



# Matthew Pearce Public School

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## Matthew Pearce Public School Enrolment Policy

### **1. Entitlement to Enrol at a NSW Public School**

Compulsory school aged students are entitled to enrol at the local school that the student is eligible to attend if their home is within that school's local intake area. Parents may apply to enrol their child in the school of their choice, however, acceptance is subject to the child being eligible to attend the school and the school being able to accommodate the child.

Parents may enrol a child if they turn 5 years of age on or before 31 July in that year. Students identified as gifted and talented, who are aged 4 years or older at 31 January of the year of enrolment may only be enrolled in accordance with the Gifted and Talented policy.

Schools require an Authority to Enrol for each temporary resident and international student enrolment which is issued by DE International and the Temporary Resident Program.

#### **Eligibility**

Eligibility to attend a school may depend on:

- the kind of school, e.g. infants, primary, secondary, composite or schools for specific purposes
- gender, e.g. single sex schools
- age
- residency status – visa category and subclass, e.g. temporary residents are eligible for enrolment for the period of a current visa and only when fees are paid, if no exemption applies.

The Secretary, Department of Education designates local intake areas as developed by School Infrastructure NSW in consultation with the principal, school community and Director, Educational Leadership. The School Finder tool provides information about school intake areas to assist parents in determining their child's local school. The areas identified in School Finder are subject to change.

Changes to a local intake area might result in a family with a child/children currently enrolled and in attendance at the school as local students consequently residing outside the local intake area. These families will retain the entitlement to enrol siblings at the school. This does not apply to families with a child/children currently enrolled at the school as a non-local when the intake area was changed.

Exceptions to the entitlement to enrol at the local school are:

- where a student is directed by the Secretary, Department of Education to enrol in a particular school or type of school, due to an identified risk
- where the Minister refuses enrolment of a student if the student has been expelled from a government school or is of the opinion that there is other sufficient reason to do so.

Relevant law  
Education Act 1990, s26H and s34

Reasonable adjustments are made to enable students with disability to apply for enrolment on the same basis as students without a disability. Further information is available from Disability, Learning and Support.

Relevant law  
Disability Standards for Education 2005 (Cth), Part 4 - formulated under the Disability Discrimination Act 1992

Reasonable support is provided to enable students from language backgrounds other than English, in particular those learning English as an Additional Language/Dialect (EAL/D), to apply for enrolment on the same basis as students from English speaking backgrounds.

Relevant law  
Education Act 1990, s6  
Multicultural NSW Act 2000 Part 1, s3

## **2. Residential address check**

Under the Education Act 1990, principals require proof of address to their satisfaction in order to establish a child's entitlement to enrol in the school.

Schools that are at or nearing their local enrolment buffer will use the following 100-point residential address check to determine the student's entitlement to enrol at the school.

<b>Document showing the full name of the child's parent</b>	<b>Points</b>
1. Only one of (i.e. no additional points for additional documents) <ul style="list-style-type: none"> <li>1.1. Council rates notice</li> <li>1.2. Lease agreement through a registered real estate agent for a period of at least 6 months and rental board bond receipt</li> <li>1.3. Exchanged contract of sale with settlement to occur within the applicable school year</li> </ul>	40
2. Any of the following <ul style="list-style-type: none"> <li>2.1. Private rental agreement for a period of at least 6 months and rental bond receipt</li> <li>2.2. Centrelink payment statement showing home address</li> <li>2.3. Electoral roll statement</li> </ul>	20 each
3. Any of the following documents <ul style="list-style-type: none"> <li>3.1. Electricity or gas bill showing the service address*</li> <li>3.2. Water bill showing the service address*</li> <li>3.3. Telephone or internet bill showing the service address*</li> <li>3.4. Drivers licence or government issued ID showing home address*</li> <li>3.5. Home building or home contents insurance showing the service address</li> <li>3.6. Motor vehicle registration or compulsory third party insurance policy showing home address</li> <li>3.7. Statutory declaration stating the child's residential address, how long they have lived there, and any supporting information or documentation of this</li> </ul>	15 each

\* up to three months old

## **Additional documentation required**

Where parents submit their 'Application to enrol in a NSW Government School' form they are to provide the following documents:

- Birth certificate or identity documents
- Passport, Visa or Citizenship documents may be requested **for students and parents**
- Immunisation history statement
- Original ASCIA action plan with photo and signed by doctor (if applicable)
- Court order (if applicable)
- Last school report (other than Kindergarten enrolments)
- All documents must be current and the originals will need to be sighted prior to a place being offered. Documents issued more than 3 months ago will not be accepted.
- For new students enrolling for the next year, whilst current documents will be asked for in the year prior to the day of enrolment, more current documents will need to be provided on the day of enrolment, to ensure address is still current. This will be for all residents, both rental properties and homeowners.
- If leasing a property the lease must extend into the school year, a minimum of 6 months. This may require families to present a new lease prior to enrolment. Office staff will advise when necessary. All lease agreements must be substantiated with the accompanying rental bond receipt from the Department of Fair Trading.

Where a parent is able to give good reasons why they are unable to present documents, or in exceptional circumstances, principals may waive or vary the 100-point residential address check requirements when assessing a child's entitlement to enrol at the school. If this is to occur, principals are required to seek the approval of the Director, Educational Leadership.

## **3. Enrolment applications**

### **3.1 NSW government school**

Parents may seek to enrol their child directly at their local public school by completing the Application to enrol in a NSW Government school form. Translated enrolment forms are also available.

Parents seeking to enrol their child in a school other than their local public school should contact the school to determine availability of places and selection criteria if demand exceeds availability.

The school will notify parents of the result of their application.

Further information for parents is available on the school website.

### 3.2 Temporary residents

Temporary residents must submit an application to the Temporary Residents Program to enrol in a NSW government school in accordance with the Enrolment of Non Australian Citizens - Procedures and Eligibility.

Relevant Law  
Education Services for Overseas Students (ESOS)  
and the National Code of Practice 2007

Temporary residents may be enrolled at a school if the school can accommodate the enrolment. If a school is at capacity, temporary residents must be referred to the next available school/s with capacity.

International students and temporary residents seeking to enrol from another NSW government school, a non-government school or from outside NSW must be referred to DE International and the Temporary Resident Program. Prior to enrolment, these students require an Authority to Enrol (ATE) and payment of fees (if applicable).

## 4. Enrolment in the census school

A student should be enrolled in one school only, that being the census school. However, a student may need to attend an additional school for a specific time or purpose, being the host school (see 4.1 and 4.2 for examples). This requires coordination between the census and host schools for compliance with the School Attendance policy.

Relevant law  
Education Act 1990, Part 5

The student remains enrolled in the census school and the census school should maintain the student's name on an attendance register, with a record of the student's attendance at the host school.

It is the responsibility of the principal or delegate of the census school to liaise with the host school so legal obligations to keep an attendance register are satisfied and that all students from the census school attending the host school are recorded on this register.

Attendance records for host and census schools as well as special circumstance registers for attendance at specialist schools and programs are kept in accordance with the Student Attendance in Government Schools: Procedures.

### 4.1 Attendance at unique school settings and programs

A student may be enrolled at a census school and attend a specialist school or program at a host school for a period of time or part-time. Examples include:

- support classes for students with behaviour disorders and/or emotional disturbance
- hospital schools and students visiting Stewart House or the Royal Far West School
- distance education
- education and training units such as schools located in a Juvenile Justice Centre.

Students who require intensive levels of support may be enrolled at a School for Specific Purpose (SSP) as their census school. Enrolment is subject to an initial assessment and placement panel procedures.

## 4.2 Short-term attendance

There may be circumstances that require a student enrolled in a census school to attend a host school for a short period of time. An example is where parents are visiting a locality for a brief period or an integration program.

Students are not required to enrol and are considered as short-term attendees for:

- a period less than one term, or
- a placement less than 2.5 days per week.

Short-term attendance may be necessary where there is a dispute between parents about enrolment. Further guidance is provided in the Family Law Guidelines and the Student Attendance in Government Schools: Procedures, section 15.

Information about the student will need to be shared in accordance with section 6 of these procedures, even though the student is not being enrolled.

## 5. Transfer of enrolment information

Students are entitled to enrol in their local school or may apply to enrol in a non-local school. The assistance of the school counsellor/psychologist from both the existing and new schools may be required to establish the appropriate year and level of study. The transfer of enrolment information is to support the enrolment needs of the student. The student's parent or carer may be requested to provide information or documentation to facilitate any risk assessment or management, or management plans and proof of guardianship.

### 5.1 Enrolling from a NSW Government school

The transfer of enrolment information between NSW government schools is permitted by parental consent obtained on the enrolment application form. The parent of the student changing schools is required to update enrolment information.

Student information can be shared between NSW government schools without further parental consent, where consistent with the provisions of the Privacy and Personal Information Protection Act 1998 and the Health Records and Information Privacy Act 2002. These Acts enable the transfer of information about a student between government schools where lawfully authorised or required under an Act (such as the Work Health and Safety Act 2011) or any other law, including the duty of care.

Further, the department's Privacy Code of Practice, permits information sharing between government schools on a number of bases including where it is considered necessary to promote and maintain a disciplined learning environment

Information is required to be shared by principals of primary schools and secondary schools in accordance with additional implementation procedures which support enrolment such as the high school enrolment website. Such information is used by principals to make decisions about requirements for additional support such as development of learning and support strategies.

Relevant law

Privacy and Personal Information Protection Act 1998

Health Records and Information Privacy Act 2002

## 5.2 Enrolling from a NSW non-Government school

When a student from a non-government school is enrolling in a NSW government school there are four ways information can be shared between government and non-government schools in NSW:

- any information by consent of parents (or students' consent of over 18 years or older)
- information relevant to the safety, welfare and wellbeing of students under the age of 18, under Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998, in accordance with the Child Protection Policy: Responding to and reporting students at risk of harm.
- information relevant to the assessment and management of health and safety risks to schools arising from a student of any age who has a history of violent behaviour under Part 5A of the Education Act 1990
- where an exception to relevant privacy legislation applies, such as a medical or other emergency or where disclosure is ordered by a court.

Relevant law Children and Young Persons (Care and Protection) Act 1998 Education Act 1990, Part 5A Privacy and Personal Information Protection Act 1998 Health Records and Information Protection Act 2002
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## 5.3 Enrolling from a school outside NSW

The Interstate Student Data Transfer Note is a national system for the transfer of student data between schools when students move from one state to another. Parental consent is required before student information can be exchanged. The type of information that may be exchanged includes:

- attendance
- health care needs
- areas of interest/talent
- support needs
- progress in specific learning areas
- pastoral care
- behaviour management.

Government schools are required to use the Interstate Student Data Transfer Note and Protocol for use by government schools jointly developed and agreed by the Australian Government, State and Territory Education Authorities, the Independent and Catholic education sectors through the Standing Council on School Education and Early Childhood.

For students transferring from New Zealand it is standard practice that a request for student information will be made to the previous school.

## 6. Safety and wellbeing concerns in enrolment

### 6.1 Legal requirements

The department has a duty of care to take reasonable steps to protect students from foreseeable risk of harm and to do what is reasonably practical to ensure the health and safety of students, staff and visitors to its sites.

Departmental staff have legal obligations to identify and report child protection concerns that arise during the course of or from their work. Departmental staff may also have an important role in taking

appropriate action in response to child protection concerns in partnership with the Department of Family and Community Services and other government and non-government organisations.

**Relevant law**

Work Health and Safety Act 2011 section 19 establishes the department's legal obligations to students, staff and visitors.

The duty of care owed by the department through its staff to students arises directly from the special relationship between teachers and students.

**Relevant law**

Education Act 1990, ss4(b), 21B, 22, 26H and 34  
Children and Young Persons (Care and Protection) Act 1998

To manage the concurrent legal requirements where there are safety, welfare or wellbeing concerns, it is reasonable that principals obtain information relevant to assessing any risks arising from a student's previous behaviours. Collectively these concerns may include any issue concerning the health, safety, welfare or wellbeing of students and staff that may impact on school related activities.

Where these concerns exist about prospective students they should only be enrolled when adequate safeguards and supports are in place.

## **6.2 Information on student behaviour**

Principals who identify safety concerns for a prospective student are able to collect relevant information for a risk assessment and to develop a management strategy, from the following sources:

- The enrolment application form containing information relating to a student's history, including special circumstances.
- Information from organisations other than schools (for example, a health care professional working with the student)
- Court orders and other relevant documents provided on enrolment, and
- School counsellor/psychologist's advice to principals about the enrolment of a student.

**Relevant law**

Education Act 1990, Part 5A Division 2

## **7. Refusal of enrolment**

A principal may refuse to enrol a student with documented violent behaviour when risk mitigation strategies or adjustments are not possible to manage the risk. This is subject to compliance with the requirement to conduct a risk assessment, in accordance with the Management of health and safety risks posed to schools by a student's violent behaviour guidelines, and consultation with the Director, Educational Leadership. Any decision to refuse enrolment at a particular school should not be interpreted as a refusal to enrol in any government school or facility.

## **8. Managing enrolments in schools**

A student is entitled to enrol at the local school that the student is eligible to attend if their home is within that school's local intake area. Parents may apply to enrol their child in the school of their choice. Acceptance is subject to the child being eligible to attend and the school can accommodate the child.

### **8.1 Enrolment cap**

An enrolment cap for a school is established centrally, based on available permanent accommodation. Demountable classrooms are not usually counted towards the enrolment cap unless new or replacement accommodation is under construction. No additional accommodation (permanent or demountable) will be provided to cater for increased enrolments resulting from non-local enrolments retained otherwise.

The enrolment cap for selective schools is set in accordance with the Selective High School and Opportunity Class Placement policy.

### **8.2 Local enrolment buffer**

Within the enrolment cap, a number of enrolment places (the buffer) must be set aside for the enrolment of local students arriving throughout the year.

The size of the buffer will differ in each school based on historical data, enrolment fluctuations and on the number of families moving into or out of the area.

The size of the local enrolment buffer is set locally by the principal and approved by the Director, Educational Leadership. It is reviewed annually and set in time for assessing applications for the following year's enrolment intake.

Places in the local enrolment buffer are not to be offered to non-local students.

### **8.3 Non-local enrolment**

Non-local enrolment applications are only considered by schools that can accommodate the child below the set local enrolment buffer level. In determining whether the school can accommodate a child the principal considers:

- the child's age
- the type of school
- the resources of the school
- the existing number of permanent classrooms and other facilities at the school.

Except for enrolments at the commencement of the school year, schools that have not reached their local enrolment buffer level should only accommodate non-local enrolments into classes with available places.

In schools where demand for non-local enrolment exceeds the number of available places below the enrolment buffer, the school must develop non-local enrolment criteria and establish an enrolment panel to consider and make decisions on all non-local enrolment applications.

When the school's enrolment level is close to the local enrolment buffer, the principal is required to inform the principal of the child's local school when considering the non-local enrolment application, and to seek approval of the Director, Educational Leadership before making an offer to enrol the child.

Relevant law

Education Act 1990, ss 34(1), (5) and (6)

Disability Standards for Education 2005 (Cth)

### **8.3.1 Application**

Parents may apply for non-local enrolment of their child to attend Matthew Pearce Public School. Consideration of such applications will be made taking into account available places and the reasons identified for such an enrolment to occur.

### **8.3.2 Criteria**

The criteria for selecting a non-local enrolment application may include (but not limited to) such factors as:

- student wellbeing needs
- medical reasons
- safety and supervision of the student before and after school
- compassionate circumstances.

Criteria must not include student ability, performance or achievement.

### **8.3.3 Enrolment panel**

The composition of the enrolment panel is determined locally and will consist of one executive staff member to chair the panel and at least one teaching staff member nominated by the principal and one school community member nominated by the school's parent organisation. Applicants for non-local enrolment must be advised that the panel will include a school community member and all panel members should be asked to confirm they have no conflict of interest when considering the application.

The decision made by the panel must take into account the enrolment cap and the buffer retained for local students arriving later in the year. The panel records all decisions and keeps minutes of meetings which are to be available on request by the principal and Director, Educational Leadership.

The chairperson ensures that the established criteria are applied equitably to all applicants. The school will notify parents of the result of their application.

### **8.3.4 Appeals**

Unsuccessful non-local applicants may appeal against the decision of the enrolment panel. The appeal is made in writing to the principal and sets out the grounds of the appeal. If necessary, the principal should provide or arrange assistance, such as an interpreter, to enable the appeal to be set out in writing.

The purpose of the appeal is to determine whether the stated criteria have been applied equitably. If the principal is not on the enrolment panel, the principal considers the appeal and makes a determination. Otherwise, the appeal may be determined by the Director, Educational Leadership.

The parent should be advised of the outcome in writing. If the matter is not resolved at the school level, the final level of appeal is to the Director, Educational Leadership.