



Standards in Scotland's Schools etc. Act 2000

2000 asp 6

Requirement for mainstream education

15 Requirement that education be provided in mainstream schools

- (1) Where an education authority, in carrying out their duty to provide school education to a child of school age, provide that education in a school, they shall unless one of the circumstances mentioned in subsection (3) below arises in relation to the child provide it in a school other than a special school.
- (2) If a child is under school age, then unless one of the circumstances mentioned in subsection (3) below arises in relation to the child, an education authority shall, where they—
 - (a) provide school education in a school to the child, provide it in; or
 - (b) under section 35 of this Act, enter into arrangements for the provision of school education in a school to the child, ensure that the arrangements are such that the education is provided in,
a school other than a special school.
- (3) The circumstances are, that to provide education for the child in a school other than a special school—
 - (a) would not be suited to the ability or aptitude of the child;
 - (b) would be incompatible with the provision of efficient education for the children with whom the child would be educated; or
 - (c) would result in unreasonable public expenditure being incurred which would not ordinarily be incurred,and it shall be presumed that those circumstances arise only exceptionally.
- (4) If one of the circumstances mentioned in subsection (3) above arises, the authority may provide education for the child in question in a school other than a special school; but they shall not do so without taking into account the views of the child and of the child's parents in that regard.

Changes to legislation: *There are currently no known outstanding effects for the Standards in Scotland's Schools etc. Act 2000, Cross Heading: Requirement for mainstream education. (See end of Document for details)*

Commencement Information

II S. 15 in force at 1.8.2003 by [S.S.I. 2003/84](#), [art. 2](#)

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