

ED301\*

School Education Act 1999

## **School Education Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *School Education Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on 1 January 2007.

**3. The regulations amended**

The amendments in these regulations are to the *School Education Regulations 2000\**.

[\* *Reprint 1 as at 3 March 2006.*]

**4. Regulation 36 replaced**

Regulation 36 is repealed and the following regulation is inserted instead —

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**36. Non-compliance with a school dress code:  
s. 123(2)(a)**

(1) In this regulation —

“**non-complying student**” means a student at a government school —

(a) who does not comply with —

(i) a requirement of the school’s dress code when not exempted under regulation 35 from complying with the requirement; or

(ii) a condition imposed under regulation 35(3) on an exemption that applies to the student;

and

(b) who had reached the age of 6 years and 6 months at the time of the alleged non-compliance or would have reached that age during the calendar year in which the alleged non-compliance occurred; and

(c) who had not reached the age of 18 at the time of the alleged non-compliance.

(2) If a non-complying student is enrolled in a primary programme the principal of the school may do one or both of the following things —

(a) prevent the student from attending any activity in respect of which the student would have been representing the school;

(b) prevent the student from attending or participating in any school activity which, in the opinion of the principal, is not an essential part of the student’s educational programme.

(3) Despite any provision of Division 5, a student to whom subregulation (2) applies is not to be disciplined in relation to the non-compliance in any manner other than the manner set out in that subregulation.

(4) If a non-complying student is enrolled in an educational programme other than a primary programme the provisions of Division 5 Subdivision 1 apply as if the student had committed a breach of school discipline.

- (5) Despite subregulation (4), a student may not be prevented from attending or participating in any school activity which, in the opinion of the school's principal, is an essential part of the student's educational programme.
- (6) Nothing in this regulation enables a student to be treated as having committed a breach of school discipline for the purpose of suspending or excluding the student under Part 3 Division 5 of the Act.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.