



Guideline No. 5 of 2010

School Attendance

This guideline amends and replaces Guideline No. 1 of 2008.

INTRODUCTION

1. Background and context

- 1.1 Cape York Welfare Reforms aim to address passive dependence on welfare and rebuild social norms in the communities. The Reforms aim to encourage and support Indigenous people to resume primary responsibility for individual, family and community wellbeing.
- 1.2 The four Welfare Reform Communities that have signed up to participate in the Reforms are Aurukun, Coen, Hope Vale and Mossman Gorge and associated outstations.
- 1.3 The establishment of the Family Responsibilities Commission (the Commission) is a key aspect of the Reforms agenda. People from the Welfare Reform Communities will be notified to the Commission if:
 - the person's child is absent for all or part of any 3 school days during a term and the principal is not satisfied that there is a reasonable explanation for the absence;
 - the person has a child of school age who is not enrolled in school without a lawful excuse;
 - the person is the subject of a child safety notification;
 - the person is convicted of an offence in the Magistrates Court, or
 - the person breaches his or her tenancy agreement – for example, by using the premises for an illegal purpose, causing a nuisance or failing to remedy rent arrears.

- 1.4 The Commission will assist individuals to undertake action to address issues such as family relationships, drug and alcohol use, problematic gambling, child safety and wellbeing and family violence. The Commission's focus is on early intervention in order to address individual and family issues before they escalate and require remedial action, although the Commission is likely to also become involved in a range of cases where issues have already escalated.
- 1.5 Regular school attendance is crucial if the children and young people of the Welfare Reform Communities are to achieve their full potential.
- 1.6 Absences from school mean that students miss important stages in their education development, causing them to fall behind their contemporaries. Absenteeism contributes significantly to student failure at school.
- 1.7 For this reason, obligations are being placed on parents¹ in the Welfare Reform Communities to ensure that their children who are of compulsory school age are enrolled in school and are striving for 100% attendance.
- 1.8 The monitoring and notification of children's absences from school by the school principal or their authorised representative is a key prerequisite to the success of the work of the Commission.
- 1.9 To enable the Commission to monitor school attendance, the *Family Responsibilities Commission Act 2008* (the Act) places an obligation on school principals to notify the Commission when a child has not met the attendance requirements under these Guidelines for School Attendance (the Guidelines).
- 1.10 The Guidelines provide practical guidance for schools on what the Commission considers to be a fair and reasonable interpretation of school attendance for students.
- 1.11 The Commission recognises that the Guidelines are, in some instances, inconsistent with existing school attendance policies for state and non-state schools in Queensland. However, the Commission's focus on early intervention means that it would be assisted in its role by receiving early indications of low school attendance, even in some instances where the non-attendance does not breach broader Queensland school attendance policies.

¹ The term 'parent' is defined in the *Family Responsibilities Commission Act 2008* Schedule, section 6. It generally includes the child's mother, father or another person who has or exercises parental responsibility for the child. A person is not considered the parent of a child if they are only standing in the place of the parent on a temporary basis. A parent of an Aboriginal or Torres Strait Islander child includes a person who, under Aboriginal or Islander tradition, is regarded as a parent of the child.

2. Legislation

- 2.1 Under section 40(1) of the Act, principals of schools in a Welfare Reform Community are required to notify the Commission if:
- a student is absent from school for all or part of any 3 school days in a school term; and
 - the principal is not satisfied that there is a reasonable explanation for the absences.
- 2.2 The obligation also applies to principals of schools outside the Welfare Reform Communities in situations where the principal *is or becomes aware that a student or their parent lives, or at any time after 1 July, has lived in a Welfare Reform Community* (section 40(3) of the Act)².
- 2.3 Section 40(7) of the Act requires that when *considering whether a student is absent, or there is a reasonable explanation for a student's absence, from a school, the principal of the school must have regard to any Commission guidelines relating to matters about student attendance at schools.*
- 2.4 Accordingly, school principals must use these Guidelines to assess whether there has been a reasonable excuse for an absence and therefore, whether the principal should notify the Commission about a student's absence.

3. When must a student absence be notified to the Commission?

- 3.1 A student absence should be notified to the Commission when:
- no notice has been provided to the school by the parent of the student; or
 - the principal is not satisfied that a reasonable explanation for the absence as per these Guidelines has been given.

GUIDELINES FOR SCHOOL ATTENDANCE

4. General principles

- 4.1 Notice of a student absence:
- must be given to the principal or teacher at the school by the parent either in writing or verbally by telephone or in person; and
 - must be given on the day of, or prior to the period of the absence.

² Principals should rely on school enrolment data to determine whether a student or their parent comes from a Welfare Reform Community

- 4.2 If a notice of an absence is not provided in accordance with the principles at 4.1, the absence is an unexplained absence and should be notified to the Commission.
- 4.3 School principals should consider that there has not been a *reasonable explanation* provided for a student's absence when the explanation given by the parent is not in accordance with these Guidelines.
- 4.4 If it cannot be determined at the time or day of scheduled attendance whether the explanation given for the absence is reasonable, a decision must be made as soon as practicable after the reason for the absence is established.

5. Illness

- 5.1 Parents must notify the school of their child's illness on the day of the child's absence from school otherwise the absence will be recorded as an unexplained absence.
- 5.2 Parents must supply a medical certificate³ if their child is absent due to illness for three or more consecutive days. If the medical certificate is not provided within two school days of the third consecutive day of absence, the absence should be considered unreasonable.
- 5.3 Paragraphs 5.1 and 5.2 do not apply to students from the Welfare Reform Communities who are boarding at schools outside of the communities.
- 5.4 If a child is absent due to the illness of an immediate family member (eg. Parent, grandparent, sibling or primary carer), it is to be regarded as an unreasonable absence.

6. School approved activities (out of class)

- 6.1 Attendance at out of class activities is a reasonable explanation for an absence only if:
- the parent has given prior notification to the school about the student's attendance at the activity; and
 - the activity is consistent with normal activities for school purposes, such as performing in the school band, choir or dance group, participating in inter-school scholastic or artistic competitions, and participating in youth parliament.
- 6.2 Attending leisure activities such as fishing, camping, visiting friends/relatives or shopping should not be considered appropriate reasons for an absence.

³ A medical certificate may be obtained from a medical practitioner, including a nurse

7. Sport

- 7.1 Attendance at a sporting events is a reasonable explanation for an absence only if:
- the event is approved or organised by the school (including interschool sporting events); or
 - the student is participating at a representative sporting event (regional, state, national and international) and the principal of the school is satisfied the student attended the event.
- 7.2 If school work is prescribed for the child for the duration they are away, a student should be recorded as absent, without reasonable explanation if the student is unable to provide evidence that they have undertaken school work.

8. Work experience

- 8.1 Absence for work experience is a reasonable explanation, only if:
- the student is 14 years or older; and
 - the principal is satisfied with the appropriateness and value of the work experience; and
 - a work experience agreement has been completed and signed by the principal, the student's parent and the employer.
- 8.2 The work experience agreement must set out the expected attendance by the student at the workplace and create an obligation on the work experience provider to inform the school if the student does not attend. Non-attendance at work experience will be considered an absence, and reported by principals to the Commission.

9. Funerals - Local⁴

- 9.1 The number of days a child is absent on the passing of a family member (eg. parent, grandparent, sibling or primary carer), should be limited to the day of the funeral for local funerals.
- 9.2 The parent or carer of the child must notify the school principal or his/her representative of the required absence prior to the absence occurring.
- 9.3 If the student is absent for more than the day of the funeral, it is to be recorded as an unexplained absence, unless explained by another provision of these Guidelines, e.g., grief or bereavement.

⁴ Refers to a funeral occurring in the community that the child is resident in or attends school in.

10. Funerals – Out of Town

- 10.1 An absence due to attendance at a funeral that is out of town is not always desirable or necessary and should only be considered to be reasonable if:
- the deceased person is an immediate family member (eg. Parent, grandparent, sibling or primary carer); and
 - the Principal is satisfied that the attendance at the funeral is necessary, based on information provided by the parent
 - no suitable child minding options are available to parents within the community; and
 - a reliable method of transport is available to ensure the timely return to the community
- 10.2 The number of days a child is absent should be negotiated between the school principal or his/her representative and the child's parent balancing the child's overall welfare with the educational needs (though generally should not be more than three days and less if possible, which is to include travel time).

11. Grief and Bereavement

- 11.1 The number of days a child is absent due to grief or bereavement of an immediate family member (eg. Parent, grandparent, sibling or primary carer), should not exceed three days.
- 11.2 If a child is absent for longer than three days, a medical certificate must be sought to allow grief to be confirmed by a health professional in order for the child to receive, or be referred to, appropriate treatment. The medical certificate must be provided to the school within two days of the third consecutive day of absence.
- 11.3 If the medical certificate is not provided in accordance with paragraph 12.2 the absence is to be recorded as unreasonable.

12. Holidays

- 12.1 If a student is absent to take a holiday outside of gazetted or approved school holiday periods it is to be recorded as an absence without reasonable explanation.

13. Legal responsibilities

- 13.1 The parent or guardian of the student must notify the school principal in writing of the need for leave where the student is required to be absent from school to fulfil legal or other similar requirements, such as attending court hearings. Leave to fulfil legal obligations, without notifying the school principal must be recorded as an unexplained absence.

- 13.2 If a parent or guardian is required to leave the community for legal reasons, the parent must take all reasonable steps to make alternative arrangements that would allow the student to attend school, such as being cared for by a relative. An absence for legal reasons should only be considered to be a reasonable explanation where it is not possible for the parent to make reasonable alternative care arrangements that would allow the child to continue to attend school.
- 13.3 When a student is absent for legal reasons, the school should prescribe school work for the child for the duration they are away. An unexplained absence should be recorded where:
- the student is unable to provide evidence that they have undertaken school work prescribed by the school in such circumstances; or
 - the parent has not notified the principal prior to the event about the required legal attendance commitment and the lack of alternative child care arrangements.

14. Other absences

- 14.1 Absences for other reasons should be notified to the Commission if the principal is not satisfied there is a reasonable explanation for the absences.
- 14.2 Absences for the following reasons should not be considered appropriate reasons for an absence:
- an absence to engage in leisure activities such as fishing, camping or shopping;
 - an absence to visit friends/relatives, including for a birth, injury or illness;
 - an absence to visit homelands or outstations;
 - an absence due to the parent not being aware it is a school day;
 - an absence due to the student not wanting to go to school;
 - an absence due to the student being too tired to go to school;
 - an absence due to the student's family not having any food for breakfast or lunch;
 - an absence due to the student missing the school bus;
 - an absence due to inclement weather (except where the weather conditions cause the closing of the school); and
 - an absence due to the student not having a uniform, or clean uniform, to wear.

15. Borders – returning to school from community following illness, funerals and holidays

- 15.1 An unexplained absence should be recorded if a student does not return to school from holidays, attendance at a funeral or from an absence due to illness, on the date agreed with the school principal, unless the principal is satisfied there is a reasonable explanation for the absence.

- 15.2 An example of a reasonable explanation would be where the student's travel arrangements were disrupted because of a matter outside of their control, such as a cyclone.
- 15.3 In such cases, the parent or legal guardian of the student is to contact the school on or before the scheduled day of return notifying that the child cannot return at this time due to unavoidable circumstances. If no contact is made by the parent or guardian with the school, an unexplained absence should be recorded.
- 15.4 The out of town funeral provisions in paragraph 11 apply to children attending boarding schools.
- 16. Contact**
- 16.1 For further information on the Guidelines please telephone Mr Rob White, Registrar on (07) 4057 3870.

A handwritten signature in black ink, appearing to read 'David Glasgow', with a stylized flourish at the end.

David Glasgow
Commissioner
5 November 2010