

**EXEMPTIONS FROM ATTENDANCE**

**Exemptions from Regular Education Program**

A student 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. Holds a work permit to work temporarily in the entertainment or allied industries (Education Code 48225, 48225.5)
4. Holds a work permit and attends part-time classes (Education Code 48230)
5. 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 (Education Code 48231)
6. Is at least age 15 and is taking a leave of absence for up to one semester for the purpose of supervised travel, 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)

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)

**EXEMPTIONS FROM ATTENDANCE** (continued)

2. Has successfully demonstrated proficiency equal to or greater than standards established by the California Department of Education and has verified approval submitted by his/her 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 occupational 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 CSBA Sample District Policy Manual CSBA Policy Management Console Policy Reference Disclaimer: 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)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

5 CCR 11522

Ed. Code 33190

Ed. Code 46100-46147

Ed. Code 46170

Ed. Code 48200-48341

Ed. Code 48400-48454

Ed. Code 48800-48802

Ed. Code 49110-49119

Ed. Code 49130-49135

Lab. Code 1285-1312

Lab. Code 1390-1399

**Description**

Parental consent for exemption based on high school proficiency certificate

Affidavit by persons conducting private school instruction

Minimum school day

Minimum school day, continuation education

Compulsory education law

Compulsory continuation education

Attendance at community college

Permits to work

Permits to work full time

Employment of minors

Employment of minors

**Federal References**

20 USC 1681-1688

29 USC 794

34 CFR 106.40

**Description**

Title IX, discrimination

Rehabilitation Act of 1973, Section 504

Marital or parental status

**EXEMPTIONS FROM ATTENDANCE** (continued)**Management Resources References**

Court Decision

**Description**

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

Website

California Department of Education, Attendance Improvement

**Cross References**

5111

Admission

5112.3

Student Leave of Absence

5112.5

Open/Closed Campus

5113

Absences And Excuses

5113.1

Chronic Absence And Truancy

5113.11

Attendance Supervision

5113.2

Work Permits

5125

Student Records

5141.22

Infectious Diseases

5141.31

Immunizations

5144

Discipline

5144.1

Suspension And Expulsion/Due Process

5146

Married/Pregnant/Parenting Students

6146.2

Certificate Of Proficiency/High School Equivalency

6146.2-E(1)

Certificate Of Proficiency/High School Equivalency

6172.1

Concurrent Enrollment In College Classes

6178.2

Regional Occupational Center/Program

6184

Continuation Education