

**This procedure must be read in conjunction and interpreted in line with the [Education Participation \(Enrolment and Attendance\)](#) policy.**

## **1. OVERVIEW**

- 1.1 This procedure outlines the compulsory education age and school attendance requirement. This procedure applies to all children of compulsory education age living in the ACT who are enrolled in non-government schools.
- 1.2 Section 10A of the ACT *Education Act 2004* (the Act) stipulates that it is the parents' responsibility to ensure that the child enrolled at a school:
  - 1.2.1 attends school on every day, and during the times on every day, when the school is open for attendance; and
  - 1.2.2 attends every activity of the school (including attendances at an approved educational course) that the school requires the child to attend.
- 1.3 Section 102 of the Act requires principals of non-government schools to establish procedures which encourage regular attendance at school.
- 1.4 Sections 99 and 100 of the Act require the keeping of records associated with the enrolment and attendance at school for all students at non-government schools.
- 1.5 Section 13D of the Act requires the parents of a child (who has completed year 10 but is not yet 17) who wishes to participate in a training or employment alternative instead of an education option, to apply for an [Approval Statement](#).
- 1.6 Section 11H of the Act requires the parents of a child to apply for an [Exemption Certificate](#) to exempt the child from the full-time participation requirement, or the requirement to be enrolled with an education provider or registered for home education.

## **2. RATIONALE**

- 2.1 The Act requires all children of compulsory education age to be enrolled with an education provider or registered for home education. If a child has completed Year 10, they may elect to participate in an approved training or employment alternative. A child who is enrolled with an education provider that is not a school must meet the full-time participation requirement (except where an Exemption Certificate has been issued).

### 3. DEFINITIONS

- 3.1 In addition to the definitions detailed in the overarching *Education Participation (Enrolment and Attendance)* policy, the following definitions are specific to this procedure.
- 3.2 **Attendance roll** means any and all hard copy documents or electronic records, which in some way record both the attendance and non-attendance of a child or young person at school, scheduled sessions at the school and / or an approved educational course.
- 3.3 The term '**duty of care**' is a legal concept that defines the duty a person has to ensure reasonable care is provided towards another in order to protect them from known or reasonably foreseeable risk of harm or injury.
- 3.4 A **student** is a person enrolled as a student in an ACT non-government school in accordance with section 100 of the Act.

### 4. PROCEDURES

#### 4.1 Duty of care

- 4.1.1 Principals are required to ensure that schools are organised in a way that properly provides a duty of care and to account for student absence from the classroom, school grounds and buildings.

#### 4.2 Non-compliance

- 4.2.1 If a child does not meet the education participation requirements and the school has undertaken a range of measures to address the non-compliance, Non-government School principals should report the case to the Directorate for further action.
- 4.2.2 If a child continues not to meet the education participation requirements, the Directorate may issue notices to the child's parents requiring information or compliance. Failure to comply with these notices could result in parents being fined up to \$1100 (ten penalty units).
- 4.2.3 Principals and parents should refer to the [Non-compliance](#) procedure for further information.

#### 4.3 Management of records

- 4.3.1 Principals are responsible for ensuring that records of all enrolments and attendance rolls are made in accordance with section 99 and 100 of the Act and are available for inspection by an authorised person under section 101.

- 4.3.2 Non-government schools are responsible for meeting their record-keeping obligations under the Act and complying with all other legal requirements.
- 4.3.3 The Act provides for the keeping of registers and records of enrolment in schools and attendance at school. Section 100 of the Act requires that a record of the attendance or non-attendance of a student must be kept for every day when the school is open.
- 4.3.4 Attendance rolls must clearly show whether the child or young person was present and if not, the reason for the absence in all cases.
- 4.3.5 The school principal must ensure that the following information is entered in the school's register of enrolment and attendances:
- The full name of each child or young person enrolled at the school or course; and
  - A record of the attendance or non-attendance of the child or young person at the school or course on every day when the school or course is open for attendance.

#### 4.4 **Complaints**

- 1.1.1 Where there are concerns regarding the application of this procedure or the procedure itself, people should:
- contact the school principal in the first instance;
  - contact the Catholic Education Office, if the concern relates to a Catholic Systemic School; or
  - contact the school's proprietor, if the concern relates to an Independent School.

### 5. **PROCEDURE OWNER**

Director, Information, Communications and Governance

For support in relation to this procedure please contact Information, Communications and Governance Branch on (02) 6205 9400.

### 6. **RELATED DOCUMENTS**

*Education Participation (Enrolment and Attendance) policy*  
*Attendance at ACT Public Schools procedure*  
*Exemption Certificates procedure*  
*Non-compliance procedure*  
*Appointment and Functions of Authorised Persons policy*