

**EXEMPTIONS FROM ATTENDANCE**

\*\*\*Note: The following optional administrative regulation should be modified to reflect the ages of students served by the district and the position responsible for performing duties related to attendance exemptions. Pursuant to Education Code 48240-48246, the district may appoint an attendance supervisor or may, with approval of the County Board of Education, contract with the County Superintendent of Schools to supervise the attendance of district students.\*\*\*

**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)

*(cf. 5113.2 - Work Permits)*

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)

\*\*\*Note: Education Code 48232 requires the Governing Board to adopt policy if it wishes to grant student leaves of absence for the purposes described in item #6 below. See BP/AR 5112.3 - Student Leave of Absence for language fulfilling this mandate. Districts that do not offer such leaves of absence should delete optional item #6 below.\*\*\*

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)

*(cf. 5112.3 - Student Leave of Absence)*

**EXEMPTIONS FROM ATTENDANCE (continued)**

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)

*(cf. 6172.1 - Concurrent Enrollment in College Classes)*

**Exemptions from Continuation Education**

\*\*\*Note: The remainder of this regulation is for use by districts that maintain high schools and are required by Education Code 48432 to establish and maintain continuation education classes. Pursuant to Education Code 48400, all students age 16 or 17 who are not attending full-time day school are required to attend continuation school, unless they are exempt as provided below. See BP/AR 6184 - 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)

\*\*\*Note: 5 CCR 11522 requires the district to provide a form to obtain parent/guardian consent before a student age 16-17 can be exempted from compulsory continuation education on the basis of demonstrated proficiency as described in item #2 below. Pursuant to Education Code 48414, a student age 16-17 who terminates his/her enrollment on this basis must be permitted to re-enroll without prejudice. See AR 6146.2 - Certificate of Proficiency/High School Equivalency.\*\*\*

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

*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*

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

*(cf. 6200 - Adult Education)*

**EXEMPTIONS FROM ATTENDANCE (continued)**

5. Is attending a regional occupational program or center pursuant to Education Code 48432

(cf. 6178.2 - Regional Occupational Center/Program)

\*\*\*Note: Education Code 48410 authorizes students to be exempted from continuation education because of their physical condition or if they provide care for their dependents, as provided in item #6 below. Pursuant to Title IX (20 USC 1681-1688), no school receiving federal assistance may deny participation in a class because of a student's pregnancy or parenthood, but such students may request an exemption from the regular program; see BP 5146 - Married/Pregnant/Parenting Students.\*\*\*

6. Is disqualified because of his/her physical or mental condition or because of personal services that must be rendered to his/her dependents

(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*)

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

\*\*\*Note: Education Code 48416 requires the Board to adopt policy if it wishes to grant student leaves of absence for the purposes described in the following paragraph. See BP/AR 5112.3 - Student Leave of Absence for language fulfilling this mandate. Districts that do not offer such leaves of absence should delete the following optional paragraph.\*\*\*

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)