any time.

Name of Principal \_\_\_\_\_

Signature of Principal \_\_\_\_\_ Date \_\_\_\_\_

**This certificate has been issued without alteration and must be produced when requested by police or other authorised attendance officers.**



# LETTER TEMPLATE: EXEMPTION DENIED

S3: APPENDIX E

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*PLACED ON COLLEGE LETTERHEAD*

[date]

Dear [parents/carers],

Thank you for your application for exemption, notifying us that [student's name(s)] will be absent from College from [date] to [date].

The College accepts the reason for the absence and the roll will be marked as "L" (absence is justified). A Certificate of Exemption will not be issued for this absence.

Yours sincerely,

Johan Griesel  
Principal