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STATUTORY INSTRUMENTS

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**2008 No. 1743**

**The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008**

**PART 3**

**Exemptions in respect of individual children**

**Power of early years provider to confer exemptions**

7. An early years provider may determine, in respect of a particular young child, that the learning and development requirements apply with modifications, or do not apply, in the circumstances prescribed in regulation 8, and to the extent prescribed in regulation 9.

**Prescribed circumstances for a determination by an early years provider**

8. The circumstances referred to in regulation 7 are that—
- (a) the early years provider has received a written request for a determination from a parent of the child;
  - (b) the application specifies any early learning goal, educational programme or assessment arrangement that should apply with modifications, or that should not apply, in respect of that child, and the reasons why;
  - (c) the early years provider is satisfied that the parent of the child has religious or philosophical convictions which cannot be reconciled with one or more of the learning and development requirements; and
  - (d) the early years provider has sought the views of the relevant local authority as to whether the determination should be made.

**Extent of a determination by an early years provider**

- 9.—(1) A determination made under regulation 7 may provide that—
- (a) an educational programme applies with such modifications as are specified in the determination; and
  - (b) an early learning goal or an assessment arrangement—
    - (i) applies with such modifications as are specified in the determination, or
    - (ii) does not apply.
- (2) A determination under regulation 7 must specify—
- (a) that the date of the request referred to in regulation 8(a) is the date from which the exemption provided for in the determination takes effect; and
  - (b) the period (not exceeding 12 months) during which that exemption has effect.