

# Managing student absences and enforcing enrolment and attendance at state schools

## Director-General's Guideline for authorised officers on how to determine whether parents have a reasonable excuse for the purposes of ss. 176 and 239 of the *Education (General Provisions) Act 2006 (Qld)* - 01/2021

\*\*\*This Guideline repeals and replaces the Guideline entitled, *Director-General's Guideline for authorised officers on how to determine whether parents have a reasonable excuse for the purposes of ss.176 and 239 of the Education (General Provisions) Act 2006*, signed on 20 September 2018.\*\*\*

Under s.176(1) of the [Education \(General Provisions Act\) 2006 \(Qld\)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2006-039) (EGPA) (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2006-039>) each parent of a child who is of compulsory school age must ensure that the child is [enrolled](https://ppr.qed.qld.gov.au/pp/enrolment-in-state-primary-secondary-and-special-schools-procedure) (<https://ppr.qed.qld.gov.au/pp/enrolment-in-state-primary-secondary-and-special-schools-procedure>) and attends school on every school day for the educational program in which the child is enrolled unless the parent has a **reasonable excuse**.

Under s.239(1) of the EGPA, each parent of a young person in the compulsory participation phase must ensure the young person is participating full-time in an eligible option, unless the parent has a **reasonable excuse**.

### What is a reasonable excuse

For the purposes of ss.176 and 239, and without limiting the ordinary meaning of the term, parents **have a reasonable excuse** if, for example:

- the child (or children in question) resides with parent 1, and parent 2 (who does not reside with the children) believes, on reasonable grounds, that parent 1 is complying with the obligation to have their child or children enrolled and attending school. Parent 2 has a reasonable excuse;
- the parents are not reasonably able to control the child's behaviour to the extent necessary to comply with their obligation to have their child enrolled, attending or participating;
- the parents are unable to comply with their obligation because of ill health or a disability;
- the child in question is considered to be independent and is no longer practically subject to the parental authority of the parents; and
- the child's non-attendance or non-participation was due to an accident or unforeseen event that the parent could not prevent. Evidence must be provided (e.g. certificate signed by medical/health professional in case of medical event).

### What is not a reasonable excuse

For the purposes of ss.176 and 239, and without limiting the ordinary meaning of the term, parents **do not have a reasonable excuse** if, for example:

- they claim they meet the situation of a reasonable excuse as mentioned above without providing reasonable and sufficient evidence to support their claim;
- they refuse to let their child attend school due to an alleged incident or incidents that occurred at school;
- they refuse to cooperate with staff at the school or region;
- they claim they do not understand their legal obligations;
- they refuse to respond to the notices and/or claim that they did not receive the notices;
- they claim they are not able to control their child without any valid reasonable or sufficient evidence (e.g. information provided by relatives, police or child protection authorities and/or the child/young person, observations from school/region personnel, information from other agencies) supporting their claim;
- they claim the extended absences are for family reasons; and
- they have provided false, misleading or incorrect information intentionally.

## Process to follow if it is determined a parent has a reasonable excuse

In circumstances where an authorised officer, after contact with the relevant parents and/or child, consultation with their supervisor, proper investigation and consideration of all relevant evidence, is satisfied that failure to enrol, attend or participate **can be explained by a reasonable excuse**, the authorised officer:

- is not required to brief the Director-General (or Director-General's delegate) but must record in OneSchool all contacts made with the parents and/or child/young person including outcomes of investigations;
- must continue to assist the child/young person to attend and access educational support or participate in an eligible option; and
- must continue to record absences in accordance with the departmental policy [Roll marking in state schools](https://ppr.qed.qld.gov.au/pp/roll-marking-in-state-schools-procedure) (<https://ppr.qed.qld.gov.au/pp/roll-marking-in-state-schools-procedure>).



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Dated this 24<sup>th</sup> day of March 2021.