

Students

EXEMPTIONS FROM ATTENDANCE

Each student between the ages of 6 and 18 shall be subject to compulsory full-time education.
(Education Code 48200)

However, the Superintendent or designee may grant exemptions from compulsory attendance to a student as allowed by law and in the best interest of the student. Exemptions shall not be used to remove a student from the school for disciplinary purposes.

As needed, the Superintendent or designee may require a student or his/her parent/guardian to submit written documentation that the student fulfills one of the conditions specified in law and administrative regulation for which exemption is authorized.

- (cf. 5113.1 - Truancy)
- (cf. 5111 - Admission)
- (cf. 5112.2 - Exclusions from Attendance)
- (cf. 5112.3 - Student Leave of Absence)
- (cf. 5113.2 - Work Permits)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
- (cf. 6158 - Independent Study)
- (cf. 6172.1 - Concurrent Enrollment in College Classes)
- (cf. 6178.2 - Regional Occupational Center/Program)
- (cf. 6183 - Home and Hospital Instruction)
- (cf. 6184 - Continuation Education)
- (cf. 6200 - Adult Education)
- (cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

- 33190 Affidavit by persons conducting private school instruction
- 46100-46147 Minimum school day
- 46170 Minimum school day, continuation education

EXEMPTIONS FROM ATTENDANCE (continued)

- 48200-48341 Compulsory education law
- 48400-48454 Compulsory continuation education
- 48800-48802 Attendance at community college
- 49110-49119 Permits to work
- 49130-49135 Permits to work full time

LABOR CODE

- 1285-1312 Employment of minors
- 1390-1399 Employment of minors

CODE OF REGULATIONS, TITLE 5

- 11522 Parental consent for exemption based on high school proficiency certificate

UNITED STATES CODE, TITLE 20

- 1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 29

- 794 Section 504 of the Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 34

- 106.40 Marital or parental status

COURT DECISIONS

- Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 342

Management Resources:

WEB SITES

California Department of Education, Attendance Improvement: <http://www.cde.ca.gov/ls/ai/>

(5/85 9/88) 6/98
3/04) 7/08
4/8/09

Students

EXEMPTIONS FROM ATTENDANCE

Exemptions from Regular Education Program

Students may be exempted from full-time attendance in the district's regular education program if he/she:

1. Is being instructed in a private full-time school and the Superintendent or designee verifies that the private school has filed an affidavit pursuant to Education Code 33190 (Education Code 48222, 48223)
2. Is being instructed by a private tutor who holds a valid state credential for the grade taught, provided that the instruction consists of study and recitation for at least three hours a day for 175 days of each calendar year (Education Code 48224)
3. Hold work permits to work temporarily in the entertainment or allied industries (Education Code 48225, 48225.5)
4. Hold work permits and attend part-time classes (Education Code 48230)
5. Is between the ages of 12 and 18 and enter a school attendance area from another state within 10 days of the end of the school term, with the exemption applicable for the remainder of the term (Education Code 48231)
6. Is at least 15 and is taking a leave of absence for up to one semester for the purpose of supervised travel and study training, or work not available to the student under another educational option (Education Code 48232)
7. Attends a community college as a special full-time student on the grounds that he/she would benefit from advanced scholastic or vocational work (Education Code 48800.5)

Exemptions from Continuation Education

A student who would otherwise be subject to compulsory continuation education pursuant to Education Code 48400 or 48402 may be exempted if he/she: (Education Code 48410)

EXEMPTIONS FROM ATTENDANCE (continued)

1. Has graduated from a public high school maintaining a four-year course above grade 8 or has had an equal amount of education in a private school or from a private tutor

In the case of a private school, the exemption shall be granted only if the Superintendent or designee has verified that the private school has filed an affidavit pursuant to Education Code 33190. (Education Code 48415)
2. Has successfully demonstrated proficiency equal or greater than standards established by the California Department of Education and have verified approval submitted by their parent/guardian
3. Is attending a public or private full-time day school or satisfactory part-time classes maintained by other agencies
4. Is attending adult school for not less than four hours per calendar week
5. Is attending a regional occupation program or center pursuant to Education Code 48432
6. Is disqualified because of his/her physical or mental condition or because of personal services that must be rendered to his/her dependents
7. Is between the ages of 12 and 18 and enters a school attendance area from another state within 10 days of the end of the school term, with the exemption applicable for the remainder of the term pursuant to Education Code 48231

In addition, a student who is between the ages of 16 and 18 may be exempted from continuation education if he/she is taking a leave of absence for up to two semesters for the purpose of supervised travel, study, training, or work not available to the student under another educational option. (Education Code 48416)

- (cf. 5113.2 - Work Permits)
- (cf. 5112.3 - Student Leave of Absence)
- (cf. 6172.1 - Concurrent Enrollment in College Classes)
- (cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
- (cf. 6200 - Adult Education)
- (cf. 6178.2 - Regional Occupational Center/Program)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6158 - Independent Study)
- (cf. 6183 - Home and Hospital Instruction)
- (cf. 6184 - Continuation Education)

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