

# **Burwood Heights Primary School and Kindergarten**

# Educating the whole child



# ADMISSION AND ENROLMENT POLICY



# Help for non-English speakers

If you need help to understand the information in this policy please contact the school on (03) 9803 8311 or email: burwood.heights.ps@education.vic.gov.au

#### **PURPOSE**

This policy sets out requirements for entry into Burwood Heights Primary School, including admission, enrolment, the placement of students and transfers between schools.

#### **DETAILS**

This policy is underpinned by the mandatory Enrolment in a Victorian Government School policy and guidelines.

Under the Education and Training Reform Act 2006:

- Schooling is compulsory for students aged between 6 and 17 years, unless an exemption from attendance has been granted.
- Every Victorian student has a legislated right to enrol at their designated neighbourhood school and may be enrolled at another school subject to sufficient accommodation.

Burwood Heights Primary School refers to the *Enrolment in Victorian Government School Guidelines* for details on:

- age eligibility, including exceptions and exemptions from the maximum and minimum school age requirements and processes
- determining designated neighbourhood school areas and zones
- Department policy requirements relating to placement of students and enrolment management
- enrolment appeal processes and requirements
- determining permanent residence of students and families
- required documentation and information when enrolling students
- transfers between schools

#### OVERVIEW OF ENROLMENT IN VICTORIAN GOVERNMENT SCHOOLS

Under the Education and Training Reform Act (2006), schooling is compulsory for students aged between 6 and 17 years, unless an exemption from attendance has been granted. This applies to all schools, including specialist and government English language schools or centres. Every Victorian student has a legislated right to enrol at their designated neighbourhood school (section 2.2.13 of the Act), and may be enrolled at another school subject to sufficient accommodation (section 2.2.14 of the Act). The following information provides the requirements for entry into a Victorian government school. This includes admission and enrolment pre-requisites, placement into a Victorian government school and transfers between schools.

# ELIGIBILITY TO ENROL IN A VICTORIAN GOVERNMENT SCHOOL

To enrol in a Victorian government school, an applicant must:

- be an Australian citizen, or a student with relevant specified visas or <a href="Immicard">Immicard</a>. Refer to the Department's: <a href="International Student Program">International Student Program</a> (ISP)
- meet the age eligibility requirements set out in these Guidelines (based on the requirements set out in the Education and Training Reform Act (2006) and Education and Training Reform Regulations 2017 (Vic).

For information on school age requirements, including exceptions and exemptions, refer to the Department's: School age requirements.

# **FAIRNESS AND EQUITY**

School enrolment practices must be fair, equitable and comply with state and federal laws. Factors such as ability, history of behaviour or level of engagement with education are irrelevant factors for placement decisions. This ensures schools enrol students in a way that is fair, equitable and lawful. Further information about fair, equitable and lawful enrolment practices is available at the Department's <u>Disability Standards for Education</u> and <u>Help for students who can't attend school due to disability and complex health care needs</u>

# SCHOOL AGE REQUIREMENTS AND AGE EXEMPTIONS

Under the Education and Training Reform Act 2006, schooling is compulsory for students aged between 6 and 17 years unless an exemption from enrolment or attendance has been granted. For enrolment and attendance exemption categories and processes — refer to: <a href="Exemptions from SchoolEnrolment">Exemptions from SchoolEnrolment and Attendance</a>. Compulsory schooling for students aged between 6 and 17 applies to all schools including mainstream, specialist and government English language schools or centres.

A person who is not of compulsory school age may not enrol in, or attend, a government school unless:

- The person falls within an exception to the age eligibility requirements set out in the Education
- and Training Reform Regulations 2017 (Regulations) refer to the Exceptions information below; or

- The person is granted an exemption from the age requirements in the Regulations refer to the Exemptions information below
- Educational programs not subject to the school age requirements
- The school age requirements set out in the Education and Training Regulations 2017 do not
- apply to individuals who will attend programs conducted at a government school:
- · Outside school hours; or
- By Registered Training Organisations or other bodies that are separate from the school

#### SCHOOL DIFFERENCES BETWEEN AN EXEMPTION AND EXCEPTION

A person who falls within an exception automatically meets the age eligibility requirements to enrol in or attend a government school. If the principal is satisfied that the person meets the criteria for the exception, the principal cannot refuse to enrol the person on the basis of their age and the person will not be required to obtain an exemption from the Minister or their delegate.

A person who does not fall within an exception may be eligible to apply for an exemption. Exemptions are granted at the discretion of the Minister, or Minister's delegate (which currently include Regional Directors). There is no automatic eligibility to enrol in or attend a government school.

# RESPONSIBILITY FOR ASSESSING AND APPROVING SCHOOL AGE ELIGIBILITY REQUIRMENTS

Principals are responsible for assessing eligibility and approving the enrolment of:

- Individuals who are of compulsory school age (those aged between 6 and 17 years); and
- Individuals who fall within an exception under the Regulations

The Minister or delegate (such as a Regional Director) is responsible for assessing and granting exemptions to the minimum and maximum school age requirements.

# **EXCEPTIONS TO THE MINIMUM AGE REQUIREMENTS**

A child who is aged less than 5 years old at 30 April of the year of enrolment, may enrol in or attend a government school for the purposes of attending:

- Short-term Prep transition programs in primary schools that prepare pre-schoolers for primary school
- Early Education Programs in special developmental schools (as approved by the Minister)
- A child who is aged 5 years or over by 30 April of the year of enrolment may enrol in or attend a government school if they are enrolling in or attending a:
- Course of primary education
- Course approved by the Minister
- Preschool program conducted on government school premises

#### **EXEMPTIONS FROM THE AGE REQUIREMENTS**

The Minister or delegate (such as a Regional Director) may grant an individual an exemption from the minimum and maximum age requirements in the Regulations in limited circumstances. An individual is eligible to apply for an exemption if they meet the criteria set out below. Eligibility does not guarantee that an exemption will be granted.

Exemptions from the minimum and maximum age requirements are rare, rather than being considered normal practice. This should be taken into account when considering enrolment decisions, such as beginning school, transitioning from primary to secondary school and planning for completing school or moving to other available settings.

Schools may not always be the most appropriate place for some children or young people. There are a range of age-appropriate settings available for children and young people, whether they may be early childhood services and settings or adult education options.

It is important that when considering applications for exemption from the age requirements that a balance needs to be struck between the best interests of the child or young person and that of other students. This balance must be considered for individual cases and circumstances, while also ensuring that the exemption process is consistently and fairly applied.

The following arrangements apply to enrolments that can be assessed and endorsed by principals but require relevant Regional Director approval.

#### **EARLY AGE ENTRY**

Where a student is younger than 5 years of age on 30 April in the year of enrolment and does not meet one of the exceptions listed above, an exemption from the minimum age requirements is required. Early age entry or exemption from the minimum age requirements must be:

- Requested in writing to the school by their parent/carers
- Considered by the principal, who must make a written recommendation for consideration by
- the Regional Director
- Forwarded to the relevant Regional Director, with all supporting documentation attached, via
- email
- Assessed by the Regional Director, who must consider eligibility, the principal's recommendation
- and all other relevant circumstances, and make a decision regarding the application
- Approved or not approved in writing by the relevant Regional Director.
- The regional office should notify both the parent or carer and school of the decision in a timely manner

To be eligible for an exemption from the minimum age requirements a child must meet both of the following criteria:

- The child possesses suitable academic ability; and
- It is in the child's best interests to be enrolled at or attend a government school

Applications that do not address the requirements for both criteria will not be eligible for approval. To understand how the Department applies the eligibility criteria for an exemption from minimum age requirements, the following guidance is provided:

• Suitable academic ability

The Department's preferred evidence of suitable academic ability is:

- A report from a psychologist confirming that the child has been assessed as ≥ 130 Full Scale IQ (2 standard deviations, or more above the mean), preferably using the Wechsler Preschool and Primary Scale of Intelligence, Fourth Edition, Australian and New Zealand (WPPS-IV A&NZ), including the 10 sub-tests required to calculate the Full-Scale score and Primary Index Scales, conducted after the child has attained the age of 4 years; or:
- Where a child is transferring from a school in another state or country after more than one term of enrolment and attendance, evidence from that school confirming that the child has suitable academic ability to attend school

Where a child does not fall into one of the above categories, the Department may also consider other evidence of suitable academic ability that:

- Is provided by an authoritative independent source(s) for example, a child psychologist registered with the Psychology Board of Australia, with experience in educational and developmental psychology; and
- Clearly demonstrates that the child has suitable academic ability to attend school

It is the responsibility of the parent/carer to obtain all relevant cognitive assessment/s and/or other reports and evidence to support their child's application. Applications based solely on parental observations will not be accepted.

#### **BEST INTERESTS**

Schools must consider the entry assessment from kindergarten and informal observations to assess development, literacy, and numeracy, and academic, social and emotional needs in determining a student's school readiness. Early entry to school is generally not considered to be in the best interests of a child unless the child is:

At least 4 years 6 months of age on or before 30 April in the year of school commencement;
 and

 Considered at risk of long-term educational disadvantage by a childcare, kindergarten, allied health or other relevant professional if they do not commence at school

To apply for a minimum age exemption for early entry to school, use the: Minimum age exemption – early entry to school application form (DOCX).

#### DESIGNATED NEIGHBOURHOOD SCHOOLS - SCHOOL ZONES

The designated neighbourhood school (school zone) is usually the school that is nearest the student's permanent residence, unless the regional director:

- Needs to restrict new enrolments at a school
- Has designated the neighbourhood boundaries for the school

School zones are generally determined by the nearest school by straight line distance in metropolitan areas and major regional cities, or the nearest school by shortest practical route in regional areas. The straight line is used in metropolitan areas and major regional cities, because it is generally the most reliable method for determining the 'closest' school.

In regional and rural Victoria, the shortest route method is used which recognises main road networks. Both methods can produce some anomalies; to address this, some adjustments have been to the zones to account for natural barriers such as major rivers and gorges. This section defines the measure of the nearest school:

- If the student resides in the metropolitan region, Ballarat, Bendigo or Geelong, then the nearest school is measured by a straight line from the student's residence.
- If the student resides in any other area, then the nearest school is measured by the shortest practicable route.
- School zones are available at the Find my School website

# **PLACEMENT POLICY**

This section of the Department's enrolment guidelines outlines the obligations on Victorian government schools in relation to placement of students and is referred to as the Placement Policy. The Department's Placement Policy embeds the legal entitlement for students to enrol at their designated neighbourhood school, and to enrol at another school if there is sufficient accommodation.

All Victorian government schools must manage enrolments in accordance with this Placement Policy, except those schools where the Minister or delegate has approved specific entry criteria, being:

- select entry high schools
- specialist schools
- English Language Schools and Centres
- camp and outdoor schools
- hospital schools and teaching units
- distance schools

- flexible learning government schools and flexible learning campuses
- any other school with entry criteria as approved by the Minister or delegate

The Placement Policy applies to the placement of students at all year levels. For further information refer to Starting school.

#### RIGHT TO ATTEND THE DESIGNATED NEIGHBOURHOOD SCHOOL

Eligible children and young persons have the right to be admitted to their designated neighbourhood government school, regardless of capacity. Accordingly, all students that reside within the area of a designated neighbourhood school (referred to as a 'school zone') must be offered a place when seeking enrolment. For information on eligibility, refer to: Eligibility to enrol in a Victorian government school.

A student's designated neighbourhood school is generally the school that is nearest the student's permanent address as determined by the school zone. The <a href="Find my School website">Find my School website</a> provides guidance on which school zone a student's permanent address is located within. For information on verifying a student's permanent address, refer to: <a href="Determining permanent residence">Determining permanent residence</a>. The Department recognises that some schools may require additional capacity to accommodate students from within their school zone. In these circumstances, schools may be supported by the temporary allocation of relocatable buildings. For more information about how relocatable buildings are allocated, refer to: <a href="Relocatable Building Management">Relocatable Building Management</a>.

The Department recognises that some schools may require additional capacity to accommodate students from within their school zone. In these circumstances, schools may be supported by the temporary allocation of relocatable buildings. For more information about how relocatable buildings are allocated, refer to: Relocatable Building Management.

#### INTERNATIONAL STUDENTS

International students (such as those holding a dependant or temporary visa) have the legal entitlement to enrol at their designated neighbourhood school; however, under the Education Services for Overseas Student Act (2000), students who hold a subclass 500 student visa (a student visa in their own name) may only attend government schools accredited to accept international students. The Department refers to students who hold a student visa in their own name as Standard and Study Abroad students. Given Standard and Study Abroad students are required to attend an accredited school, they may not be able to attend their closest school. Schools may contact the International Education Division for support with queries regarding international student enrolments: <a href="mailto:international@education.vic.gov.au">international@education.vic.gov.au</a>

ATTENDING A SCHOOL THAT IS NOT THE STUDENT'S DESIGNATED NEIGHBOURHOOD SCHOOL

Students can apply for a place at a school that is not their designated neighbourhood school. All students who seek enrolment in a school outside of their designated neighbourhood school should be enrolled in that school if:

- there is sufficient accommodation at the school
- this request for enrolment aligns with the school's enrolment management plan (if they have one).

Where there is insufficient accommodation at a school for all students who seek entry, students must be enrolled according to the Placement Policy's priority order of placement (see below). The Department takes into account a school's enrolment practices when determining the allocation of relocatable buildings. Buildings are prioritised to schools which are addressing local demand, and which have a high percentage of enrolments from within their school zone.

#### SUFFICIENT ACCOMODATION

Whether a school has sufficient accommodation to enrol additional students depends on a number of factors. These include if the school will continue to have appropriate physical and operational capacity and resources to provide high quality education and services to the school's overall student population. Sufficient accommodation takes into consideration:

- built capacity and/or target-built capacity
- current enrolments and forecast enrolments
- current demand and forecast demand within the school zone
- staffing levels
- industrial agreements
- subject/curriculum demands on the school
- where practical, planning for an even distribution of students across all year levels while maintaining class size targets.

Schools must have sufficient accommodation to meet current and future in-zone demand before enrolling students from outside the school zone. In some instances, schools may not have sufficient accommodation to offer placement to all students. This includes instances where schools are forecast to come under significant enrolment pressure from within the school zone. Where this is the case, the Department will work with schools to develop an enrolment management plan to support long term enrolment planning. Sufficient accommodation is determined by the principal in consultation with their regional office, and it should reflect current and future in-zone demand. In instances where further support may be needed, final determination on sufficient accommodation may be made by the regional director.

## PRIORITY ORDER OF PLACEMENT

Eligible children and young persons have the right to be admitted to their designated neighbourhood government school, regardless of capacity. In circumstances where schools do not have sufficient accommodation to accept all students who apply from outside their school zone, schools must manage enrolment applications in accordance with the following priority order of placement:

- 1. students with a sibling at the same permanent address who are attending the school at the same time.
- 2. all other students in order of closeness of their home to the school.

In exceptional circumstances, a student may be enrolled in a school based on compassionate grounds. This is an overarching consideration and does not form part of the priority order of placement. Further information is available below under 'Exceptional circumstances – compassionate grounds'.

#### Priority 1. Siblings

The sibling priority applies to placement decisions at all year levels. There is an expectation that schools will enrol all older and younger siblings, unless otherwise approved by the regional director. A sibling is defined broadly and can include step-siblings and students residing together as part of a multiple family cohabitation or out-of-home-care arrangements, including foster care, kinship care and permanent care. Students seeking enrolment on sibling grounds should be residing together at the same permanent address and must be attending the school at the same time.

Where siblings do not reside together on a full-time basis, families may still seek enrolment on sibling grounds. These applications will be considered on a case-by-case basis. If there are complex sibling arrangements such as this, schools should contact their regional office to seek advice. Regional office contact details and locations are on the Department's website, visit: Office locations.

A school should only seek to restrict or limit enrolments of out-of-zone siblings if they consider there to be significant future or current capacity restraints (for example, there is a concern that students within zone could not be accommodated in present or future years) and where they have approval from the regional director.

To seek approval to restrict enrolments for out-of-zone siblings, schools must submit the Exemption to Priority 1 of the Placement Policy application form. Schools can obtain a copy of the application form by contacting their regional office. All applications are assessed by both regional and central offices. Any agreement between schools and the relevant regional director on enrolment restrictions for out-of-zone siblings must be reviewed annually.

#### Priority 2. Order of closeness of their home to the school

In metropolitan areas, and in Ballarat, Bendigo and Geelong, closeness to school is the distance measured in a straight line from the child's permanent residential address to the school. In any other area of Victoria, closeness to school is the distance measured by the shortest practical route by road.

Distances from an address to the 5 nearest schools (as measured in a straight line) are available on the <u>Find my School website</u>. This website can be used when considering order of closeness to school, particularly for metropolitan areas, and in Ballarat, Bendigo and Geelong. In other areas, schools should consider travel distance between the applicant's address and the school when considering order of closeness.

Closeness to school is either assessed upon receipt of an enrolment application or as part of the annual Prep enrolment or Year 7 placement processes for government schools. Timelines will be strictly observed for Prep enrolment and Year 7 placement applications. If an application for Prep enrolment or Year 7 placement misses the deadline, it should be considered after applications received on time (if the student does not live in the school zone or does not have a sibling attending the school at the same time).

#### EXCEPTIONAL CIRCUMSTANCES – COMPASSIONATE GROUNDS

In exceptional circumstances, a student may be enrolled at a school on compassionate grounds. This is an overarching consideration and does not form part of the priority order of placement. Families must be able to clearly demonstrate the exceptional circumstances which they believe make an enrolment at their designated neighbourhood school unsuitable for their child or children. The student will generally be offered a place at the school in next closest proximity to the student's permanent address or current address or location where relevant.

Exceptional circumstances may include family violence, wellbeing and safety concerns, physical and/or mental health concerns. Importantly, this is not a comprehensive list of exceptional circumstances whereby a family may seek an enrolment on compassionate grounds – each application will be dealt with on a case-by-case basis.

Under the Disability Standards for Education (2005), education providers are legally required to make reasonable adjustments for students with disability. On that basis, grounds for exceptional circumstances do not include concerns related to a student's disability where those concerns can be addressed by making reasonable adjustments. For examples of reasonable adjustments and further guidance, refer to: <a href="Students with Disability">Students with Disability</a> — <a href="Chapter 2: Making reasonable adjustments">Chapter 2: Making reasonable adjustments</a>.

When considering an application or appeal on compassionate grounds, schools and regional staff can request that families provide further evidence. This may include:

- legal documentation
- reports from allied health and/or medical professionals, the Department of Families, Fairness and Housing practitioners, Victoria Police, and/or family violence services
- court orders.

Matters of compassionate grounds are of a sensitive nature and may pose risks to health and life (for example, matters related to family violence). Family and student privacy must be maintained when considering applications on compassionate grounds. For more information, refer to: <a href="Privacy and Information Sharing">Privacy and Information Sharing</a>. Schools can contact their regional office to seek advice and support when considering applications on compassionate grounds.

# STUDENT REPORTS, TESTS AND INTERVIEWS

A placement offer must not be dependent on a satisfactory report, test or interview. Schools must not ask parents and carers to submit reports or other documentation regarding a student's performance before a placement offer has been made. This includes school reports, NAPLAN test results, teacher judgement, letters of recommendation and/or evidence of language, artistic, curriculum or sporting achievement.

Student tests or interviews may only occur after a placement offer has been made. This covers all forms of testing, including examinations for school specific scholarships, academic programs, leadership programs, sporting trials, music or performing arts auditions, and other try-outs or performance assessments. Schools must also not hold formal or informal interviews for prospective students and their families. Schools must not reserve places or prioritise placement for students on the basis of anticipated test results.

# **ENROLMENT MANAGEMENT**

Schools, in consultation with their regional office, manage enrolments to ensure that all students can attend their local school now and into the future. Strategies that support enrolment management include:

- maintaining accurate and complete enrolment records and data, to facilitate enrolment planning
- planning for an even distribution of students across all year levels while maintaining class size targets
- considering enrolment projections and ensuring that the starting cohort of enrolment numbers does not increase to the extent that the overall capacity of the school is exceeded for the life of the cohort
- monitoring enrolment trends and subject/curriculum demands in the school
- advising current and prospective parents about any limits on enrolment early.

Schools may be supported with an enrolment management implementation plan. Enrolment management implementation plans support schools to implement enrolment restrictions approved by regional directors. They are applied to schools that are under enrolment pressure, and to encourage improvements in student distribution and the effective use of building infrastructure. For further information, visit: Restricting enrolments.

#### **DETERMINING PERMANENT RESIDENCE**

Every child is guaranteed a place at their designated neighbourhood school (or local school). Families may seek enrolment for their child at a school that is not their local school and should be enrolled if that school has sufficient accommodation. Refer to the <u>Placement Policy</u> for more information. To support each child's right to attend their local school, and to make sure the priority order of placement is followed, schools may need to verify a child's permanent residence. This can occur for both in-zone and out-of-zone children, either before an offer of enrolment or placement is made, or as a condition of the offer.

It is important to consider a child's personal circumstances when making determinations about their permanent residence. The welfare and education of children should not be disadvantaged because of their inability to provide evidence of address.

#### MEANING OF 'PERMANANENT RESIDENCE'

A child's permanent residence is the address at which they permanently reside at the time of seeking enrolment. If a child resides at multiple addresses, their permanent residence is the address at which they spend the majority of their weekdays. If a child spends an equal amount of time at 2 addresses, both addresses are considered their permanent address and the child can be enrolled in the local school for either address. However, that does not mean they can enrol at both schools. The final choice of which school the child attends rests with the parents and carers or prospective student if they are an adult or mature minor for the purpose of making enrolment decisions.

#### EVIDENCE FOR DEMONSTRATING PERMANENT RESIDENCE

When assessing enrolment applications, schools may request that parents and carers provide supporting documentation to assist them in verifying a child's permanent residence. Supporting documentation may include copies of rental agreements, exchanged contracts of sale or other official documentation that demonstrates permanent residence.

To obtain sufficient supporting documentation, schools may ask parents and carers to complete a Residential address check (PDF). The residential address check is intended as guidance only and schools have discretion to accept less than 100-points of information as outlined in the checklist. Documents should show the same address and parent's or carer's name as recorded on the school enrolment application form. Schools must not keep copies of supporting documents used to verify a student's address. Refer to Processing enrolment forms and supporting documentation for guidance on recordkeeping requirements for enrolment documentation.

Requests for additional supporting documentation may occur after the parent has submitted an enrolment application, if deemed necessary by the school. Information to parents and carers must clearly explain that the documentation is required to confirm if the child can be offered enrolment at the school. The school must also clearly communicate to parents and carers that the enrolment application may not be accepted if the requested documentation is not provided.

If it comes to light that the address provided on the application form was not the child's genuine permanent residence, a school may withdraw an enrolment or placement offer under certain conditions (refer to the section below on <u>Withdrawal of an enrolment or placement offer</u>). The regional office must be informed before an enrolment or placement offer is withdrawn.

#### STATUTORY DECLARATIONS

Schools may also ask parents and carers to complete a statutory declaration confirming they are living at the address and that the arrangement is genuine and intended to be permanent. It is a criminal offence to make a false statutory declaration and, if made on purpose, the person making the statutory declaration is liable to penalties of perjury (refer to <u>Statutory declarations</u>).

The information contained in a statutory declaration is part of the information provided by parents and carers to demonstrate their permanent residence and should be considered by the principal when making a decision about an enrolment application. In the event a school receives a statutory declaration and is unsure about its validity, schools should consult with their regional office. In these instances, schools should assess all information available on each case and make a decision on its own merit with support from the regional office.

#### **DURATION OF RENTAL AGREEEMENTS**

If a school has concerns about the duration of a rental agreement being provided as proof of permanent address, the school should consult with the family to ensure that reasonable consideration has been given to the family's living circumstances. For example, it is not acceptable to disregard a rental agreement that is shorter than 12 months from the time of submitting the enrolment application if this accurately reflects a family's residential circumstances.

If a rental agreement does not cover the first day of attendance, a school may seek further information closer to enrolment. Schools can make the enrolment conditional on providing a renewed rental agreement before the first day of school and may withdraw an enrolment or placement offer under certain conditions (refer to 'Withdrawal of an enrolment or placement offer').

# DETERMINING PERMANENT RESIDENCE AS A CONDITION OF ENROLMENT OR PLACEMENT OFFER

If you are making an enrolment or placement offer that is conditional on the parent or carer satisfying determining permanent residence requirements, this must be made explicit in both the initial letter of offer and in any subsequent communication.

#### INABILITY TO PROVIDE EVIDENCE OF PERMANENT RESIDENCE

Schools must ensure enrolment practices do not unfairly disadvantage families of children who are unable to provide proof of permanent address because of their individual circumstances. This is particularly relevant to children experiencing homelessness, family violence, children in out-of-home care, children of Defence personnel or recently arrived immigrants or refugees. In these cases, schools must seek advice from their regional office before declining an enrolment application on the basis that the family of the child is unable to provide proof of permanent residence.

Note: Department policy does not prohibit schools listing the address of a specialist service, crisis or other temporary accommodation, or school address if required, as the address for a child or young person experiencing family violence, to protect the child or young person from harm.

#### **VERIFICATION OF PERMANENT RESIDENCE**

Schools can make reasonable enquiries to verify permanent address information provided by parents and carers, such as:

- checking the electoral roll at an Australian Electoral Commission office or the Victorian Electoral Commission head office
- checking with a real estate agent
- for a rental property that is a studio apartment or a one-bedroom unit, checking whether there are any regulations or codes limiting the occupancy of these apartments to one person per apartment.

Schools should remember that multiple families may live together in one residence. Schools should be understanding of these arrangements when verifying permanent residence.

To satisfy privacy law requirements, schools should ensure parents and carers applying for enrolment are aware of the enquiries the school may make to verify the information provided about a child's permanent residence. Schools must not undertake home inspections or surveillance to verify permanent residence.

If the principal does not accept that the address provided on the enrolment application form (and any other supporting documentation) is the genuine permanent residence of the child, the school may decline the application if it does not have sufficient accommodation for all who apply, in line with the <u>Placement Policy</u>.

## WITHDRAWAL OF AN ENROLMENT OR PLACEMENT OFFER

There are some circumstances in which schools can withdraw an enrolment or placement offer.

If, after an enrolment or placement offer is made, the child's permanent residence changes or it comes to light that the address provided on the application form was not the genuine permanent residence of the child, a school may withdraw an enrolment or placement offer in the following circumstances:

- the new address is not within the school zone; and
- where, after the priority order of placement is applied to the new address, a place is not available for the child; and
- the enrolment or placement offer and any subsequent material provided to the child and their
  parent or carer expressly states that the offer may be withdrawn prior to the first day of
  attendance if the child's permanent place of residence changes or the school becomes aware
  that the address provided on the application form was not the genuine permanent residence
  for the child.

Prior to withdrawing an offer of enrolment, schools must consult with the regional office. Schools must also consider any safety or wellbeing issues related to the child. If the regional office is supportive of the school withdrawing the enrolment or placement offer, the school must issue written communication to the parent or carer noting the outcome and ensure the parent or carer is aware that they may appeal this decision (refer to Appealing enrolment decisions).

#### RESTRICTING ENROLMENTS

Designated neighbourhood government schools (referred to as 'local schools') are responsible for managing their enrolments in line with the <u>Placement Policy</u>. Effective enrolment management helps manage demand across the government school network and helps to ensure that every student can enrol at their local school. Enrolment management supports schools with planning for their current and future enrolments and to remain within their capacity where possible. It also helps the Department to improve student distribution and to prioritise additional accommodation for schools with high local demand.

In some cases, the Department will provide schools with an enrolment restriction in the form of an Enrolment Management Implementation Plan (EMIP). EMIPs are applied to support schools that are under enrolment pressure, and to encourage improvements in student distribution and the effective use of building infrastructure.

Schools with enrolment restrictions in place:

- must restrict the enrolment of new students in line with the directions set out by their regional director
- must include information about their enrolment restriction on their school website
- may contact their regional office if they are seeking support in implementing their enrolment restriction.

#### **ENROLMENT MANAGEMENT IMPLEMENTATION PLANS**

Every year, as part of the EMIP program, the Department undertakes an assessment to identify schools across Victoria that require enrolment management support via an enrolment restriction. The EMIP program supports schools to meet their legal obligation for students to be guaranteed enrolment at their local school, or to be enrolled at another school if there is sufficient accommodation.

The Department is given the power to restrict enrolments under the Education and Training Reform Act (2006) This power has also been delegated to the Department's 4 regional directors (<u>Instrument of Delegation No. 2023/D08 (PDF)</u>

In Term 2 each year, the regional director informs schools in writing if they are receiving an enrolment restriction for the following school year. All restrictions apply for one year and are reviewed annually to determine if they are still required or need to be modified. Schools will also receive information regarding their current and projected enrolment demand to support their planning.

#### PURPOSE OF ENROLMENT RESTRICTIONS

The main purpose of EMIPs is to:

- ensure every child is able to attend their local school if they choose
- ensure schools are consistently supported with early enrolment management interventions when they are at risk of exceeding their capacity by over-enrolling out-of-zone students
- promote effective use of infrastructure assets by supporting improvements in student distribution
- prevent unnecessary relocatable allocation when a school can manage their current and anticipated enrolments within their existing capacity
- increase clarity for principals regarding the Placement Policy and enrolment management expectations.

#### HOW SCHOOLS ARE IDENTIFIED FOR EMIPS

Schools that receive an EMIP are generally those that are under significant enrolment pressure, schools that received a relocatable building for growth in the most recent school year, and schools that opened in the last 5 years. Schools may also receive an EMIP to support improvements in student distribution.

# **TYPES OF EMIPS**

The type of EMIP that a school receives depends on a variety of factors including enrolment behaviours and trends, available capacity, forecast demand and student distribution.

The 2 different types of EMIP restrictions are:

- 1. restriction to in-zone students and out-of-zone siblings. This can be for the entry year (for example, Foundation or Year 7) or applied to the whole school
- 2. restriction to a sufficient accommodation figure (or 'enrolment cap') for a specific year level or for the whole school (for example, 300 Year 7 students or total school enrolments of 1,400). In these cases, schools must enrol all in-zone students, out-of-zone siblings and, where places remain, may offer out-of-zone enrolments (according to next closest to the school) up to the sufficient accommodation figure.

Important: Schools with EMIPs must continue to consider students seeking enrolment on compassionate grounds. For more information, refer to: 'Exceptional circumstances – compassionate grounds' in the Placement Policy.

# FACTORS CONSIDERED WHEN ASSESSING SCHOOLS FOR EMIPS

The Department takes a number of factors into consideration when determining the appropriate enrolment restriction for schools needing enrolment management support. Further information on the factors considered for each enrolment restriction are listed below.

## In-zone and sibling restriction:

- enrolment pressure is high and the school is under pressure from high and/or increasing local demand
- the school has high or rapidly growing local demand and/or enrolments indicate near future enrolment pressure
- · the school has recently received a relocatable building
- it is a new school with high demand but low enrolment pressure due to the progressive addition of year levels.

Sufficient accommodation restriction to address enrolment pressure:

- enrolment pressure is high and local demand is high but stable
- enrolment pressure is high, but local demand is at, or less than, capacity, and an in-zone and sibling restriction would reduce class/cohort sizes too severely
- it is a small school where restricting enrolments will negatively impact the school's ability to run an appropriate curriculum.

Sufficient accommodation restriction to improve student distribution:

- the school has significant relocatable capacity
- the school has capacity that significantly exceeds their local demand
- the school is contributing to underutilisation at surrounding schools.

# ENROLMENT GUIDANCE FOR SCHOOLS APPROACHING THEIR CAPACITY

Schools approaching their capacity are also identified through the Department's annual EMIP program. These schools may receive a reminder to follow the Department's <u>Placement Policy</u>. Schools with a Placement Policy reminder are not required to restrict their enrolments. Placement Policy reminders reiterate to schools their obligations under the Placement Policy and highlight how schools must prioritise enrolments from outside the school zone if they have limited places available. This approach supports the Department to prioritise additional accommodation to schools with high local demand. Schools receiving a Placement Policy reminder will also receive information regarding their current and projected enrolment demand to support their planning.

#### APPEALING ENROLMENT DECISIONS

Parents and carers are able to appeal against a school's decision not to provide a placement. This can occur in relation to enrolments at Foundation, placements at Year 7, or placements at other year levels.

#### APPEALING A PREP ENROLMENT OR YEAR 7 PLACEMENT DECISION

In the case of appeals regarding Prep enrolment or Year 7 placement decisions, there is a set date by which time the school must respond to parents/carers lodging an appeal, usually 2 to 3 weeks after the appeals period closes.

Appeals are considered by the school's placement or enrolment committee and/or principal, and the school's decision will be communicated to the parent/carer in writing. In assessing the appeal, the school will check to ensure compliance with the priority order of placement, and the processes for verifying permanent address, as appropriate. Schools will assess and make a determination for appeals on compassionate grounds on a case-by-case basis.

If the appeal at the school level is unsuccessful and parents/carers are not satisfied that the school has correctly applied the Placement Policy or adequately considered their circumstances, they are able to escalate the appeal to the relevant regional director, by lodging an appeal in writing. Appeals to the regional director must be lodged by the set closing date (as advised in the statewide timeline documents for Prep enrolment and Year 7 placement).

Appeals to the regional director are considered by a panel of senior regional staff which then provides advice and a recommendation to the regional director who makes the final decision. This concludes the appeal process.

#### APPEALING A PLACEMENT AT OTHER YEAR LEVELS

In the first instance, parents or carers should lodge a written appeal with the school at which the student has been unsuccessful in gaining a placement. If this appeal is unsuccessful and parents or carers are not satisfied that their appeal has been adequately considered, they are able to escalate the appeal to the relevant regional director. For local government schools, appeals to the regional director are considered using the priority order of placement in the Placement Policy. For specialist schools, refer to <a href="Enrolment in specialist schools">Enrolment in specialist schools</a> for more information. Regional office contact details and locations are on the Department's website, visit: <a href="Office Locations">Office Locations</a>

#### APPLICATION AND ENROLMENT FORMS

The Department supports Victorian government schools to maintain a fair and transparent enrolment process by providing a standardised application form and enrolment form that are completed in 2 stages:

- Stage 1: Application form captures enrolment expressions of interest from parents/carers.
- Stage 2: Enrolment form captures detailed student information once there is a confirmed placement offer from the school.

Where schools have an online application or enrolment form, the content must align with the Department's forms.

# **APPLICATION FORM**

The application form supports parents/carers of eligible students to apply for a place at a government school. It is intended to be used before an enrolment form is completed and may be used for any year level apart from Year 6 to 7 placement, which has its own form and process.

It is strongly recommended that schools use the Department's application form, particularly where schools do not have sufficient accommodation to accept all students or have an enrolment management implementation plan. Use of the form allows schools to assess applications in line with the Placement Policy and reduces instances of parents/carers enrolling their children in multiple schools.

Schools may request parents/carers provide supporting documentation to confirm a student's address using the <u>residential address check (PDF)</u>. When assessing an application, schools may make enquiries to verify the information provided. Schools must not make amendments to the application form, except for cases involving specialist schools or schools with specific entry criteria approved by the Minister for Education (or delegate). These schools may have additional requirements that need to be incorporated into the application form.

If a school has sufficient accommodation to accept all students, they may provide parents/carers with the enrolment form (instead of the application form) to complete their admission if the:

- enrolling student lives in the school zone or
- enrolling student is a sibling of an existing student who will be continuing at the school.

#### **ENROLMENT FORM**

Enrolment forms must be completed for all students enrolling for the first time in the Victorian government school system. Most commonly, this would occur at Prep enrolment. An enrolment form is not required for students transferring between Victorian government schools. Refer to: <u>Student transfers between schools</u>. Parents/carers complete the enrolment form when all of the following apply:

- they are enrolling their child for the first time in the Victorian government school system
- the selected school has confirmed a place is available
- they intend to accept the enrolment offer and send their child to the selected school.

The enrolment form is available below and on the CASES21 Portal:

- Form to enrol in a Victorian government school (DOCX) (staff login required)
- Form to enrol in a Victorian government school (PDF) (staff login required)

Information collected in the enrolment form aligns with school data collection requirements, including mandatory CASES21 data. No amendments should be made to the enrolment form.

## **DECLARATION**

A signature from the following applicable people will be required to complete the enrolment form:

- the parents as set out on the child's birth certificate or as described in a court order or
- an informal carer with a statutory declaration, or other authorised carer with relevant documentation (refer to <u>Decision Making Responsibilities for Students</u> for information about carers and a copy of the applicable statutory declaration) or
- the student, if they are living independently.

The signature of one parent on an enrolment form should be accepted where:

- there is only one parent or carer with legal responsibility for the child
- parents are completing separate enrolment forms
- one parent declares they have completed and signed the form on behalf of both parents, and contact details for the other parent have been provided in the form
- one parent has completed and signed the form and the contact details for the other parent are unknown to the enrolling parent and the school.

In all other circumstances, the signature of only one parent on an enrolment form will generally be considered incomplete documentation and principals must follow the steps set out in the <u>Incomplete</u> <u>or missing student information or documentation</u> section in the next chapter.

When parents are not in agreement about the enrolment application, principals and staff should:

- avoid becoming involved
- avoid favouring one parent
- act in accordance at all times in the best interests of the student and school community
- act sensitively
- realise that a resolution, satisfactory to both parents, may not be possible.

Schools should contact Legal Division at <u>legal.services@education.vic.gov.au</u> for further advice as required, including where there are safety concerns about contacting a parent to seek consent to enrol.

#### PRIVACY COLLECTION NOTICE

Schools must provide new families with the Department's <u>privacy collection notice</u> and keep all information securely. Enrolment forms and supporting documentation must be managed in accordance with the Department's privacy policies and Victorian privacy laws. Refer to <u>Privacy and Information Sharing</u> for further information.

#### **RECORDS MANAGEMENT**

Under the <u>Records Management – School Records Policy</u>, schools must retain all application and enrolment forms for 7 years, or for the duration of the student's enrolment – whichever is longer. Both forms are used to inform enrolment decisions, which may be subject to appeal.

# **DIGITAL ENROLMENT FORMS**

The enrolment form is available as a fillable PDF. Schools may continue to provide a hard copy of the form to parents/carers as needed. Where schools have established an online enrolment process based on the previous enrolment form, this will need to be updated to align with the content of the revised form. Due to the personal and sensitive health information collected, schools are required to store the enrolment form in a secure digital format using one of the following options:

- existing student administration system (for example, Compass, Sentral)
- · encrypted PDF via email
- new software platform with enrolment functionality (for example, Digistorm).

A privacy impact assessment is required for new systems or when the purpose of existing systems is expanded to include the enrolment process. For further information refer to the PAL guidance on <u>Privacy impact assessments</u>. Platforms such as Google or O365 should not be used, as they are provided for collaboration and not secure storage of student records. This type of platform can pose a risk of inappropriate access and disclosure of student personal and sensitive information.

Schools should contact the Privacy team for advice and support to ensure they meet privacy law requirements by email: <a href="mailto:privacy@education.vic.gov.au">privacy@education.vic.gov.au</a> or phone: <a href="mailto:0386887967">0386887967</a>.

#### PROCESSING ENROLMENT FORMS AND SUPPORTING DOCUMENTATION

For information and links to the application and enrolment forms, please refer to: <u>Application and enrolment forms</u>. Schools collect personal information about students and their family as part of the enrolment process. This process requires parents/carers to complete an enrolment form and provide supporting documents. These documents are used to confirm student information and provide appropriate support when they start school. Schools then input this information into CASES21 as the Department's official system of record and request that parents/carers validate it twice a year.

#### Schools must:

- enrol eligible students who are new to the Victorian government school system using the name on their supporting documents (usually their birth certificate)
- sight all supporting documents and enter relevant student information into CASES21
- retain copies of documents, where this is required, for the minimum retention period specified in the <u>school records retention guide (XLSX)</u>
- securely dispose of supporting documents once student information is verified or following the document's minimum retention period
- · maintain and update student details obtained on enrolment
- provide new families with the privacy collection notice and keep all information secure and managed in accordance with the <u>Department's privacy policy</u> and Victorian privacy laws.

# SUPPORTING DOCUMENTS REQUIRED AT ENROLMENT

Schools require supporting documents to verify a student's name, date of birth, address, residency status, care arrangements and medical or health-related needs. For a comprehensive list of all supporting documents:

schools should refer to the <u>Enrolment documentation guide (DOCX)</u>

parents/carers should refer to the <u>Enrolment documentation checklist (DOCX)</u>.

Schools can make the enrolment documentation checklist available on their website and provide it to parents/carers along with the enrolment form. Parents/carers are not required to provide original documents. Copies of original documents are sufficient and can be provided either in-person or digitally.

#### DOCUMENTS TO VERIFY A STUDENT'S NAME AND DATE OF BIRTH

Schools must verify a student's name and date of birth when enrolling in a Victorian government school for the first time. The student's birth certificate is the preferred document to verify this information. Where a birth certificate cannot be produced, other acceptable evidence of a student's full name and date of birth may include a passport, citizenship documents, Australian Visa documents or Immicard.

Where no official documentation can be produced, the school must ask for other identifying documentation such as a general practitioner's (GP) note attesting to a child's age and/or a Medicare card. Schools must not keep copies of supporting documents used to verify a student's name and date of birth. These documents must be securely disposed of after completing the 'Birthdate proof sighted' field in CASES21.

#### DOCUMENTS TO VERIFY A STUDENT'S PERMANENT RESIDENTIAL ADDRESS.

Schools can choose to request evidence of a student's permanent residential address before making an enrolment offer (refer to <u>determining permanent residence</u>). Secondary schools following the <u>Year 6 to 7 placement process</u> may only request proof of address directly from parents/carers after offers are made, in accordance with the annual timeline. Schools can use the 100 point <u>Residential address checklist (PDF)</u> as a guide.

When requesting proof of address, schools should ensure enrolment practices do not unfairly disadvantage families of children who are unable to provide evidence because of their individual circumstances. This is particularly relevant to children experiencing homelessness, family violence or recently arrived immigrants or refugees. In these cases, school staff should seek advice from their regional office before rejecting an enrolment application on the basis that the family of the child is unable to provide proof of permanent residence.

Department policy does not prohibit schools listing the address of a specialist service, crisis or other temporary accommodation, or school address if required, for a child or young person experiencing family violence, to protect the child or young person from harm. Schools must not keep copies of supporting documents used to verify a student's address.

DOCUMENTS TO VERIFY A STUDENT'S PERMANENT OR TEMPORARY RESIDENCY STATUS

If a student is an Australian citizen but was born overseas, schools must sight their Australian passport or citizenship certificate to verify their citizenship status and record the details in CASES21. If a student is an Australian permanent resident and holds a permanent residency visa, schools must sight required documents and record details in CASES21. Schools must also sight documents and record details used to verify an international student's temporary residency visa or refugee status. For more information, refer to International Student Program.

# DOCUMENTS TO SUPPORT A STUDENT'S LIVING OR CARE ARRANGEMENTS

Schools must sight, record details and retain copies of any court orders, informal carers statutory declaration and/or care arrangement documents.

## DOCUMENTS TO SUPPORT A STUDENT'S HEALTH AND MEDICAL NEEDS

Primary schools must sight, record details and retain a copy of the Immunisation History Statement from the Australian Immunisation Register for all students. If a primary student transfers to another primary school, a copy can be sent to the receiving school and recorded in CASES21. For more information on immunisation in schools, refer to the Immunisation policy, the Infectious Diseases policy and the Public Health and Wellbeing Regulations 2019. Schools can also refer to the Department of Health fact sheet Starting primary school (PDF). Schools must also sight, record details and retain a copy of any health support forms or action plans as they apply to the student's medical and health related needs. For information. more refer to Health Care Needs, Medication, Asthma, Allergies and Anaphylaxis.

#### **RECORDS MANAGEMENT**

Schools must manage supporting documents supplied for enrolment purposes in line with the <u>Records Management – School Records Policy</u>. Some document types (for example, court orders) have different retention periods. For more information, refer to the <u>School records retention guide (XLSX)</u> (staff login required).

Unless specified in the school records retention guide, schools must not keep copies of supporting documents provided by parents/carers.

Schools must securely dispose of copies of supporting documents either:

- once the relevant information has been verified and recorded at enrolment
- following the document's minimum retention period (refer to the <u>Records Management</u> <u>policy</u>.

# INCOMPLETE OR MISSING STUDENT INFORMATION OR DOCUMENTATION

Schools can make enrolment offers if documents are missing or if information is incomplete. If required documents are still missing by the time the student intends to start school, schools must follow the steps outlined below.

# Step 1

The principal may defer admission of a student for up to 5 business days, provided they:

request that the parents/carers provide the missing information or documentation

 advise the parents/carers they are legally responsible for ensuring a child of school age attends school.

#### Step 2

The principal must admit the student if the information is not provided after 5 business days where further delay is likely to adversely affect the student's education and wellbeing.

This requires the principal to:

- record a notation on the student's record about the missing information
- where practicable, advise both parents/carers in writing that the school will record that relevant information or documentation is missing but is still required.

#### PROCESSING AND MAINTAINING ENROLMENT INFORMATION

CASES21 is the student information database and includes enrolment forms, transfer information, the student register (in primary schools) and class lists. The section below describes how schools maintain student information in CASES21:

- 1. Enrolment data is entered for students who are new to the Victorian government school system
- 2. Data is:
  - reviewed and confirmed by the parent/carer before students transfer
  - updated when schools are informed of changes to student information
  - reviewed half yearly, specifically parent/carer contact information (refer to <u>CASES21</u>
     <u>Administration User Guide</u> for guidance including processes for generating the
     Student Enrolment Information Form and Student Information Full Details Report)
  - · revised annually for state and Commonwealth reporting.
- 3. Records are retained and disposed of in accordance with the School Records Retention and Disposal Authority. Refer to Records Management School Records Policy

Schools enrolling international students must update CASES21 to confirm the student's commencement of study within 5 business days of commencement. Any changes to the student's enrolment must also be recorded in a timely manner. This will ensure an accurate disbursement of funds to the relevant school. Refer to the <a href="International Student Program (ISP)">International Student Program (ISP)</a>. Where students are moving from one government school to another government school, student data must be transferred using CASES21 and:

- parents/carers are not required to complete a new enrolment form if data is transferred using CASES21
- schools must not create a new student record in CASES21 this will create a duplicate record
- schools are required to send a copy of the Student Enrolment Information Form to the parent/carer for checking, updating and signing to ensure student data is current and accurate.

For students who are new to the government system, schools must obtain a completed enrolment form before admitting a student.

Refer to the <u>Transfers</u> section of these guidelines for more information.

# **CHANGING ENROLMENT NAME**

Schools can change the name under which a student is enrolled if:

- new legal documentation with an amended name is provided, such as:
  - o officially amended birth certificate
  - o proof of adoption
  - o court order authorising another name
- supporting documentation, which was not originally available, differs from the name provided during enrolment.

#### **VICTORIAN STUDENT NUMBER**

A Victorian Student Number (VSN) is allocated to students who are new to the Victorian government school system, in the name certified in enrolment documents. When students transfer between schools, the name will remain the same as that attached to the VSN unless new legal documentation with an amended name is provided. For more information on student numbers, visit the <u>Victorian Curriculum and Assessment Authority (VCAA)</u>.

# MAINTAINING STUDENT FAMILY OCCUPATION AND EDUCATION (SFOE) INFORMATION

Funding for equity (Social Disadvantage) provides an individual loading for students from disadvantaged backgrounds that will increase with the density of disadvantage at the school. Increased funding for schools has proven to raise educational outcomes, particularly for these students. Schools use Social Disadvantage funding to deliver tailored educational programs to meet the needs of this cohort of students.

The Social Disadvantage loading allocates funding based on parental occupation, parental education and the level of concentration of disadvantage in a school. Students with the highest level of need are targeted with the most funding to ensure schools have the resources to support them. Student Family Occupation and Education (SFOE) information that parents provide directly affects the level of Social Disadvantage funding that a school will receive. Therefore, it is essential that schools:

- ensure that their staff understand why SFOE data is needed and the benefits of ensuring there are no errors in data logged on CASES21
- clearly explain to parents the importance of correctly completing the parent information form
- have a process to ensure SFOE information is accurate and up-to-date
- contact parents when occupation and/or education data is missing, incomplete or unclear
- keep records to explain any changes or updates to data submitted by parents.

#### STUDENT TRANSFERS BETWEEN SCHOOLS

Parents/carers are entitled to request a transfer between schools. During this process, schools must avoid practices that:

- compel students to transfer or withdraw from school (for example, for behavioural issues)
   through any other means than the formal expulsion process (refer to <a href="Expulsions">Expulsions</a>)
- restrict entry to eligible students.

#### Schools must:

- provide student information for all students transferring out
- receive student transfer information for all students transferring in
- seek parent or carer consent for a transfer if the transfer follows a behaviour or disciplinary
  incident that may have otherwise resulted in commencement in expulsion procedures use
  the <u>student exit form (DOCX)</u> to obtain this consent
- update CASES21 and contact regional staff as appropriate for additional advice and support.

#### **APPROVAL PROCESS**

School principals approve transfers, including when:

- the student is transferring to their designated neighbourhood school
- the student residence changes and is now closer to a different government school (where requested)
- transfer is sought from an Australian school outside the state system
- the transfer is sought at the commencement of the school year or term 3 and in secondary schools the student can be accommodated mid-year without the reorganisation of the existing school program
- transfer is requested (other than in those instances cited above) by a parent/carer and the principal of each school involved supports the request
- a student is expelled from a school via the formal expulsion policy. For students of compulsory school age, the principal of the school from which the student has been expelled is responsible for ensuring enrolment in another school or registered training organisation in consultation with the local area team and regional office.

For all transfers where the parent/carer appeals against the principal's decision to not enrol, the:

- transferring principal makes recommendations to the regional director
- regional director determines approval.

Additionally, schools should note that they cannot enrol international students wishing to transfer from another school (prior to the student completing 6 months of the principal course of study) without a release letter issued by the Department's International Education Division, refer to International Student Program (ISP).

For parents or carers seeking to transfer a student to a specialist school, the transferring school must first determine the student's enrolment eligibility status with the receiving specialist school before approving the transfer. Refer to <u>Enrolment in specialist schools</u> for more information about verifying specialist school enrolment eligibility.

#### TRANSFER OF INFORMATION

When a Victorian government school student has been accepted at another Victorian government school, the transferring school will provide the student's information to that next school. All Victorian government schools must transfer student information through CASES21. 'Student information' refers to the personal and health information about the student, including achievement information, foreseeable risk and wellbeing information. For an overview of what student information should be transferred – refer to the CASES21 Administration User Guide – Chapter 24 – Student Data Transfer. Parent or carer consent is not required to transfer student information or records (including SSS/DCS files) to the student's next Victorian government school.

Transferring student information to the student's next Victorian government school is in the best interests of our students, because it assists that next school to provide optimal education and support to the student. This also enables the Department to fulfil important legal obligations. The Department, which includes all Victorian government schools, central and regional offices, is a single legal entity. This means that all student records and files, including DCS/SSS files, are owned by the Department (on behalf of the State of Victoria), not individual schools, networks or school staff. This also means that transferring student information to the student's next Victorian government school is a 'use' of that information for the same primary purposes for which it was collected, consistent with Victorian privacy law.

Where a student is in youth justice or secure welfare custody, all Victorian government schools must transfer information through CASES21, Student Data Transfer, to Parkville College. The student will remain enrolled at their base school while concurrently enrolled at Parkville College for the purposes of receiving education while in custody.

In addition, student information can be provided to the student's next Victorian government school in any and all of the following ways: verbally (principal to principal, or nominees), electronically (via email) and in hardcopy (by providing copies of the student's records, including health reports). If the student has received Student Support Services (SSS) support in the last two years, the SSS area based team must arrange for the SSS/Department Confidential Student file (DCS) to be sent to the SSS area based team for the receiving school.

#### SHARING INFORMATION BETWEEN SCHOOLS FOR STUDENT WELLBEING OR SAFETY

New Information Sharing Schemes have expanded permissions for authorised organisations, including government and non-government schools, to share information with each other for the purpose of promoting the wellbeing or safety of children or assessing or managing family violence risk.

For student transfers between Victorian government schools, schools should transfer any information that may assist the new school to promote the wellbeing or safety of children or to assess or manage family violence risk and for any other purpose as outlined in the Schools' Privacy Policy – refer to Privacy and Information Sharing.

For student transfers between government and non-government schools, schools can use the Information Sharing Schemes to transfer any information that may assist the new school to promote the wellbeing or safety of children or to assess or manage family violence risk. More information and support about using the new Information Sharing Schemes is available at <a href="Child and Family Violence Information Sharing Schemes">Child and Family Violence Information Sharing Schemes</a>.

# ENQUIRIES BY A FAMILY ABOUT A POTENTIAL TRANSFER BETWEEN VICTORIAN GOVERNMENT SCHOOLS

Victorian government schools may not share student information with another Victorian government school before that student has been accepted at that next school, unless consent is given. This means that when a parent or carer (or student on their own behalf) is enquiring about a possible placement at another Victorian government school, the student's current school cannot share student information with that potential new school, except for the following circumstances:

- the parent (or student) has consented to the sharing of information
- the receiving school needs to consult with the student's current school to ensure that the
  person presenting to the school to enrol the student has decision-making responsibility for
  that student and there are no Family Law Act orders or other court orders or documents that
  are relevant to determining who has decision-making responsibility for that student
- the schools are using the Information Sharing Schemes to transfer information for the purpose of promoting the wellbeing or safety of children or assessing or managing family violence risk.

A principal or regional officer supporting a student to find a suitable educational setting following an expulsion may also share relevant information about the student with another Victorian government school, in order to determine how that school could best support the student's education.

# TRANSFER PROCESS

Student and family information may be transferred, including information to promote child wellbeing or safety, any foreseeable risks (if applicable) and achievement data. All Victorian government schools must use CASES21 to transfer this information. Student information can also be provided to the student's next Victorian government school in any and all of the following ways: verbally (principal to principal, or nominees), electronically (via email) and in hardcopy (by providing copies of the student's records, including health reports).

Additionally, new Information Sharing Schemes enable Victorian government and non-government schools to share information with each other to promote the wellbeing or safety of children or to assess or manage family violence risk. Refer to <a href="Child and Family Violence Information Sharing Schemes">Child and Family Violence Information Sharing Schemes</a> for information about these schemes.

#### **RECEIVING STUDENTS PROCESS**

Where students are transferring between Victorian government schools, student information must be transferred using CASES21. In this instance the receiving school receives notification through CASES21 that data has been transmitted from the transferring school. The Victorian Student Register is automatically updated when the student data is imported by the receiving school.

When students transfer or transition between government schools, student names must not be changed unless new legal documentation with an amended name is provided.

When student information is transferred using CASES21:

- Parents/carers are not required to complete a new enrolment form.
- Schools are not required to create a new student record in CASES21 because that would create a duplicate record.
- Receiving schools must send a copy of the Student Enrolment Information Form to the parent or carer for checking, updating and signing to ensure the student data is current and accurate.
- Before a student is offered a place, receiving schools may consult with the transferring school
  to ensure that the person presenting to the school to enrol the student has decision-making
  responsibility for that student and that there are not Family Law Act orders or other orders or
  documents that are relevant to determining who has decision-making responsibility for that
  student.

If student information is not received, the receiving school principal seeks further information from the transferring school and chooses between:

- deferring admission for 1 day, or
- admitting the student conditionally and maintaining a record of attendance until the information is provided.

If the principal is unable, after reasonable enquiries, to obtain information, the receiving school principal:

- reports all circumstances to the regional director
- keeps the student in attendance as a conditional enrolment until the matter is resolved.

If the transferring school provides conflicting information about family circumstances, the receiving school principal seeks further information from the parents/carers before the School Enrolment Information Form is issued and the transfer proceeds.

If parents/carers do not provide documentation to clarify conflicting information, the receiving school principal:

- may defer the admission of the student for up to 5 days
- advises the parents/carers that:
  - they are required under the Education and Training Reform Act 2006 to enrol compulsory school age children at school and ensure the student attends
  - enrolment is conditional upon provision of the required information in a specified timeframe
  - the student should continue attending their current school where their record of attendance is being maintained

Refer to: <u>Decision Making Responsibilities for Students</u>

The principal can seek advice from:

- the regional office and/or
- the Department's Legal Division.

If the receiving school principal does not proceed with the transfer and the student returns to the transferring school, the transferring school reactivates the student in CASES21. When the matter is not resolved, both principals agree that the child's education is likely to be adversely affected by not proceeding with the transfer.

The receiving school principal:

- proceeds with the transfer
- advises the parents/carers in writing that the enrolment is conditional and will only be completed when these conditions are met
- records the conditions.

Examples include written consent from both parents/carers to the enrolment or production of a court order.

#### TEMPORARY ENROLMENTS – EMERGENCY SCHOOL CLOSURES

Where a student is unable to attend their school because of a flood-related closure, another government school (host school) that has capacity to accept the student's enrolment on a temporary basis may do so. In these circumstances, the following arrangements apply:

- 1. The principal of the host school must advise the principal of the student's substantive school (base school).
- 2. The base school must follow the <u>CASES21 instructions</u>: <u>Transferring students from flood impacted schools (DOCX)</u> (staff login required) to enable the full transfer of student information (for example, emergency contacts, health and other risk information) to the host school for the duration of the temporary enrolment. Where possible, details for a key contact staff member at the student's base school should be provided so that the host school can discuss any risk, duty of care or continuity of learning issues as needed.
  - If there are no staff members of the base school who are able to access CASES21 for the purposes of processing the transfer due to flood damage, please advise your senior education improvement leader (SEIL) who will work with the Department's CASES21 team to support the transfer.
- 3. The host school should inform the regional office through the SEIL of any temporary enrolments and provide basic information about the students including the number of such enrolments and the names of their base schools.

Attendance records must be kept in CASES21 for the student at the host school and any unexplained absences during the temporary placement should be followed up for that student by the host school as would be the case for any other student. The data will transfer back to the base school through CASES21 once the student can return (when their school is reopened).

# POLICY REVIEW AND APPROVAL

Policy last reviewed	23 <sup>rd</sup> April 2025
Approved by	Principal – Esther Wood
Next scheduled review date	23 <sup>rd</sup> April 2028

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