

**Students**

**Exemptions from Attendance**

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

However, the Governing Board 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 who is a disciplinary problem.

- (cf. 5111 - Admission)
- (cf. 5112.2 - Exclusions from Attendance)
- (cf. 5112.3 - Student Leave of Absence)
- (cf. 5113.2 - Work Permits)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 6158 - Independent Study)
- (cf. 6183 - Home and Hospital Instruction)

Legal Reference:

EDUCATION CODE

- 33190 Affidavit by persons conducting private school instruction
- 46113 Minimum school day for grades four through eight
- 48200-48341 Compulsory education law
- 48400-48454 Compulsory continuation education
- 48800.5 Petition for enrollment as special full-time student

LABOR CODE

- 1295.5 Employment of minors; performance of sports-attending services
- 1390-1399 Employment of minors

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

Adopted: 4/78

Amended: 10/17/07, 9/2/09

**Students**

**Exemptions from Attendance**

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 district attendance supervisor 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 industry (Education Code 48225)

(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)
6. Is at least 15 years old and is taking a leave of absence for up to one semester for the purpose of supervised travel and study (Education Code 48232)

(cf. 5112.3 - Student Leave of Absence)

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 - Gifted and Talented Student Program)

A student may be exempted from full-time attendance in the district's continuation education program if he/she: (Education Code 48410)

1. Has graduated from a public or private high school maintaining a four-year course above the eighth grade
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)

**Exemptions from Attendance (Cont.)**

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 week  
(cf. 6200 - Adult Education)
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  
  
(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