



Catholic Schools Office Diocese of Lismore

Student Attendance Policy

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Policy on Student Attendance

Regular attendance at school for every student is essential if students are to achieve their potential, and increase their career and life options.

Schools in partnerships with parents are responsible for promoting the regular attendance of students. While parents are legally responsible for the regular attendance of their children, school staff, as part of their duty of care, record and monitor part and whole day absences.

Schools, in providing a caring teaching and learning environment, which addresses the learning and support needs of students, including those with additional learning and support needs or complex health conditions, foster students' sense of wellbeing and belonging to the school community.

A set of procedures for managing student attendance is attached and follows this policy statement.

A separate policy for student non-attendance is in place.

A. Monitoring Student Attendance

1. Context

- 1.1 This document applies to all Diocese of Lismore systemic schools, excluding pre-schools.
- 1.2 The school attendance register/roll should reflect the highest professional standards.

2. Responsibilities

2.1 Parents are responsible for:

- Enrolling their child in a government or registered non-government school or registering them with the Board of Studies, Teaching and Educational Standards (BOSTES) for home schooling.
- Ensuring that their children attend school every day the school is open for their instruction.
- Explaining the absences of their children from school by means such as a telephone call, written note, text message or email to the school, preferably on the first day of absence, and certainly within seven days from the first day of any period of absence.
- Working in partnership with the school to plan and implement strategies to support regular attendance at school, including communicating with the school if they are aware of issues impacting on their child's attendance or engagement with school.

2.2 The responsibilities of school staff.

2.2.1 School staff support the regular attendance of students by:

- Providing a caring teaching and learning environment which fosters students' sense of wellbeing and belonging to the school community.
- Promoting regular attendance at school through teaching and learning activities that acknowledge the learning and support needs of students.
- Recognising and rewarding excellent and improved student attendance.
- Knowing the procedures in this document before marking the attendance register/roll and following up absences. Staff with responsibility for marking and maintaining the attendance register/roll must understand how an absence should be noted on an attendance register/roll using the approved codes.
- Maintaining accurate records of student attendance on a daily basis.
- Seeking verbal or written advice promptly from parents regarding unexplained full or part day absences. Parents may not be aware that their child has been absent from school and will expect to be informed promptly if unexplained absences occur. Schools may wish to request this information by telephone/SMS or other means.

Note: If parents do not respond to unexplained absences in the last week of the school year staff should follow this up in the first week of the new school year.

- Implementing programs and practices to address attendance issues when they arise.

- Providing clear information to students and parents regarding attendance requirements and the consequences of unsatisfactory attendance.
- Retaining records of written, electronic and verbal explanations from parents. If staff receive verbal explanations from parents, they should record and initial the explanation for the appropriate date(s) on the electronic attendance register/roll.
- Alerting the principal, or staff member responsible for monitoring attendance, when a student's pattern of attendance is of concern, or if no explanation is received from the parent or carer within required timeframes.
'Concern' is defined as three consecutive days of unapproved leave or any five (5) days of unapproved leave in 10 days or any other pattern observed (such as regular Friday's away).
- When nominated by the principal, liaising with external agencies, arranging referrals and coordinating involvement of the school with other services and agencies working with students.
Nominated staff provide feedback about outcomes to the principal.

2.2.2 The principal is responsible for ensuring that:

- Students are enrolled consistent with the diocesan enrolment policy.
- Attendance records are maintained in the designated electronic format and are an accurate record of the attendance of students.
- Attendance records including details of transfers and exemptions are accessible to the Director of Catholic Schools, Education Consultant, or designated CSO officer and to the BOSTES inspectors as required.
- The school regularly evaluates and addresses school attendance through the school plan.
- Appropriate procedures are developed to maintain accurate official records of attendance for each student. A pdf of the electronic record is generated at the end of each week for the preceding fortnight. The principal or delegated school executive must endorse this copy, certifying its accuracy. (Certifying accuracy in a pdf can be shown in the file name or including a comment in the pdf using the 'comment' function.) Once signed, this copy becomes the official record of attendance and must not be amended. A school must be able to access archived records for individual students at any time.
- Open communication on issues affecting student attendance is promoted with parents.
- Effective strategies are in place to contact parents where there is a pattern of attendance causing concern or the parent has failed to provide a satisfactory explanation for an absence.
This may involve the creation of a jointly developed (school and family) Attendance Improvement Plan (AIP). Information on the AIP is found in the procedure statement for the Management of Non Attendance. The AIP is to be made available to both the School Consultant and the CSO Audit and Compliance Officer. School principals may request a medical certificate.
- Interpreters and translated materials, including letters are available if required when communicating with parents from language backgrounds other than English in matters relating to school attendance.

- School staff are trained to implement school attendance policies and procedures and that personnel with delegated responsibility for maintaining attendance records are supervised.
- Staff accurately check the attendance of each student when assuming responsibility for the class.
- A system is established for signing out students who need to leave the school premises during school hours.
- A system is established for signing in students who arrive late during school hours.
- All cases of unsatisfactory attendance, including part day absences are investigated promptly and school based factors impacting on attendance are addressed.
- Early identification of students at risk of developing poor school attendance patterns takes place through strategies such as regular roll checks.
- Attendance reports from roll checks are tabled on a regular basis at learning support/well-being team or attendance meetings for follow up by appropriate staff members.
- Effective referral and support networks are established so that students whose attendance is identified as being of concern and their families can be connected to relevant services and with local external agencies. This should be discussed and arranged in consultation with the parents. Appropriate staff members may be nominated to meet with parents, arrange referrals and to be the contact points for consultation and coordination of school involvement.
- Communication, collaboration and information sharing occurs with other services and agencies to enhance the effectiveness of interventions with students and families.
- Any other child protection concerns underlying school attendance issues (including educational neglect) are managed consistent with the Diocese of Lismore Child Protection Policy and Procedures.

2.3 The Catholic Schools Office Lismore responsibilities.

2.3.1 The Director of Catholic Schools is responsible for ensuring that:

- Schools are supported to maintain accurate records of student attendance in a form approved by the minister. The diocesan system should conduct regular audits of school attendance register/rolls and provide support to principals in maintaining these documents.
- Processes are in place to support principals prior to approval being given by the director for students of compulsory school age participating in alternative education programs involving full or part day exemption from attendance at school.
- Recommendations are made about the prosecution of cases of non-attendance or failure to enrol a child at school, in the first instance to the Catholic Education Commission, NSW.
- Plans are implemented for the improvement of the attendance of students who are identified by schools as chronic non-attenders, late arrivals or early leavers.
These Attendance Improvement Plans (AIP) are found in the separate policy and procedures document, the Management of Student Non Attendance.

3. School attendance records requirements

- 3.1 School attendance records must include:
- A register of enrolments to be retained permanently.
 - Notes and records of verbal explanations for absences from parents. This advice is to be retained for seven years from the date of receipt.
 - An attendance register/roll to be retained for seven years.
- 3.2 In a case where a student has an accident necessitating an accident report, all attendance records should be retained until the end of year in which the student reaches the age of 25 years.
- 3.3 The student's attendance record detailing the number of absences each year must be retained on the student's file for seven years after the student has left. In the case of a student who has had an accident necessitating an accident report, the record card should be retained until the student reaches the age of 25 years.
- 3.4 Records for certificates of exemption from attendance and enrolment must comply with requirements of Section B, Exemptions from Attendance and Exemptions from Enrolment.

4. Attendance registers/rolls

- 4.1 Electronic register/rolls must reflect the highest professional standards.
- 4.1.1 The [NSW Education Act \(1990\)](#) (Section 24) requires that attendance register/rolls be maintained in a form approved by the minister. Codes to be used on attendance register/rolls are found at Appendix A. Additional codes must not be used. Supplementary comments regarding absences may be made in a 'notes' column, if required.
- 4.1.2 Attendance register/rolls must be maintained on all days on which the school is open for instruction, including school sports days, swimming carnivals, excursions and similar events.
- 4.1.3 The exception method (marking absences only) is to be followed by all schools. Only the codes listed in the NSW Attendance Register Codes are to be used (see Appendix A).
- 4.1.4 School attendance must be recorded on the attendance register/roll early in the school day and preferably by 9:30am.
- 4.1.5 Students involved in off-site activities endorsed by the school must not be marked as absent. Whenever a class is conducted at a site other than the school site, attendance must be recorded. In addition, schools are required to develop their own procedures to monitor attendance during the day. There may also be situations due to the nature of the school location or the attendance record of particular students where further attendance monitoring may need to be implemented.
- 4.1.6 Attendance information must be recorded on an electronic attendance register/roll on a daily basis. Staff responsible for maintaining attendance register/rolls must be acquainted with the requirements of this document and correct procedures.
- 4.1.7 Students need to be placed in a roll class from their first day of attendance.
- 4.1.8 Students should not be moved to a different class group or a class group renamed without due consideration of the electronic attendance register/roll processes and should only be undertaken in consultation with the designated CSO officer.
- 4.1.9 A teacher needs to be assigned to each roll class for attendance register/roll marking.

- 4.1.10 A pdf copy is to be generated at the end of each week for the preceding fortnight. The principal or delegated member of the school executive must endorse this pdf copy, certifying its accuracy. Once endorsed, this pdf copy becomes the official record of attendance and must not be amended.
- 4.1.11 A school must be able to access archived records for individual students at any time.
- 4.1.12 In the case of late arrival or early departure, the precise times of arrival or departure must be recorded with the relevant attendance code. Where a genuine error is identified the designated staff member should amend the appropriate attendance register/roll.

Note: Alterations only apply to errors in attendance register/roll marking.

- 4.1.13 Codes to be used on electronic attendance register/rolls are found at Appendix A. Additional codes must not be used. The attendance register/roll code 'B' is to be used where a student is absent from the school site on official school business. This may include work experience, school sport (regional and state carnivals), and school excursions. 'B' is not an absence code and is not included as an absence for statistical purposes. The 'B' Code is not used when the whole school attends a different venue for all or part of the day as is the case with attending mass and sports carnivals. Nor is it used for regular weekly school sport off site where a sports roll is generated, see 4.4.2.
- 4.1.14 Electronic attendance register/rolls should have the facility to indicate when the school is not open eg. staff professional learning days, industrial action or closure for fire or flood.
- 4.1.15 Absences on these days are not to be recorded or counted as absences for statistical purposes.
- 4.1.16 Students can attend a specialist education setting separate to a mainstream school on a sessional or full-time basis. Such settings include tutorial centres and programs, behaviour schools, juvenile justice and hospital schools. Where the mainstream school principal verifies that a student is attending a specialist education setting, the mainstream school can mark the attendance register/roll with the attendance register/roll code 'H' to denote student attending a specialist education setting on a sessional or full-time basis. This does not refer to private coaching or tutoring even when it is delivered at a 'centre'. Where the duration of attendance at a specialist education setting is more than four days in duration, the specialist education setting should use the special circumstance register to record student attendance (as per 4.2). The special circumstance register should be returned to the student's mainstream school, preferably weekly.

Notes:

- *The code 'H,' would be used rarely and applicable only for students attending an approved behaviour school, juvenile justice centre, and/or hospital school.*
- *Use 'F' for external tutorial centres and programs that are school authorised. The principal may also use the codes, 'L', 'A' according to the particular circumstances of the absence.*
- *Neither code, 'H' or 'F', is applicable with regard to full time distance education; students who are enrolled in distance education cannot also be enrolled in a non-government school;*

students who access distance education must be removed from the attendance register/roll.

- 4.2 Special circumstance registers.
- 4.2.1 Attendance register/rolls must be maintained each day the school is open with the exception of:
- Days on which there is part or full day industrial action involving teachers.
 - Approved staff development days.
 - Days on which the school is inaccessible due to natural occurrences such as fire or flood. Principals should consult with diocesan personnel prior to deciding that a school is inaccessible.
 - Other days in which all students are not expected to attend.
- 4.2.2 Special circumstance registers are to be maintained on days as outlined in 4.2.1. They should:
- Specify the dates and times of the variation.
 - Indicate the reason for the variation.
 - List students attending on that day.
 - Be signed by the teacher maintaining the register.
 - Be permanently attached to attendance register/rolls.
- 4.3 Security of attendance register/rolls.
- 4.3.1 At the end of each school year the principal must ensure that the authorised attendance register/roll and attached special circumstance registers are preserved as a complete record of students' absences for that year.
- 4.3.2 The attendance register/roll must be archived in pdf format, independent of electronic software for legacy purposes. A school must be able to produce past records of attendance no-matter what software is being used.
- 4.4 School sport attendance register/rolls.
- 4.4.1 School sport is an integral part of the curriculum. Principals must ensure adequate attendance monitoring practices at school sport to ensure the safety of students.
- 4.4.2 Specific sports attendance register/rolls must be marked at the beginning and conclusion of each sports session. Attendance information contained on sports attendance register/rolls must be transferred to the attendance register/roll. Absentees must be followed up promptly to ensure that the school's procedures for managing non-attendance are implemented.
- 4.4.3 To assist schools with their responsibility under Section 4.4 to record attendance at school sport and to ensure prompt follow up of any unexplained absences, school team managers at diocesan or zone level are asked to mark the attendance at the beginning and the conclusion of each sports carnival. Fulfilling carnival commitments is considered attendance and a part absence would only occur if the student left before completing all their events or arrived after one of their events eg. injury or illness. Any absences or part absences must be provided to the relevant school administration for entering into the attendance monitoring system.
- 4.5 Overseas exchange students.
- 4.5.1 Students participating in accredited overseas student exchange programs for periods of up to 12 months are to remain on the school attendance register/roll. They are not to be marked absent for the duration of their exchange. In general, students on overseas exchanges are to be considered present. Schools should use the

- attendance code 'B' 'The student is absent from the school on official school business'.
- 4.5.2 Please note that an application for exemption is not required.
 - 4.5.3 A note is to be attached to the attendance register/roll regarding the place and duration of the exchange. For statistical purposes, students on overseas exchange are to be considered present.
 - 4.6 Students participating in flexible timetables.
 - 4.6.1 The attendance of students participating in flexible timetables must be recorded in the same manner as other students. However, scheduled days or periods of non-attendance must not be marked as absences. The symbol noted in the attendance register/roll code, 'F', regarding timetabled days or periods of non-attendance should be used (see Appendix A).
 - 4.6.2 The scheduled non-attendance of students participating in flexible timetables is not recorded as an absence for statistical purposes.
 - 4.6.3 In the case of students participating in course work or school activities away from the school site (such as work placements), the principal or an authorised person should obtain an accurate record of student attendance at other sites at the conclusion of each school week.
 - 4.7 Delayed start date for different year groups.
 - 4.7.1 Where a year group commences school on a later date to the official school start date, the attendance register/roll should reflect the staggered start date.
 - 4.8 Students who are suspended from school in accordance with diocesan policy.
 - 4.8.1 The appropriate attendance register/roll code symbol for out-of-school suspension 'E' is to be used to denote the absences of students whilst on suspension. This symbol is to be used only for the duration of the suspension and must not be applied to students who fail to return to school following the suspension period. In such cases, the student's absence would be unjustified and recorded accordingly (see Appendix A). Students who are on in-school suspension are counted as present.
 - 4.8.2 The absence of students who are suspended are counted as absences for statistical purposes.
 - 4.8.3 'E' code (suspended) is to be used until further investigation is complete and a behaviour improvement plan has been discussed with parents. If part of the plan includes partial absence the application for part day exemption short term alternative educational program form (Form B12) should be completed. The relevant education consultant must be informed.
 - 4.9 Students who are exempted from school.
 - 4.9.1 The appropriate symbol for exemption is to be used when the absences are the result of students being exempted from attending school (see Appendix A attendance register/roll code M). This symbol is to be used only for the duration of the exemption and must not be applied to students who fail to return to school following the exemption period.
 - 4.9.2 The absences of students who have been exempted from school are not counted as absences for statistical purposes.
 - 4.9.3 The register code 'M' is not to be used for travel within Australia or overseas.
 - 4.10 Year 12 student attendance roll marking.
 - 4.10.1 Year 12 students are considered to be enrolled as a student until they have completed their last HSC exam. (Therefore, the last exam date for each student is the last date of each student's enrolment.)
 - 4.10.2 The register of attendance must be kept for each student until the completion of each student's last HSC exam.

- 4.10.3 During the period when students are on approved study leave – and during the HSC exam period – the attendance register/roll would be marked with ‘attendance code F’: ‘Student participating in flexible timetable not present because they are not required to be at school’.
- 4.10.4 In the case of a student not attending school on the date when required to be present for an HSC exam, then the appropriate attendance register/roll code would be marked to replace ‘code F’ (eg. code S: sickness/medical appointment).
- 4.11 Removing a Student’s Name from the Attendance Register
- 4.11.1 A student’s name must be removed from an attendance register/roll if:
- The student enrolls full time in another school.
 - Advice has been received from parents that the student is enrolled in another registered school, or is registered with the Board of Studies for home schooling/distance education. Principals who are concerned about information provided to them by parents should request the name of the other school or evidence of home schooling/distance education so that a check can be made. The status of the student should not be changed until confirmation of enrolment is received from the enrolling school.
 - The student has been expelled or excluded from the school in accordance with diocesan policy.
 - There is documentary evidence that students, who are still of compulsory schooling age and have successfully completed Year 10, are engaged in full-time study, employment or a combination of both. ‘Full-time’ is defined as an average of 25 hours per week or more.
 - A student has moved out of New South Wales and the school has received an interstate student data transfer note from the student’s new school.
- 4.12 If students have moved out of New South Wales and have not applied for a cross-border enrolment in New South Wales, information should be requested from the parent regarding the interstate residential address, or name of school in which the parent intends to enrol the student so that confirmation of enrolment can be sought.
- 4.13 If a student is of compulsory age, and has been marked as ‘absent’ for a period of three (3) consecutive days of unapproved leave in 10 days or any five (5) days absent of unapproved leave in 10 days or any other pattern observed (such as regular Friday’s away) where the school is open for instruction, and there has been no communication with the school, the school should contact the Catholic Schools Office for advice on further action. Prior to reporting the matter, all appropriate checks should be made with the parents. Principals should consult the separate policy and procedures document, the Management of Student Non Attendance.
- 4.14 If a student is no longer of compulsory school age and has not attended school for more than 15 consecutive school days where the school is open for instruction, for reasons not known to the school, their whereabouts are unknown and the family has not responded to attempts by the school to communicate with them, the school should remove the student from the attendance register/roll and report the matter to the Catholic Schools Office.
- 4.15 If a student’s name has been removed from the attendance register/roll because ‘their whereabouts are unknown’, absences from the last day of attendance at school are not included as absences for statistical purposes. The attendance register/roll should be amended to reflect this.

5. Enrolment and attendance

- 5.1 Students may attend a Diocese of Lismore Catholic systemic school if they are:
- Enrolled at that school or
 - Attending in the short-term.
- 5.2 Requirements and procedures for enrolling students in Diocese of Lismore Catholic systemic schools are located in the Diocesan Enrolment Policy.
- 5.3 Short-term attendance of students.
- 5.3.1 Students may be enrolled in one school only at any given time. However, for a variety of reasons, a student enrolled at a Diocese of Lismore Catholic systemic school may need to attend another school for a short period of time or to study a particular subject.
- 5.3.2 Short-term attendance arrangements should not unduly disrupt programs in the host school. They should not result in any reorganisation of classes or timetables.
- 5.3.3 Prior to agreeing to the short-term attendance of a student, the principal of the host school should gather the necessary information to permit a risk assessment to be conducted. The objective of the assessment should be the maintenance of a safe learning environment for staff and students.

6. Absence guidelines

- 6.1 The principal or an authorised person will undertake all reasonable measures to contact parents promptly concerning an unexplained absence. Contact with the parent may be made either by telephone, email, letter or SMS text message, if a pre-arranged secure address has been provided.

7. Types of absences

- 7.1 Attendance register/roll codes that identifies the list of absences are in Appendix A. Staff are advised to also consult Appendix B Attendance Scenarios and Appendix C Attendance Code Guidelines to assist with accurate recording.

8. Managing applications for extended leave (travel or holiday)

- 8.1 From time to time parents/caregivers may approach the school to seek permission for their child to travel during school term for periods of time. From the beginning of 2015, family holidays and travel are no longer considered under the *Exemption from School Procedures* and therefore as a general rule, principals should not approve leave for this purpose. Parents should be advised of this and if they choose to proceed, the absence should be recorded using the code 'A' (Unjustified Leave) and a *Notification of Extended Leave Form A4* should be completed. Travel outside of vacation period is now counted as an absence for statistical purposes.
- 8.2 In exceptional circumstances parents may complete a *Form A1 Application for Extended Leave – Travel* for consideration explaining why an absence for extended leave is in the best educational interest of the student. The principal may decline or accept this application. If accepted a *Form A2 Application for Leave Approved* is issued by the delegated officer and the code 'L' is used.
- 8.3 Travel is considered to be domestic or international travel for the purpose of a family holiday, family business, bereavement or other reasons.
- 8.4 A *Certificate of Extended Leave -Travel* should not be issued where the principal is aware that the student has been the subject of a child protection report made to Family and Community Services and for whom unresolved issues concerning a risk of harm remain.
- 8.5 Principals should consult with parents about the intention of the travel and in the case of family holidays, encourage parents to take holidays with their child during school vacation periods.

- 8.6 Principals should ensure that parents/caregivers understand any implications on student academic progress as a result of the extended leave.
- 8.7 Principals should also ensure that parents/caregivers understand any implications on their child's academic year/class placement on their return from the extended leave.
- 8.8 Part 2, 4(b) of the [NSW Education Act \(1990\)](#) states that the education of a child is primarily the responsibility of the child's parents. Therefore, it should not be an expectation of parents/caregivers that the school provide work for the student during the time of the extended leave.
- 8.9 Where the permission sought is for less than 10 days, and the principal accepts the reason provided for the absence, the principal can record the code 'L' in the attendance register/roll.
- 8.10 Where the Principal issues a *Form A2 Application for Extended Leave (Travel)* special conditions may be associated with the certificate.
- 8.11 Examples of special conditions for lengthy leave may include (but not limited to): completion of set tasks, loss of marks due to missed assessments, alternative assessments, assessment of the student to ascertain which grade to return to etc. These should be discussed with the parent prior to issuing the certificate.
- 8.12 Principals should request copies of travel documentation, such as itinerary or e-ticket and ensure this is attached to the application.
- 8.13 Principals should ensure that parents are assisted with the completion of the application and provide a translation service if required.
- 8.14 Where the travel period exceeds one school term, the principal should contact his/her education consultant to discuss the particular circumstance and the resultant outcome.
- 8.15 When travel period exceeds one school term access to distance education or enrolment in another school must be considered (discuss with the CSO education consultant).
- 8.16 Principals may decline to accept a parent's *Application for Extended Leave - Travel*. In this case the parent must be advised in writing. Refer to *Form A3 – Declining an Application for a Certificate of Extended Leave – Travel*.
- 8.17 If a student or students do not return on the date specified, the principal must ensure the parents are contacted to establish the whereabouts of the student/s. If contact is not established, then the principal should contact attendance@det.nsw.edu.au using *Form D3 Enrolment Status of Student Unknown* in consultation with the designated CSO officer and record the absence as 'unjustified' (attendance register/roll code 'A') from the due date of return.
- 8.18 On accepting a parent's application, a *Form A2 Certificate of Extended Leave - Travel* must be issued. The original certificate will be provided to the parent and a copy of the certificate placed in each student's record.
- 8.19 An application for extended leave form, certificate of extended leave and example letter for declining an application are available in the appendices of this document and on the CSO intranet.

9. Non-acceptance of explanation for an absence

- 9.1 Principals may decline to accept as satisfactory an explanation for an absence. The parent should be advised in writing that the explanation has not been accepted and a reason for the decision provided and record the absence as unjustified code 'A'.
- 9.2 Frequent absences due to illness
 - 9.2.1 Where frequent absences are explained as being due to illness consultation with parents must occur regarding the health care needs of the child.

- 9.2.2 Principals may request medical certificates or other documentation when absences explained as being due to sickness are frequent or prolonged. Medical certificates are not sacrosanct documents. Where principals have concerns about medical certificates being produced for absences, they can ask the parent to request that the doctor write on the certificate the statement 'this child is unfit for school' with specified dates included.
- 9.2.3 Where principals have ongoing concerns, they can request the parents' consent to contact the doctor. If the request is denied, or if the principal is still not satisfied with the reason for absence, they can record the absence as 'unjustified' (attendance register/roll code 'A').

10. Common leave pass

- 10.1 Diocese of Lismore Catholic systemic schools must implement a leave pass system for students who wish to leave school premises during normal school hours. The procedures for granting a leave pass to students are to be managed by the school.

11. Students attending lessons/training outside school during school hours

- 11.1 Involvement in private lessons, such as ballet and music classes, sports training (excepting Elite sports) conducted outside the school during school hours may not be conducive to the effective operation of the school or to the education of the student concerned. Students' involvement in extra-curricular activities should usually be limited to outside school hours.
- 11.2 Where attendance at a private lesson during school hours is of exceptional importance such as sitting examinations, principals may use their discretion in justifying the absence. This provision must not be used on a regular basis. The code to be used is 'L'.
- 11.3 If parents withdraw their children from school for private lessons or training, an unjustified absence should be recorded and dealt with in the usual manner.
- 11.4 This section of the document does not apply to Higher School Certificate courses conducted outside school or participation in work placement or TAFE based courses.

12. Students whose whereabouts are unknown

- 12.1 Some students may not be attending school because they may have moved or enrolled elsewhere, and their parents have not notified the school. In some cases, the student may not have enrolled in another school.
- 12.2 Prior to the student's name being removed from the attendance register/roll a number of actions need to be confirmed by the principal and up until this point the student should be marked absent.
- 12.3 Where the family or student is missing (or their destination is unknown) and there are concerns for their safety, welfare or wellbeing, discuss with the education consultant and if need be report the matter to the local police.
- 12.4 The education consultant or designated CSO Officer will assist you and if need be lodge a notification with the relevant DEC personnel using *Form D3 Enrolment Status of Student Unknown*.

13. Supporting the regular attendance of students at school

- 13.1 Parents are responsible for the regular attendance of students at school. Principals and school staff, in consultation with students and their parents, will usually be able to resolve problems of non-attendance. While parents should be reminded of their legal obligations under the [NSW Education Act \(1990\)](#) the welfare of the student must be the focus of this consultation.

13.2 The most effective means of restoring and maintaining regular school attendance includes sound attendance monitoring practices and regular follow-up of unexplained absences by contacting parents promptly. Early telephone contact with parents is one means of achieving this.

13.3 A child is considered to have an unsatisfactory school attendance when they have:

- Regular absences without explanation (despite follow-up from the school).
- Regular absences and explanations provided by parents which are not accepted by the principal.
- An extended period of absence without an explanation or the explanation is not accepted by the principal. An extended period of absence is considered as three consecutive days of unapproved leave or any five days of unapproved leave in 10 days or any other pattern observed (such as regular Friday's away).

13.4 Resolution of attendance difficulties may require more targeted school based strategies including:

- Meeting with the student and parents.
- Referral to the school's learning and support team to identify and implement strategies that address the learning and support needs for the student.
- Development of a school-based Attendance Improvement Plan with the student and parents.
- Engaging identified groups of students in programs that support regular attendance and punctuality.
- Referral to the school counsellor.
- Requesting and sharing information and working collaboratively with other government or non-government agencies.
- Use of interpreters and translated materials.
- Seeking advice about culturally appropriate responses from relevant services and working collaboratively with them.

Please refer to the Student Non-attendance Standard Operating Procedures.

13.5 The school should identify if other agencies are involved with the family and liaise with them when a student's attendance is of concern and where it is determined that the issues impacting on attendance are outside of the role of the school to address in isolation. The school may have a role in working collaboratively with the services to engage the family. Family case discussions should be attended by school representatives if the issues relate to students whose attendance is a concern. Meetings and interviews at the school may also involve representatives from support agencies. They may be initiated by school, other agency or departmental staff. After consultation with families, schools may also refer them to other services.

13.6 If a range of school based interventions has been unsuccessful in resolving attendance difficulties, the principal can request support from the Catholic Schools Office.

13.7 Legislative amendments effective in January 2010 increased the range of options available to deal with unsatisfactory attendance and non-enrolment at school.

- A. Compulsory Schooling Conferences (called a Secretary's Conference, in reference to the secretary of the Department of Education, not the school secretary) are conferences arranged by the Catholic Schools Office and attended by representatives of the school, the family and the student, if the student is over 12 years of

age. These conferences are chaired by a trained officer from the CSO and are held away from the school in a suitable venue. Full procedures are identified in the separate policy on the Management of Non-Attendance.

Apart from a Compulsory Schooling Conference the matter may be taken directly to the Local Court (particularly if there is a Risk of Harm to the student situation) or the Children’s Court. In these cases, the matter is handled by the Catholic Education Commission.

14. Role of the police

- 14.1 Police officers are authorised to act as attendance officers under Section 122 of the [NSW Education Act \(1990\)](#).
- 14.2 During school hours, an authorised person or police officer may approach a student who is apparently of compulsory school age, and who is apparently not in attendance at school. They may request the student’s name and home address and the name and address of his/her school. They may approach a student who is accompanied by an adult.
- 14.3 A police officer or authorised person, in the company of a police officer may accompany the student to his or her home, or to the school, to verify the information provided.
- 14.4 Under this authorisation, police have no power of arrest, detention or physical restraint.
- 14.5 Police and Department of Education personnel conduct regular Joint Anti-Truancy initiatives (JATS) targeting truancy.

15. Definitions

Compulsory school age	See Section 21B of the NSW Education Act (1990)
Explained/justified absence	A parent has provided an explanation of the student’s absence which has been accepted by the principal.
Explained/unjustified absence	A parent has provided an explanation of the student’s absence which has not been accepted by the principal.
Parent	Includes a carer or other person having the care or custody of a child or young person.
Parent condoned absence	When a parent or carer causes a student to be absent from school without acceptable reason.
Truancy	The absence of a student from school without the knowledge or permission of their parent or carer.
Unexplained absence	A student absence where a parent provides no reason for a student’s non-attendance.

Section A Forms are available at [CSO Intranet / Accountabilities / Student Attendance](#)

Form A1	Application for Extended Leave – Travel
Form A2	Application for Extended Leave – Travel Approved
Form A3	Declining an Application for a Certificate of Extended Leave – Travel
Form A4	Notification Extended Leave Travel

Appendix A Attendance Register/Roll Codes

Only the following attendance register/roll codes must be used to record the:

- Explanation of student absence and/or
- Variation in student attendance.

Symbols to be used where students are absent from school	
<i>Symbol</i>	<i>Meaning</i>
a	The student was absent on that day.
Pa	The student was late or was absent for part of a day. The time of arrival or departure must be recorded.
Attendance Register/Roll Codes: symbols to be used for explanation of student absence	
<i>Symbol</i>	<i>Meaning</i>
A	The student's absence is unexplained or unjustified. This symbol must be used if no explanation has been provided by parents within seven days of the occurrence of an absence or the explanation is not accepted by the principal. It is at the principal's discretion to accept or not accept the explanation provided.
B	The student is absent from the school on official school business. This symbol is recorded where the principal approves the student leaving the school site to undertake: <ul style="list-style-type: none"> - work experience - school sport (regional and state carnivals) - school excursions - student exchange.
E	The student was suspended from school.
F	The student is participating in a flexible timetable and not present because they are not required to be at school. This could include participation in: <ul style="list-style-type: none"> - HSC Pathways Program - Best Start Assessments - Trial or HSC examinations - VET courses.
H ^{1 2}	The student is enrolled in a school and is required or approved to be attending an alternative educational setting on a sessional or full time basis. The symbol is recorded where a student accesses education settings separate to their mainstream school such as: <ul style="list-style-type: none"> - tutorial centre and programs - behaviour schools (CSO approved) - juvenile justice - hospital schools - distance education.
L	An explanation of the absence is provided which has been accepted

¹ Note: In most cases this code will only be used by Department of Education and Communities schools, with the exception of students from non-government schools attending hospital schools.

² Note: For Catholic Schools use 'F' not 'H' for students attending external tutorial centres and programs that are school authorised.

	<p>by the principal. This may be due to:</p> <ul style="list-style-type: none"> - misadventure or unforeseen event - participation in special events not related to the school - domestic necessity such as serious illness of an immediate family member - attendance at funerals - travel in Australia and overseas - recognised religious festivals or ceremonial occasions.
M	The student was exempted from attending school and a Certificate of Exemption has been issued by a delegated officer.
S	<p>The student's absence is due to sickness or as the result of a medical or paramedical appointment. In these cases:</p> <ul style="list-style-type: none"> - a medical certificate is provided or - the absence was due to sickness and the principal accepts this explanation. <p>Principals may request a medical certificate in addition to explanations if the explanation is doubted, or the student has a history of unsatisfactory attendance.</p>

Appendix B Attendance Scenarios

Like any set of rules, there are some attendance situations that do not fit neatly into one box. Therefore, in an attempt to make it clearer the following scenarios may assist. If you have any questions, please refer them to your education consultant or the designated CSO officer. Some cases may need further review.

<i>Scenario</i>	<i>CSO Recommendation</i>
Maximum length of leave (no longer prescribed)	Generally, when travel/leave period exceeds 10 weeks' access to distance education or enrolment in another school must be considered. Therefore enrolment at the current school would cease.
Student exposed to a communicable disease (eg. German measles), but is either not vaccinated or not showing symptoms and/or Teacher is pregnant and/or unvaccinated students/teacher are in the class	<p>The parent is not required to apply for an exemption in cases of the child being prevented from attending school because of a direction under section 42D of the NSW Public Health Act 1991. The principal may grant a <i>Certificate of Exemption</i> for the period determined by the medical officer of health.</p> <p>Principal to inform the education consultant.</p> <p>Code M.</p> <p>Notifiable diseases.</p>
Student requested to not attend school due to ongoing behavioural issues that need further investigation by health professionals	<p>E code (suspended) to be used until further investigation is complete and a behaviour improvement plan has been discussed with parents. If part of the plan includes partial absence a Form B12 should be completed.</p> <p>Education consultant and regional additional needs officer must be informed.</p> <p>Code Pa/M is to be used for the duration of the program on those days the student only attends part-day. Students may be granted part day exemptions for periods of time not exceeding the equivalent number of full school days.</p> <p>Code Pa/M or H is used on the days when the student is attending a CSO approved centre. The centre should send the home school special circumstances register once a week.</p>
Student does not attend school due to ongoing health issues/treatment	Pa/S or S code used unless an <i>Application for Part Day Exemption short term alternative Educational program</i> (Form B12) is completed.

	<p>For part day exemption due to the requirements of a health care plan', the principal should seek the parents' consent to obtain information from health professionals responsible for the health care of the child.</p> <p>Education consultant and regional additional needs officer must be informed.</p>
Elite sport	<p>Accredited elite sports programs include national and international sports organisations which run camps for athletes and national sports squads in which students have been selected to participate. They also include talent identification programs run by New South Wales, including competition.</p> <p>For students participating in elite arts or elite sporting programs who are required to attend regular activities/training during school time. <i>An Application for Exemption from Attendance/Enrolment at School</i> (see Forms B4, B5 and B6) must be completed and submitted to the principal for approval prior to commencing the program.</p> <p>Exemption from school attendance for students participating in elite arts or elite sporting events up to 100 days in a 12-month period for any one student.</p> <p>Where programs run for more than five school days, applicants should be provided with an educational program under this section.</p> <p>Code M or Pa/M</p>
Elite arts	<p>Elite arts is defined as an opportunity for a student to participate in an event or program that is beyond the gifted and talented opportunities that CSO offers. Where a principal is unsure if a program meets the definition they should contact their education consultant.</p> <p>Exemption from school attendance for students participating in elite arts or elite sporting events up to 100 days in a 12-month period for any one student.</p> <p>For students participating in elite arts or elite sporting programs who are required to attend regular activities/training during school time an <i>Application for Exemption</i></p>

	<p><i>from Attendance/Enrolment at School (see Forms B4, B5 and B6) must be completed and submitted to the principal for approval prior to commencing the program.</i></p> <p>Code M or Pa/M</p>
<p>Student is visiting from another school and attends some days or classes</p>	<p>Student is accepted as a visitor and signs in and out using the normal visitor's register.</p>

Appendix C

Attendance Code Guidance

Attendance Code Guidance v10		
A E L S Absence included in absence return	B F H M Absence not included in absence return	
All exemption from attendance forms (B1) and certificate of exemption forms (B6) for 100 days or less are to be kept at the school filed in a separate file and copied into the student's file. B1 forms and B6 forms must match.		
A request for exemption from attendance is to be made well in advance of the actual event. Parents must be informed of this requirement at regular intervals. As a general rule at least a term's notice should be requested. It is possible parents may request an exemption from attendance at short notice. Good communication of these guidelines will hopefully eliminate this practice. The other alternative in misadventure, unforeseen events, domestic necessity or special events not related to school is the L code.		
Common Situations The student is:	Code	Explanation of the Code
1. Sick for a day or two and returns to school with a note.	S a	Note filed according to school procedures.
2. Sick for a day or two and returns with no note or explanation after seven days.	A a	Teacher requests note from parent. Record of requests kept.
3. Has been at a special family event for one day.	L a	Note required from parent. Principal can approve leave for the day. Can be approved post event if the absence was unforeseen.
4. Parent is seeking Friday and Monday off for a pressing engagement.	L a	Principal has discretion here. If it is purely for recreation it could be viewed as A (unjustified). If the situation is really a domestic necessity the L code could be used.
5. Away for half a day because the family car broke down that morning.	L Pa	Note made in electronic attendance register/roll. Parent can give a verbal explanation which is then recorded by the teacher. L= unforeseen event, no form to complete.
6. Regularly late to school with no reason offered by the parent.	A Pa	Absence unjustified. Continued contact with the family. Letters and possible responses kept on file. Date and times noted in notes section of the attendance register/roll.
7. Away with a diocesan sporting team.	B a	Student not in class or the school. Details noted in notes section of the attendance register/roll.
8. Away at a funeral with family members.	L a	Note required to principal who has discretion to approve leave for the day.
9. Riding horses at a local gymkhana event. The student is quite talented and competes at a high level.	L a	Not a school sanctioned event however the principal approves leave following satisfactory explanation. If this is a 'special' event leave is possible.
10. Infected and must stay at home for a period of time.	S a	Parent has kept school informed. Medical certificate provided. All records filed.
11. Has been at a family event for a week.	? a	You will need more information to make a judgement. If this is purely recreational then it might be regarded as A (unjustified

		absence), if it is domestic necessity it is L. An M might be justified in certain circumstances (and then require a B1 and B6 certificate).
12. Attending music lessons from 2-3pm outside of the school.	A Pa	This should mostly be regarded as A (unjustified) particularly in primary schools. If the music is closely associated with school subjects at a high level (such as HSC music) and of exceptional importance leave may be granted (L).
13. Truantiing out of school, returns to school in the afternoon.	A Pa	Use Pa A (partial absence, unjustified) if the truancy is out of school. If it is 'in school' truancy, there is no code applied but a comment should appear in the notes section of the attendance register/roll.
14. Away from school on a family holiday for less than a school term.	aA or very rarely aL	As a general rule family holidays are not approved leave. In exceptional circumstances a parent may apply for extended leave if they believe it is in the best educational interest of their child using <i>Form A1 Application for Extended Leave – Travel</i> . The principal may approve or decline to approve this leave and would issue a <i>Form A2 Application for Leave Approved</i> or a <i>Form A3 Declining an Application for a Certificate of Extended Leave- Travel</i> . At least a term's notice must be given.
15. Away for over 101 days on a family holiday.	aA or very rarely aL	As a general rule family holidays are not approved leave. In exceptional circumstances a parent may apply for extended leave if they believe it is in the best educational interest of their child using Form A1. The CSO Designated Officer forwards this to the minister who would if appropriate issue a B6 Certificate of Exemption from Attendance at School. At least a term's notice must be given.
16. Suspended from school by the principal (out of school).	E a	Absent and not in school.
17. Suspended from school by the principal (in school suspension).		The attendance register/roll for 'In school' suspensions is not marked because the student is present for the day however a notation regarding suspension should be made in the notes section.
18. Attending work experience.	B a	
19. Attending work placement.	F a	
20. Attending a TAFE course for a full or part day.	F Pa	Or a F if it is a full day at TAFE.
21. On the job with their apprenticeship for the day.	F a	
22. Attending a specialist behaviour school for a period	H a	

	of time.		
23.	Away competing/taking part in an outside school activity.	B a	The B code is used for students away on official school business. Detailed comments in the notes section of the attendance register/roll.
24.	Student is in shared custody, enrolled in schools in different towns, term about (multiple enrolment).		Highly unusual situation. Enrolment period recorded and make a comment in the notes section.
25.	Student has a broken leg/illness and finds coming to school all day too tiring.	S Pa	Note from parent required with some indication of the timeline.
26.	Takes a day off to work in parent's business.	A a	Not to be encouraged or supported.
27.	Takes a day off to work in casual job.	A a	Not to be encouraged or supported.
28.	Student disruptive, student not re-enrolling, going to TAFE or employment.		Ensure the destination workplace or TAFE is known and recorded. Parent and school must complete a notice of intention to undertake full time work or training if the student is going to TAFE or employment. See CSO website – Form B8, B11, B13 or C3.
29.	Job falls over three months before student turns 17.		If the arrangement ceases or falls below an average of 25 hours per week the student does not have to return to school as long as the interruption does not exceed three months in a 12 month period.
30.	Student doesn't return for Year 11 and is under 17.	A a	School must make and document all efforts to contact the parents. If the parents refuse to cooperate contact the CSO for further advice. The DEC should be contacted using Form D3.
31.	Parent informs the school and says that they have spoken to TAFE teacher and will start TAFE next year, not coming back for Year 11.		Note made in the electronic attendance register/roll. Seek advice from TAFE to confirm the enrolment. Keep a record.
32.	Parent and student wanting to leave Term 4, Year 10, has a part time job with McDonalds and enrolling in a pre-apprenticeship course beginning next year.		Must remain at school until the end of Year 10.
33.	Student wants to leave with a P/T casual job at McDonald's for 25 hours a week at the end of Year 10. Principal would need to make a judgement as to the longer term benefit of this P/T job to the career prospects of the student.		Parent and school must complete a notice of intention to undertake full time work or training if the student is going to TAFE or employment. See CSO website – Form B8 B11 or B13.
34.	Parent says the student has		Confirm age of student, until they reach 17

an apprenticeship and wants to leave school.		they must be either in school or in a combination of school and employment or training.
35. Students in Years 10-12 not at school during exam periods.	F	Roll block marked as exam period for the appropriate time. Parents informed on the regulations around attendance. Do not mark students absent in this period unless they fail to turn up for an exam. Make appropriate comment in the notes section of the attendance register/roll.
36. Students in attendance even though parents were informed through the media that the school was closed due to a local flood.	Roll not marked as school closed	Special circumstance register set up according to school procedure. See school policy document.
Less Common Situations The student is:	Code	Explanation of the Code
37. A student participating in an accredited overseas exchange program.	B	Students participating in accredited overseas exchange programs for periods up to 12 months are to remain on the school attendance register/roll. They are not to be marked absent. A note is attached to the attendance register/roll regarding the place and duration of the exchange. For statistical purposes students are considered to be present.
38. A student participating in an overseas exchange program.	M a	If the program is not accredited the student will be marked absent 'a' and the parent will be required to complete a B1. A B6 will be issued by the Minister if this is a lengthy exchange.
39. Truancing and returns to school with the parent later in the day.	A Pa	Ensure a letter from the parent is placed on the file.
40. Involved in a significant entertainment production and is away from school for several weeks.	M a	Must complete B1 and receive a certificate of exemption from attendance from the principal if less than 100 days.
41. Additional needs and attending medical appointments on a Tuesday regularly, part day only.	S Pa	
42. Additional needs student who is seeking part time school for a period of transition before moving to full time enrolment.	M Pa	Partial attendance for maybe half a day and half a day exemption from attendance using the B1 Form and receiving a certificate of exemption for a defined period. Only issued under strict time conditions and after all other options have been considered.
43. Seeking to participate in a local surfing competition for three days.	L a	Principal discretion required here. Might well be regarded as A (unjustified) however if at a high level it could be considered leave under a 'special event'.
44. Away from school in hospital receiving treatment for a	H a	

	serious illness, attending school in the hospital.		
45.	Six years of age and not enrolled in school and the situation is known to the principal.		Principal must act in these cases. If the family is known to the school make immediate contact with parents and point out the legal issues here. Contact the CSO for further advice.
46.	Attending a special behavioural school for a period of time. This might be sessional or temporary full time.	H a	Note made in the notes section of the attendance register/roll.
47.	Away for the year on an overseas exchange program with Rotary.	B	A note is to be added attached to the attendance register/roll regarding the place and duration of the exchange. For statistical purposes, students on overseas exchange are regarded as present. Not to be marked absent.
48.	Student of compulsory school age and away from school with no explanation for 10 days or more.	A a	The school should contact the Catholic Schools Office for advice on further action. Prior to reporting the matter, all appropriate checks should be made.
49.	Student no longer of compulsory school age and away from school for 15 consecutive days with no explanation from the parents and no knowledge of the reason for the absence by the school.	A a	If a student is no longer of compulsory school age and has not attended school for more than 15 consecutive school days where the school is open for instruction, for reasons not known to the school, their whereabouts are unknown and the family has not responded to attempts by the school to communicate with them, the school should remove the student from the attendance register/roll and report the matter to the Catholic Schools Office.
50.	Student involved in national under age water polo team selection wants 1-100 days away to attend special training camp.	M a	Principal approves and issues the B6 for 100 days or under. Code M recorded.
51.	School phobia/refusal. Difficult circumstance. You will require a doctor's certificate or correspondence from psychologist.	S a	Sick. Keep a close watch on the number of days and maintain regular contact with the family.
52.	A Year 6 student's involvement in a Year 7 Transition Program at a High School.	B a	

B. Exemptions from Attendance and Exemptions from Enrolment

16. Exemptions from attendance at school

16.1 Introduction.

- 16.1.1 This section applies to students of compulsory school age who are enrolled at school where an exemption is sought from the legal requirement to attend school.
- 16.1.2 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.
- 16.1.3 It is the duty of the state to ensure that every child receives an education of the highest quality and it is the duty of parents to comply with the compulsory education requirements of the [NSW Education Act \(1990\)](#).
- 16.1.4 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 best interests and be more appropriate to access distance education.
- 16.1.5 Generally, certificates of exemption should not be approved where the student has been the subject of a community services (Family and Community Services) report and for whom unresolved issues concerning a risk of harm remain. Prior to granting a certificate of exemption a risk assessment should be completed to identify and manage the risks.
- 16.1.6 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 designated Catholic Schools Office personnel should be consulted.
- 16.1.7 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.
- 16.1.8 Exemptions from school attendance cannot be granted retrospectively under these guidelines.
- 16.1.9 In these guidelines, the term 'parent' or 'parents' includes any person or persons having the custody or care of the child.

16.2 Authority to grant exemptions.

16.2.1 Under Section 25 of the [NSW Education Act \(1990\)](#), the minister may grant a certificate of exemption. This power is delegated, subject to these guidelines, to:

- The Director of Catholic Schools in relation to granting of an exemption from school attendance totalling up to 100 days in a 12 month period.
- 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.
Delegates cannot delegate this power.

<i>Powers: Exemption from Attendance at School</i>	<i>Delegates</i>
Exemption from school attendance for students engaged in employment in approved entertainment industry activities up to 100 days in a 12 month period for any one student.	Principal <i>Note: In large scale productions or for long term commitments to such a production the application should be referred to the Assistant Director, Education Services.</i>
Exemption from school attendance for students participating in elite arts or elite sporting events up to 100 days in a 12 month period for any one student.	Principal
Exemption from school attendance totalling up to 100 days in a 12 month period for any one student.	Principal
Exemption from school attendance totalling 100 days or more in a 12 month period for anyone student.	Education Minister <i>Note: The power to exempt students in Catholic systemic schools for periods totalling 100 days or more in a 12-month period currently remains with the minister. Applications should be forwarded through the CSO designated officer to the Catholic Education Commission, NSW.</i>
For periods exceeding the delegate's authority the application should be referred to the next most senior delegate.	
Exemption from enrolment – age.	Assistant Director, Education Services via designated CSO officer
Exemption from enrolment - health, learning or social needs or disability.	
Exemption from enrolment - completion of education under special circumstances.	Secondary principal

- 16.3 General principles.
- 16.3.1 Procedural fairness must be accorded to an applicant. If the delegate is considering refusing granting an exemption, the parent should be given an opportunity to respond to the delegates concerns before a final decision is made. This opportunity should be offered to the parent in writing.
- 16.3.2 If an applicant wishes to appeal against a decision made by a delegate, the appeal would go to the next more senior delegate (education consultant).
- 16.3.3 For most exemptions parents make an application by completing an application for exemption from attendance. This must be made in writing and in advance (Appendix B1). Parents can seek assistance from the principal or delegate when completing an application for exemption from attendance.
- 16.3.4 The parent is not required to apply for an exemption in cases of the child being prevented from attending school because of a direction under Section 42D of the [NSW Public Health Act 1991](#). The principal may grant a certificate of exemption for the period determined by the medical officer of health.
- 16.3.5 A delegate can refer the granting of an exemption to a more senior delegate where they identify circumstances that may make this more appropriate.
- 16.3.6 If there is any case where there are circumstances that may not be considered by these procedures and an exemption appears to be in the best interest of the child, the case should be referred to the education consultant who may seek further advice from the Assistant Director, Education Services. The education consultant should discuss the case with the designated CSO officer prior to an exemption being granted.
- 16.3.7 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 (eg. passed end date).
- 16.3.8 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.
- 16.4 Reasons for granting full/part day exemptions from attendance at school. Principals and the Director of Catholic Schools may grant exemptions due to:
- 16.4.1 Exceptional domestic circumstances, subject to being satisfied that this is in the best educational interests of the child (excluding holidays/travel: see Section 8).
- Note: Students travelling during school terms are not to be exempt. If the principal accepts the reason then leave is granted and the 'L' code should be used, consistent with the implementation of national standards for student attendance data and attendance register/roll.*
- 16.4.2 Other exceptional circumstances such as health of the student where sick leave or alternative enrolment is not appropriate.
- 16.4.3 The child being prevented from attending school because of a direction under section 42D of the [NSW Public Health Act 1991](#). The principal may grant a certificate of exemption for the period determined by the medical officer of health (the parent is not required to complete an application for exemption).
- 16.4.4 From time to time students of compulsory school age may participate in school-based individual student programs which include programs that incorporate behaviour management plans to re-engage students with education.

- 16.4.5 Students of compulsory school age participating in such programs may be granted full or part day exemptions for periods of time not exceeding the equivalent number of full school days provided for within the delegate's power i.e. up to 100 days. Close monitoring of exemption periods is necessary so that the approval period is not exceeded.
- 16.4.6 Students participating in school based programs including behaviour management transition plans. An application for part day exemption should be completed (Form B12).
- 16.4.7 Participation in such school programs must be approved by the additional needs consultant. Principals should submit the transition plan to restore the child to full-time attendance to the additional needs consultant for recommendation. The additional needs consultant will forward the recommendation to the education consultant and will provide a copy to the designated CSO Officer.
- 16.4.8 Employment in the entertainment industry.
- 16.4.9 Participation in elite arts or sporting events for short periods of time i.e. for one or two days, and at short notice. For students participating in elite arts or elite sporting programs who are required to attend regular activities/training during school time an application for exemption from attendance/enrolment at school (Forms B4 and B5) must be completed and submitted to the principal for approval prior to commencing the program. Principal issues Certificate for Exemption from Attendance (Form B6).
- 16.4.10 Employment in the entertainment industry or participation in elite sporting events for longer periods of time i.e. longer periods where a tutor is provided.
- 16.4.11 The attendance register/roll must indicate full day exemptions with the code M. The attendance register/roll must indicate part day exemptions with the code Pa/M.
- 16.4.12 There are very few circumstances that would warrant an exemption.

For any other matter, the principal must consult the designated CSO officer.

<p>Student exposed to a communicable disease (eg. German measles), but is either not vaccinated or not showing symptoms and/or teacher is pregnant and/or unvaccinated students/teacher are in the class</p>	<p>The parent is not required to apply for an exemption in cases of the child being prevented from attending school because of a direction under section 42D of the NSW Public Health Act 1991. The principal may grant a certificate of exemption for the period determined by the medical officer of health. Principal to inform the education consultant. Code M. Notifiable diseases should be included in the notes section.</p>
<p>Elite sport</p>	<p>Accredited elite sports programs include national and international sports organisations which run camps for athletes and national sports squads in which students have been selected to participate.</p>

	<p>They also include talent identification programs run by New South Wales. Include competition.</p> <p>For students participating in elite sporting programs who are required to attend regular activities/training during school time an application for exemption from attendance (Forms B4, B5 and B6) must be completed and submitted to the principal for approval prior to commencing the program.</p> <p>Exemption from school attendance for students participating in elite sporting events up to 100 days in a 12 month period for any one student. Where programs run for more than five school days, applicants should be provided with an educational program under this section.</p> <p>Code M or Pa/M</p>
Elite arts	<p>Elite arts is defined as an opportunity for a student to participate in an event or program that is beyond the gifted and talented opportunities that the CSO offers. Where a principal is unsure if a program meets the definition they should contact the education consultant.</p> <p>Exemption from school attendance for students participating in elite arts events up to 100 days in a 12-month period for any one student.</p> <p>For students participating in elite arts programs who are required to attend regular activities/training during school time an application for exemption from attendance (Forms B4, B5 and B6) at school must be completed and submitted to the principal for approval prior to commencing the program.</p> <p>Code M or Pa/M</p>

17. Exemption from enrolment at school

17.1 General principles.

- 17.1.1 This section applies to children of compulsory school age where an exemption is sought from the legal requirement to enrol at and attend school.
- 17.1.2 It is the duty of the state to ensure that every child receives an education of the highest quality and it is the duty of parents to comply with the compulsory education requirements of the [NSW Education Act \(1990\)](#).
- 17.1.3 In the case of parents 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.
- 17.1.4 Applications for exemption from enrolment at school must be made in writing. In exceptional circumstances, an oral request can be made to the school principal, seeking assistance on completing an application for exemption from school enrolment.
- 17.1.5 Procedural fairness will be accorded to an applicant for an exemption. If the delegate is considering refusing to grant an exemption, the parent/caregiver 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/caregiver in writing.
- 17.1.6 Under Section 25 of the [NSW Education Act \(1990\)](#), the minister may grant a certificate of exemption from enrolment at school. This power is delegated, subject to these guidelines, to the Director of Catholic Schools, in relation to granting of an exemption from enrolment at school totalling up to 100 days in a 12-month period. The power to exempt students in Catholic systemic schools for periods of 100 days or more in a 12-month period currently remains with the minister. Applications should be forwarded through the diocesan office to the Catholic Education Commission, NSW.
- 17.1.7 The Director-General of the NSW Department of Education and Communities is delegated the power to exercise all the minister's powers under Section 25 without limitation.
- 17.1.8 Exemption from enrolment 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.
- 17.1.9 If there is any case, where there are circumstances that may not be considered by these guidelines and an exemption appears to be in the best interests of the child, the case should be referred to the Director-General for consideration. This may be done through the Catholic Schools Office.

17.2 Reasons for granting exemptions from enrolment at school. The Director of Catholic Schools may grant such exemptions (for up to 100 days in a 12-month period) due to:

- 17.2.1 age, where a child turns six years on or after 1 October and is engaged in:
 - Full time preschool education at an accredited preschool for the remainder of that school year.
 - Participation in 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.

Note: The delegate will require proof of enrolment or participation in the preschool and the child should be involved in a transition to school program as a condition of their exemption.

- 17.2.2 The health 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.
- Where children are expected to enrol in Kindergarten following the period of exemption from enrolment, they may be involved in a transition-to-school program as a condition of their exemption.

Note: The delegate will require a statement in support of the exemption from the child's medical specialist and the child should be involved in a transition-to-school program as a condition of their exemption.

- 17.2.3 Under section 21B of the [NSW Education Act \(1990\)](#), secondary principals and the Director of Catholic Schools 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.

- 17.2.4 before they have completed Year 10. See section C the completion of education in special circumstances for further information. Such exemptions will only be granted to a student where the:

- Principal considers that, in all the circumstances, the student is a suitable candidate to complete his or her education through an apprenticeship or traineeship.
- Student's parents give permission for this to occur.
- Principal has sighted a full time apprenticeship or traineeship contract signed by the employer and a summary training plan authorised by the Registered Training Organisation.
- Employer agrees to notify the Diocesan Catholic Schools Office (through the principal) if the apprenticeship or traineeship is abandoned before the student turns 17. If the student does not complete the apprenticeship or traineeship, he or she will not have completed Year 10 and will be legally required to do so under another pathway of the Act (for example by returning to school or seeking enrolment in TAFE NSW).
- The apprenticeship or traineeship is subsequently approved by the Commissioner for Vocational Training, State Training Services as suitable for the young person and the training contract attains 'registered' status following the probationary period (where approval is granted by the principal and the commissioner subsequently notifies the student of his or her decision not to approve the contract following the probationary period, the approval and the exemption from compulsory schooling cease from that point to operate, and the student's parents must take steps to comply with their compulsory schooling obligations).

- 17.2.5 Refer to Form B9 - *Checklist for Approval of a Student to Complete Year 10 of Secondary Education by Undertaking a Full-time Apprenticeship or Traineeship*.

17.3 Conditions Attached to Exemptions from Enrolment at School

- 17.3.1 Certificates of exemption from enrolment must:

- Include any specific conditions that apply to the exemption.
- State that the exemption may be cancelled if any such conditions are not met.

- Specify a period for which the exemption had been granted.
- 17.3.2 Examples of conditions for lengthy exemptions may include (but not limited to) completion of set tasks, loss of marks due to missed assessments, alternative assessments, assessment of the student to ascertain which grade to return to etc.
- 17.3.3 The original certificate of exemption will be provided to the parents. A copy of the certificate of exemption must be attached to the student's record. The delegate should retain a copy of the signed certificate of exemption in the delegate's official records.

Section B Forms are available at [CSO Intranet / Accountabilities / Student Attendance](#)

Form B1	Application for Exemption from Attendance at School
Form B2	Exemption from Attendance at School for Employment in the Entertainment Industry – Information
Form B3	Application for Exemption from Attendance at School for Employment in the Entertainment Industry - More than 10 school days in a 12 month period
Form B4	Exemption from Attendance at School for Participation in Accredited Elite Sports/Arts Programs - Information
Form B5	Application for Exemption from Attendance at School for participating in Accredited Elite Sports/Elite Arts Programs (for more than 10 school days in a 12 month period)
Form B6	Certificate for Exemption from Attendance at School under Section 25 of the Education Act 1990
Form B7	Application for Exemption from Enrolment at School for reasons other than completion of a full-time apprenticeship or traineeship commencing in Year 10
Form B8	Certificate for Exemption from Enrolment at School under Section 25 of the Education Act 1990
Form B9	Checklist for Approval of a Student to Complete Year 10 of a Secondary Education (by undertaking a full-time apprenticeship or traineeship)
Form B10	Application for Exemption from Enrolment at School for the purpose of completion of education by completion of a full time apprenticeship or traineeship commencing in Year 10
Form B11	Certificate of Exemption from Enrolment at School under Section 25 of the Education Act 1990 (for use by principals granting an exemption to undertake a full time apprenticeship or traineeship)
Form B12	Application for Part Day Exemption Short Term Alternative Educational Program
Form B13	Notification of Intention to Undertake Full Time Employment

C. Completion of Education Under Special Circumstances

18. General principles

It is the duty of the state to ensure that every child receives an education of the highest quality and it is the duty of parents and caregivers to comply with the compulsory education requirements of the [NSW Education Act \(1990\)](#).

18.1 A child between the age of six and 17 may leave school only after they have completed Year 10 of secondary education. One of the ways of completing Year 10 of secondary education is to complete education through a special circumstance approved by the Minister for Education and Training.

18.2 Completion of Year 10 of secondary education is defined as:

- Completion of Year 10 through secondary school or home schooling; or
- Completion of a course of education provided by the TAFE NSW Commission and approved by the Minister for Education and Training as the equivalent of Year 10 of secondary education in NSW (refer to Form C3 – Application for approval to undertake the equivalent of Year 10 of secondary education at TAFE NSW (for a student in Year 10 who wishes to leave school to complete a TAFE Certificate II as a Year 10 equivalent); or
- Outside of NSW, completion of the equivalent of Year 10 of secondary education in this state.

18.3 Completion of Year 10 outside of these circumstances is defined as a special circumstance for the purpose of these guidelines. Approval of completion of education under special circumstances may be granted by a delegated officer (as identified below) subject to the guidelines that follow.

19. Delegation of authority to grant approval of completion of education under special circumstances

19.1 Under Section 21B(5)(d) of the [NSW Education Act \(1990\)](#), the minister may grant approval of completion of education under special circumstances. This power is delegated, subject to these guidelines, to the following officers in the NSW Department of Education and Communities:

- The Deputy Director-General, schools.
- General Manager Access and Equity.
- Regional directors.

19.2 TAFE NSW Institute directors should approve any program that includes a TAFE delivery component.

19.3 In addition, the director-general is delegated the authority to exercise the minister's powers under Section 21B(5)(d) without limitation.

20. Reasons for granting approval of completion of education under special circumstances

20.1 The minister's delegate may grant approval if he or she is satisfied that:

- The applicant has demonstrated that he or she could not complete Year 10 of secondary education by any of the means set out in Section 18.3.
- The program of education that has been undertaken by the young person, including the outcomes that have been achieved, amounts to an adequate basis for regarding the student's school education as complete in the special circumstances of the case.

21. Process prior to granting approval of completion of education under special circumstances

21.1 It is not possible to specify all the potential cases for which approval to complete education in special circumstances may be warranted. Generally, given the range of options for completion of education that exists in the Act, it should be regarded as a rarely exercised power. It is important that any such decision takes into account the objects of the [NSW Education Act \(1990\)](#), and in particular the duty of the state to ensure every child receives an education of the highest quality. It should also take into account the objects of the [NSW Children and Young Persons \(Care and Protection\) Act 1998](#), so as to ensure a child is not subject to educational neglect. Moreover, it is not possible to use this power to allow a child not to be educated (if there are circumstances that warranted such a decision, that case should be dealt with as an 'exemption' from the requirements of the act under Section 25).

21.2 Approval for special circumstance completion of secondary education is granted only when the relevant education, equivalent to the completion of Year 10 secondary education, is finished. Where practicable the student and his or her parents or caregivers should be made aware in advance of what the student needs to do for his or her education to be approved under 21B(5)(d).

21.3 Where a young person has undertaken and completed education in circumstances not otherwise covered by the Act, the following process will apply. The student will provide to the delegated officer

- A statement of detailed evidence of each individual subject or course studied and completed and the result or grade achieved; The original certificate of any educational qualification achieved as a result of this course of study; and
- A statement of record of attendance during the period of study.

21.4 An applicant is to be provided

- Information regarding how decisions are made about applications under 21B(5)(d) and the consequences that flow from those decisions; and
- An opportunity to prove to the delegate that the student has completed his or her education as a 'special circumstance' in accordance with Section 21B(5)(d) of the [NSW Education Act \(1990\)](#).

21.5 The delegate who makes the decision must be impartial and unbiased.

21.6 Applications for approval of completion of education under special circumstances must be made in writing, with relevant documentary evidence provided.

22. Conditions attached to approval of completion of education under special circumstances

22.1 The original of the approval of completion of education under special circumstances will be provided to the parents or caregivers of the student or to the student if he or she is living independently.

22.2 The delegate should retain a signed copy of the approval of completion of education under special circumstances in the delegate's official records.

23. Completion of education by completion of an apprenticeship or traineeship

23.1 The minister has granted approval under Section 21B(5)(d) for completion of an apprenticeship or traineeship subject to the permission outlined below to be a special circumstance for the completion of education.

23.2 The following requirements must be met for permission to be granted to a student to undertake an apprenticeship or traineeship as the completion of their education

- 23.2.1 The student has completed Year 9.
 - 23.2.2 The principal considers that, in all the circumstances, the student is a suitable candidate to complete his or her education through an apprenticeship or traineeship.
 - 23.2.3 The student's parents give permission for this to occur.
 - 23.2.4 The principal has sighted a full time apprenticeship or traineeship contract signed by the employer and a NSW apprenticeship/traineeship – training proposal authorised by the registered training organisation.
 - 23.2.5 The employer agrees to notify the principal if the apprenticeship or traineeship is abandoned or cancelled before the student turns 17. If the student does not complete the apprenticeship or traineeship, he or she will not have completed Year 10 and will be legally required to do so under another pathway of the act (for example by returning to school or seeking enrolment in TAFE NSW).
 - 23.2.6 The apprenticeship or traineeship is subsequently approved by the Commissioner for Vocational Training, State Training Services as suitable for the young person and that the training contract attains a 'registered' status following the probationary period (where approval is granted by the principal and the commissioner subsequently notifies the student of his or her decision not to approve of the contract following the probationary period, the approval, and the exemption from compulsory schooling, ceases from that point to operate, and the student's parents must take other steps to comply with their compulsory schooling obligations).
- 23.3 Where a student wishes to complete their education by undertaking an apprenticeship or traineeship, the student and his or her parent or caregiver should speak initially with the principal of the school at which the student is currently enrolled. At this meeting the reasons for undertaking the apprenticeship or traineeship should be discussed. The parent or caregiver and the student should be advised that should the training arrangement cease, the young person must still satisfy compulsory schooling requirements. Only if the principal is satisfied that the applicants understand the requirements and the conditions should he or she give permission for the process.
- 23.4 The minister has delegated to secondary principals the power to grant a certificate of exemption from attending school under Section 25 for the sole purpose of completing their education through undertaking an apprenticeship or traineeship. If the principal grants permission to the student to undertake the apprenticeship or traineeship, he or she should also grant a certificate of exemption from enrolment at school subject to the completion of the contract of training.
- 23.5 In such cases, the secondary principal can approve the student's application for exemption from enrolment at school, to continue education as a full time contracted apprentice or trainee (please note exemptions cannot be granted retrospectively). See Section B exemptions from attendance and exemptions from enrolment (see B12).
- 23.6 Where a student has completed the apprenticeship or traineeship for which he or she has been given the permission required, he or she will have completed Year 10 of secondary education for the purpose of Section 21B(5) of the [NSW Education Act \(1990\)](#).

Section C Forms are available at [CSO Intranet / Accountabilities / Student Attendance](#)

Form C1	Application for Approval of Completion of Education of Completion of Education under Special Circumstances Section 21B of the Education Act 1990 (not for use with apprenticeships or traineeships)
Form C2	Approval to Complete Education under Special Circumstances Section 21B of the Education Act 1990 (not for use with apprenticeships or traineeships)
Form C3	Application for approval to undertake the equivalent of Year 10 of secondary education at TAFE NSW (for a student in Year 10 who wishes to leave school to complete a TAFE Certificate II as a Year 10 equivalent)

D. Compulsory School Attendance

24. Legal action guidelines

24.1 Context.

All children from six years of age and under the minimum school leaving age of 17 are legally required to attend school. Parents of compulsory school aged children have a duty to ensure that their child is enrolled at and attends a government school or registered non-government school, or is registered for home schooling ([NSW Education Act \(1990\)](#)).

All New South Wales students must complete Year 10. After Year 10 and until they turn 17 years of age students must be in a school or registered for home schooling, or full-time in:

- Further education and training (eg. TAFE, traineeship, apprenticeship);
- Full-time, paid employment of an average 25 hours per week; or
- A combination of both of the above.

In 2010 there were changes to the [NSW Children and Young Persons \(Care and Protection\) Act 1998](#) that identified children and young people who habitually did not attend school or who were not enrolled as reasons to make a report to Community Services (CS) under Education Neglect (Section 23 (b) 1).

Habitual non-attendance can be described notionally as 30 unjustified/unexplained days out of 100 days. Care must be taken with this description as other risk factors may impact on the requirement to report.

24.2 Keep Them Safe a shared approach to child wellbeing.

Provides the framework for parents, communities, government and non-government agencies to work together to support children and families. See [Keep Them Safe](#)

Anyone who has reasonable grounds to suspect a child or young person is at risk of significant harm and has current concerns about the safety, welfare or wellbeing of the child or young person should make a report to the Child Protection Helpline.

Where concerns of harm do not meet the significant harm threshold, the referring agency should offer and coordinate assistance or make a referral to other services, using normal referral networks.

To help reporters decide whether a case needs to be reported to the Child Protection Helpline, mandatory and non-mandatory reporters may access advice via the NSW Mandatory Reporter Guide.

24.3 What are some of the provisions in the [NSW Education Act \(1990\)](#) ('the Act')?

- Section 22A obtaining information about children of compulsory school-age

- (1) Any relevant institution or other person may provide information to the Department of Education and Training solely for the purpose of assisting the Director-General to ascertain:
 - (a) *the age, identity or whereabouts of a child who is not receiving compulsory schooling* or who is not participating in education, training or paid work as an alternative to receiving compulsory schooling, and
 - (b) the reasons why the child is not receiving that schooling or not so participating.

24.4 Dealing with students for whom school based strategies have failed to restore regular school attendance.

24.4.1 Principals help to ensure the safety, welfare and wellbeing of students. Where schools have tried a range of strategies to address a student's habitual non-attendance other options are available. Prior to 2010, the only legal option available to enforce school attendance was prosecution in the Local Court, resulting in the imposition of a fine and/or a community service order. Legislation that came into effect in early 2010 gives greater flexibility in proactively dealing with cases of habitual absence. It is hoped that the majority of non-attendance matters will be resolved through pre-court process such as those set out below. Please note, in reading the information below, one process does not necessarily follow another. Some actions may occur concurrently.

24.4.2 Compulsory schooling undertakings.

The principal may make schooling arrangements with one or more parents or carers of a child that includes a written 'undertaking' by the parent/s or carer/s with respect to compulsory schooling for the child (a 'compulsory schooling undertaking').

The arrangements may be made before, during or after a conference. A compulsory schooling undertaking is admissible in evidence.

Undertakings deal with specific issues contributing to the habitual absence. Examples may include that:

- The parent will turn off the child's computer game at a certain time each night.
- An alarm clock will be used and the child will be out of bed at a set time.
- The parent will attend drug and alcohol counselling sessions.

Signed undertakings should be kept by the school and a copy provided to the parent or carer.

24.4.3 Compulsory school attendance conference.

A principal component of the new attendance procedures has been a greater emphasis on conferences involving families and Departmental student welfare officers. These conferences aim to address the underlying causes of poor school attendance. Conferences can take place at both the pre-legal stage, when convened by the director-general, and at the initial stages of the legal process when ordered by the Children's Court. Conferences are conducted by an authorised person appointed by the director-general or the Children's Court.

Conferences are convened with the family and school. They seek to identify the cause of non-attendance and develop strategies to improve attendance. Representatives of other relevant agencies or relevant community groups who can assist in improving attendance can also be invited to attend and assist.

Note: It is anticipated that a significant number of matters will have been subject to a director-general's conference prior to reaching the court. However, this will not always be the case. In cases where parents have refused to attend a conference, it is anticipated that the application to the Children's Court will, in addition to seeking a Compulsory Schooling Order, also seek an order that the parent attend a conference.

Principals seeking to initiate a compulsory school attendance conference should do so by contacting their school's education consultant who will refer the matter to the appropriate authority.

24.4.4 Action in the Children's Court

If other options have not been successful or are not appropriate, it may prove necessary to seek intervention of the court. In cases involving older children, aged twelve and above, where it is clearly established that the poor school attendance is not the fault of the parent, an application involving the child alone may be commenced. The proceedings in the Children's Court are less formal than the prosecutions in the Local Court. This has allowed older children to attend the court with their parents.

Applications to the Children's Court will be conducted by a member of the regional welfare team who, for the purposes of the applying to the Children's Court will be referred to as the 'attendance officer'. All court appearances will be undertaken by a legal officer or a local solicitor who has been engaged by the relevant legal officer.

Where the principal deems it appropriate to refer a case to the Children's Court for further action, they should first refer the matter to the Assistant Director, Education Services through their school's education consultant. If a decision is made to proceed with the referral, Form D2 should be used.

The court may order the parent to attend a conference and/or issue an interim compulsory schooling order. An interim order requires the parent to ensure that the child is enrolled at and attending school. Compulsory schooling orders can either be quite general in nature, for example an order that a parent engage with relevant departmental staff, or that they attend a conference. Alternately orders can also be reasonably involved and comprise numerous components, such as an order to attend drug and alcohol counselling, and/or have a child medically assessed by a particular medical practitioner.

24.4.5 Prosecution in the Local Court

Where parents continue to fail to see that their children are enrolled and attending school, the matter may be taken to a Local Court. Such measures are in place to ensure that all children of compulsory school age receive the education they deserve.

This action can only be taken by, or with the written consent of, the director-general. The Department of Education and Communities legal services directorate will act on behalf of both government and non-government schools.

An action for breach of a compulsory schooling order issued in the Children's Court must be undertaken in the Local Court, with penalties for these offences attracting a possible fine of 100 penalty units.

Note: In general, only matters which have either been the subject of an application to the Children's Court, or where a conviction has previously taken place will be considered for prosecution. In exceptional circumstances consideration will be given to proceeding to a prosecution without first applying to the Children's Court. Such matters

should be discussed with the senior legal officer managing the school attendance practice.

Section D Forms are available at [CSO Intranet / Accountabilities / Student Attendance](#)

Form D1	Proposed School Action for the Management of Habitual Non Attendance
Form D2	Referral Form to Legal Services for Consideration of Further Action Failure to enrol a child at school / Failure to ensure regular attendance at school
Form D3	Non-Government Schools Actions: Enrolment Status of Student Unknown
Form D4	Compulsory School Attendance - Information for other Government and Non-Government Agencies
Form D5	Compulsory School Attendance - Information for Parents