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| <p>Kelsey School Division Box 4700 The Pas, MB R9A 1R4</p> | <p>Code: JECE</p> |
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STUDENT WITHDRAWAL FROM SCHOOL

1. The PSA Section 262 clarifies when student non-attendance is permitted:

262 Exemption from liability

No person is guilty of an offence under subsection 260(2) for failing or refusing to ensure that his or her child attends school if

- a) the child is in regular attendance at an independent school, as defined in *The Education Administration Act*;
- a.1) in the case of a child who is 16 years of age or older, the child is enrolled in an adult learning centre registered under *The Adult Learning Centres Act* and is taking a program of study leading to a high school diploma;
- b) the field representative certifies that in his opinion the child is currently receiving a standard of education at home or elsewhere equivalent to that provided in a public school;
- c) the child is unable to attend school by reason of sickness or other unavoidable cause or is excluded from attendance under subsection 261(2);
- d) the child is absent from school on any day regarded as a holy day by the church or religious denomination with which the child is affiliated;
- e) the principal of the school has suspended the child from the school and the suspension is still in effect;
- f) the child has been expelled and has not been permitted to enroll in another school division;
- g) the child has received, or has completed the necessary requirements to receive, a graduation diploma or certificate of completion, as defined in the regulations made under subsection 259(2);

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- h) the child is at least 15 years of age and is participating in an activity or program provided for in the regulations made under section 262.2;
 - i) the child is absent or excused from school as authorized under this Act, a regulation made under this Act or another enactment; or
 - j) the child is at least 16 years of age and has withdrawn from parental control.
2. A person is deemed not to be a student of compulsory school age if, on the day the provincial school attendance regulations come into force, is 18 years of age or older; and had stopped attending school.
 3. If a person begins attending school again, compliance with the attendance regulations is required.
 4. The Minister may make regulations respecting activities and programs, including work training programs that provide educational benefits, in which a student who is at least 17 years old may participate instead of attending school. In such instances, conditions shall be established under which students may participate in an activity or program, criteria or standards for the activities or programs established, and monitoring and reporting on the student's participation prescribed, and how and to whom the reports are made.