



# Student Exemption Procedures

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## 1. Introduction and Purpose

These procedures govern the way in which *exemption from attendance*; *exemption from enrolment* and *exemption from attendance - part day/ time* are managed across CSPD.

Under Section 25 of the Education Act 1990 (NSW) a child may be eligible for an exemption from enrolment or attendance if the Minister for Education (or delegate) is satisfied that conditions exist which make it necessary or desirable. The Minister has delegated the power to grant exemptions to the Principal of a Catholic Diocese of Parramatta (CSPD) school.

The granting of a certificate of exemption from enrolment or attendance is a significant undertaking. Therefore, CSPD supports principals in this undertaking to ensure the exemption is in the best interest of the young person both in the short and long term.

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## 2. Scope

This document applies to all Catholic Schools Parramatta Diocese (CSPD) schools.

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## 3. Definitions

**CSPD** means the Catholic Schools Parramatta Diocese and includes the CSO and schools.

**CSO** means Catholic Schools Office at CSPD. It applies to the central office and office-based staff.

**Delegate** means a school principal or their delegate responsible for the management of students (e.g., assistant principal)

**Executive Director** refers to the Executive Director of Catholic Schools Parramatta Diocese.

**RTO** means Registered Training Organisation.

**The Minister** refers to the current NSW Minister for Education.

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## 4. General Principles

- 4.1 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.
  - 4.2 Alternatives to exemption should have been fully explored. For example, it may be more appropriate to access Distance Education.
  - 4.3 A Certificate of Exemption should not be approved:
    - where the student has been the subject of a Risk of Serious Harm (ROSH) report to NSW Department of Communities and Justice
    - where there are unresolved issues concerning a risk of harm
    - where the delegate is aware of existing child protection concerns.
  - 4.4 There may be rare cases where the delegate is aware of an existing child protection concern and it may be in the best interest of the child to be exempt. In such cases, the application must be forwarded to the CSPD Student Services Investigating Officer for recommendation and approval by Director Wellbeing before an exemption certificate can be issued.
  - 4.5 A Certificate of Exemption may be given subject to conditions and limited to a period specified in the certificate. A delegate can cancel the Certificate of Exemption at any time where they identify circumstances that they believe warrants this action.
  - 4.6 If the Principal is considering refusing granting an exemption, the parent/carer should be given an opportunity to respond to the Principal's concerns before a final decision is made. This opportunity should be offered to the parent in writing.
  - 4.7 All applications for exemption from enrolment, part day/time and school attendance must be submitted in advance of the date from which exemption is sought.
  - 4.8 Exemptions from school attendance cannot be granted retrospectively.
  - 4.9 Parent(s)/carer(s) are not required to apply for an exemption in cases of the child being prevented from attending school because of a direction under the Public Health Act 2010. The principal may grant a Certificate of Exemption for the period determined by relevant authorities under this Act.
  - 4.10 Student exemptions are managed collaboratively by the Wellbeing and Learning Directorates.
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## 5. Authority to grant exemptions

- 5.1 The Minister has delegated power to approved authorities of systems of non-government schools (Section 40) to decide which types, and duration of exemption are delegated to the Principal and which are held by another senior officer (e.g. Director, Manager).
- 5.2 Principals have the authority to grant the following applications for exemption from attendance and enrolment, except in the circumstances detailed in 5.3:
  - 5.2.1 Exemption from school attendance for periods totalling up to 100 days in a 12 month period for any one student.
  - 5.2.2 Exemption from enrolment, where a child turns six years on or after 1 October and is engaged in (1) full time preschool education at an accredited preschool for the remainder of that school year. (2) full or part-time accredited preschool programs for students with disabilities. Leading to enrolment and full time attendance at school not longer than six months after the child's sixth birthday.
- 5.3 The following applications for exemption must be forwarded to CSPD Student Services for investigation, recommendation and approval by Director Wellbeing or Learning before an exemption certificate can be issued:
  - 5.3.1 Application for exemption from enrolment due to health, social needs and/or disability.
  - 5.3.2 Applications for exemption enrolment where a student is seeking Apprenticeship / traineeship and has not completed Year 9.
  - 5.3.3 Applications for exemption from attendance greater than 100 school days
  - 5.3.4 Applications for exemption from attendance due to exceptional circumstances
  - 5.3.5 Applications for exemption from attendance part day/ time short term transition plans.
  - 5.3.6 Applications where the Principal is aware of child protection concerns.
  - 5.3.7 Applications for [Completion of Education in Special Circumstances](#) (see guidelines)
- 5.4 A principal may only grant an exemption short term transition education plan - exemption from attendance part day/ time twice in a 12 month period. Any further exemption from attendance part day/ time requires Director Wellbeing or Learning approval before an exemption certificate can be issued.

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## 6. Exemptions from Attendance

- 6.1 Principals may grant exemptions from attendance (full day) due to:
- 6.1.1 Participation in elite arts or elite sporting events.
  - 6.1.2 Employment in the entertainment industry.
  - 6.1.3 Exceptional circumstances (including the health of the student where sick leave or alternative enrollment is not appropriate).
  - 6.1.4 Direction under the Public Health Act 2010 - the child being prevented from attending school because of a direction under the Public Health Act 2010. (The parent/carer is not required to complete an application for exemption).
- 6.2 For exemption from attendance that do not require Director Wellbeing/ Learning approval (See Part 5 Authority to Grant Exemptions) the following process must be followed:
- 6.2.1 Parent/carer submits the Exemption from Attendance (Form A2) to the principal
  - 6.2.2 The Principal will undertake due diligence in making a determination to approve/ deny (Part C) the application for exemption.
  - 6.2.3 If the application is approved by the Principal, a Certificate of Approval (C2) is issued. This includes any specific conditions that apply to the Exemption.
  - 6.2.4 The attendance register must indicate full day exemptions with the code 'M'.
  - 6.2.5 If the application is declined the Principal will issue a letter Declining an application for exemption attendance (Letter D2).
  - 6.2.6 The school will log the approval or decline of exemption from attendance, attaching all documentation, on the students Compass profile via Chronicle template 1.18.
- 6.3 For exemptions requiring Director Wellbeing/ Learning approval (See Part 5 Authority to Grant Exemptions) the following process must be followed:
- 6.3.1 Parents/carers submit the Exemption from Attendance application (Form A2) to the Principal.
  - 6.3.2 The Principal will undertake due diligence in making a determination to recommend an approval or denial (part C) of the application for exemption from attendance.

- 6.3.3 The Principal forwards the application to the CSPD Student Services Investigating Officer for recommendation of approval or decline by Director Wellbeing/ Learning.
  - 6.3.4 If the application is approved the Principal issues a Certificate of Approval (C2) to the parents/carers. This includes any specific conditions that apply to the Exemption.
  - 6.3.5 If the application is declined, the Principal issues a letter declining an application for exemption attendance (Letter D2).
  - 6.3.6 The school will log the approval or decline of exemption from attendance, attaching all documentation, on the students Compass profile via Chronicle template 1.18.
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## **7. Exemption from Attendance Part Day/time - Short term Transition Plan**

- 7.1 The primary purpose of a student undertaking a Short Term Transition Plan is to support a return to full time attendance.
- 7.2 Students of compulsory school age may participate in a school based Short Term Transition Plan that incorporates behaviour and/or health care plans to re-engage students with education.
- 7.3 The approval of a Short Term Transition Education Plan is made on the basis that (1) all alternatives to exemption have been fully explored. And (2) It has been clearly demonstrated that it is in the best interest of the student in the short and long term.
- 7.4 A Short Term Transition Education Plan is not granted for accessing allied health supports or tutoring during school hours.
- 7.5 A Short Term Transition Plan requires a collaborative planning process between school, parents/ carers, CSPD Inclusive Learning Team and/ or Behaviour Team and any allied health personnel involved.
- 7.6 Participation in such a transition education plan must be approved by the Manager Wellbeing prior to the exemption being granted by the Principal.
- 7.7 Students participating in Short Term Transition Education Plans may be granted part day exemptions for periods of time not exceeding 5 weeks. Director approval is required to grant a student more than two Short Term Transition Education Plans within one year.

- 7.8 Schools are required to ensure that an individual learning plan is in place for the period of the exemption. If the student is not in attendance for at least 3 hours per day the provision of learning activities should be made for the student.
- 7.9 Where the part day exemption is part of a health care plan the Principal must ensure consultation with health professionals responsible for the health of the child.
- 7.10 The process required for schools completing a Part Day/Time exemption includes:
- 7.10.1 Principal/ delegate develops the short term transition plan in consultation with parents/carers to restore the child to full-time attendance.
  - 7.10.2 For part day exemption due to the requirements of a health care plan, the Principal should seek the parent/carer's consent to obtain information from professionals responsible for the health care of the child.
  - 7.10.3 Schools submit the short term transition plan application with any supporting documentation to Manager Student Wellbeing prior to implementing the plan.
  - 7.10.4 If approved, the school will issue a certificate of exemption (C2) to parents.
  - 7.10.5 Record of completed application, certificate of exemption and any supporting documentation placed on student Compass file in Chronicle 1.18 Exemption from Attendance.
  - 7.10.6 Mark attendance register with Partial absence using reason code exempt late (M-E) or exempt left early (M-L)
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## 8. Exemption from Enrolment

- 8.1. Exemptions from enrolment may be granted due to:
- 8.1.1. **Age**, where a child turns six years on or after 1 October and is engaged in (1) full time preschool education at an accredited preschool for the remainder of that school year. (2) full or part-time accredited preschool programs for students with disabilities. Leading to enrolment and full time attendance at school not longer than six months after the child's sixth birthday.
  - 8.1.2. **The health, learning or social needs or disability** of a child necessitating the continuation of an individual program supported by medical specialists not longer than six months after the child's sixth birthday.

8.1.3. **Completing a full-time apprenticeship or traineeship** - Under Section 21B of the Education Act, Secondary Principals and the Director Learning may grant exemptions from schooling for the purpose of completing a full-time apprenticeship or traineeship.

8.1.4. **Completion of Education under Special Circumstances** (see 8.9.5)

8.2 The process required for exemption from enrolment due to age, disability or learning needs, trauma or health condition is:

8.2.1 Parents/carers submit the Exemption from Enrolment at School (Form E1) to the principal.

8.2.2 If the young person turns six years on or after 1 October and is engaged in full time preschool education at an accredited preschool, after due diligence, the Principal may issue a certificate of exemption.

8.2.3 If an exemption is sought by parents for the health, disability or learning needs of the young person the Principal must seek an assessment from the CSPD Inclusive Learning Team before they proceed with the application.

8.2.4 Parents seeking an exemption due to disability or learning needs will be asked to provide documentation from allied health providers, early education settings, pre-school and/or early intervention providers.

8.2.5 The principal will also refer to the Procedures For Enrolment of Students With Disability And Complex Needs Who Meet Diocesan Criteria For Enrolment & For Whom Schools Require Additional Support.

8.2.6 leading to enrolment and full time attendance at a government or registered non-government school no later than six months after the child's sixth birthday

8.2.7 The health or disability of a child necessitates the continuation of an individual program supported

8.2.8 by medical specialists no longer than six months after the child's sixth birthday.

8.2.9 After due diligence, the principal makes a recommendation (Part B) and forwards the application to the CSPD Student Services for recommendation (Part C) of approval or decline by Director Wellbeing or Director Learning depending upon the presentation.

8.2.10 The Director Wellbeing makes a recommendation/decision (Part D).



- 8.2.11 If approved by the Director Wellbeing, a Certificate of Approval (C3) is issued.
- 8.2.12 If declined the Principal will issue a letter Declining an application for exemption enrolment (Letter D3).
- 8.3 Exemption from enrolment for full-time apprenticeship or traineeship may be granted *in rare circumstances* when a student under the age of 17, who has not completed Year 10, seeks to leave school to undertake a full-time apprenticeship or traineeship.
- 8.4 Exemption from enrolment for full-time apprenticeship or traineeship can be granted when the Principal has determined that an exemption to undertake a full-time apprenticeship or traineeship is in the best interests of the young person in the short and long term. The principal may consider:
- 8.4.1 potential impact on the student's wellbeing, and engagement in school
  - 8.4.2 the ability of the student to access training
  - 8.4.3 supported available to access the training component
  - 8.4.4 impact of not completing Year 10 education.
- 8.5 To be approved the student must show evidence that they hold a registered apprenticeship or traineeship employment contract.
- 8.6 The approval process for apprentices and trainees involves a collaborative process between school principal, parent and CSPD VET Specialist.
- 8.7 Schools must inform the Department of Education of the whereabouts of a student unknown if for any reason the student is no longer engaged in a full-time apprenticeship or traineeship before the student turns 17.
- 8.8 The process for granting this exemption is:
- 8.8.1 Principal completes Checklist for principal for students applying to leave (Checklist E2) to complete the steps involved to exempt a student from school.
  - 8.8.2 Parent/carer completes Part A of written Application for exemption from enrolment at School (Form E2). Employer completes Part B of application. Parent/carer submits an application to the principal.
  - 8.8.3 If approved by the Principal or Director Learning, the principal issues a Certificate of Exemption from Enrolment at School (C3).
  - 8.8.4 If declined, the Principal issues Declining an application for exemption enrolment (Letter D3).

- 8.8.5 Record of completed application and Certificate of Exemption (E1- C) placed on student file in Chronicle 1.19 Exemption from Attendance
- 8.8.6 The student's destination is entered into the enrolment register and student removed from attendance register.
- 8.9 A child between the age of 6 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 the *Completion of Education under Special Circumstances*. This is approved by the Director of Learning or Wellbeing
- 8.9.1 The Director of Learning or Wellbeing may grant approval if he or she is satisfied that:
- 8.9.1.1 The young person can establish that they can not complete Year 10 through either: attending a secondary school; homeschool; TAFE or completion of the equivalent of Year 10 outside of NSW.
  - 8.9.1.2 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.
- 8.9.2 Given the range of options for completion of Year 10 that exists (see 8.9.1.1) the Completion of Education under Special Circumstances should be regarded as a rarely exercised power.
- 8.9.3 TAFE NSW Institute Directors should approve any program that includes a TAFE delivery component.
- 8.9.4 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.
- 8.9.5 **Process for Completion of Education under Special Circumstances:**
- 8.9.5.1 Parent/carer completes Part A of application for Completion of Education under Special Circumstances. The principal will complete Part B of the application.
  - 8.9.5.2 Parent/carer submits an application to the principal.
  - 8.9.5.3 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).

- 8.9.5.4 The parents/ carers of the student will provide to the school:
- 8.9.5.4.1 an explanation outlining why the student's education should be regarded as equal to completion of school education
  - 8.9.5.4.2 an explanation of the special circumstances of the case that would justify the approval
  - 8.9.5.4.3 a detailed account of the education that has been completed
  - 8.9.5.4.4 a statement of detailed evidence of each individual subject or course studied and completed and the result or grade achieved
  - 8.9.5.4.5 the original certificate of any educational qualification achieved as a result of this course of study,
  - 8.9.5.4.6 a statement of record of attendance during the period of study.
- 8.9.5.5 After due diligence, the principal makes a recommendation (Part B) and forwards the application to the CSPD Student Services for recommendation (Part C) of approval or decline by Director Wellbeing or Director Learning.
- 8.9.5.7 If approved, a letter of approval of completion of education under special circumstances will be provided to the parents or caregivers and student.

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## 9. Record keeping

- 9.1 The original Certificate of Exemption is to be provided to the parents/carers.
- 9.2 Certificates of Exemption issued by the Principal must:
- 9.2.1 Include the specific conditions that apply to the exemption.
  - 9.2.2 State that the exemption may be cancelled if these conditions cease.
  - 9.2.3 Specify a period for which the exemption had been granted.
- 9.3 A copy of the Certificate of Exemption (E1 - C or A2 - C) must be attached to the student's Compass record via the Chronicle *1.18 Exemption from Attendance* or *1.19 Exemption from Enrolment*.

- 9.4 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 destroyed.
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## 10. Related documents

- Student Attendance procedures
- Procedures For Enrolment of Students With Disability And Complex Needs Who Meet Diocesan Criteria For Enrolment & For Whom Schools Require Additional Support.
- Completion of Education under special circumstances guidelines

### Relevant legislation

- NSW Education Act 1990
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## 11. Appendices

- Appendix 1 - Delegated Authority Table (below)

All appendices listed below are accessible for internal CSPD staff only

- [Appendix 2 - A2 Exemption from Attendance at School Application](#)
  - [Appendix 3 - E1 Exemption from Enrolment at School Application](#)
  - [Appendix 4 - A3 Short Term Transition Education Plan - Exemption from Attendance Part Day/ Time Application](#)
  - [Appendix 5 - E1- C Certificate for Exemption from Enrolment at School](#)
  - [Appendix 6 - A2-C Certificate for Exemption from Attendance at School](#)
  - [Appendix 7 - D2 Declining an Application for Exemption from Attendance](#)
  - [Appendix 8 - D3 Declining an Application for a Certificate of Exemption of Enrolment](#)
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## 12. Further information

Further information on this policy can be directed to Student Services on 9840 5725 or by email [studentserviceadmin@parra.catholic.edu.au](mailto:studentserviceadmin@parra.catholic.edu.au) or via the Enterprise Service Desk on (02) 9840 5620 or via email [esd@parra.catholic.edu.au](mailto:esd@parra.catholic.edu.au) or the ESD Self Service Portal.

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## Appendix 1

### Authority to Grant Exemptions

Type		CSPD consultant	Investigating Responsibility	Director Approval
Exemption attendance	Elite sport >100 days	Sports	Head, Learning Innovation	Learning
	Employment entertainment industry >100 days	Captivate	Head Captivate	Learning
	Elite art >100 days	Captivate	Head Captivate	Learning
	Exceptional circumstances	Wellbeing	Manager Wellbeing*	Wellbeing
	Elite sport <100 days	Sports	N/A	N/A
	Elite art <100 days	Captivate	N/A	N/A
	Employment entertainment industry <100 days	Captivate	N/A	N/A
	Director Public Health	N/A	N/A	N/A
Exemption part day	Short term transition plan Part day	Inclusive Learning Behaviour	Manager Wellbeing* Manager Diverse Learning*	Learning or Wellbeing  Director approval required after 2 applications in a 12 month period.
Exemption enrolment	Apprenticeship / Traineeship - Year 9 students	VET Post School Options	Manager Wellbeing* Manager Diverse Learning* RTO Manager*	Learning Director approval
	Start school - Health, learning, social, disability	Inclusive Learning & Behaviour	Manager Wellbeing* Manager Diverse Learning*	Learning or Wellbeing
	Start school - Age	Attendance	N/A	N/A
	Apprenticeship / Traineeship - Yr10 students	N/A	N/A	N/A

\*forward application and supporting documentation to [studentservicesadmin@parra.catholic.edu.au](mailto:studentservicesadmin@parra.catholic.edu.au) for investigation and Director approval.