



Enrolment Policy

Version 1, 24th February 2020 | Approved by School Council

1. Purpose of this policy

- 1.1 Andale School is committed to ensuring that students are enrolled in the school in a manner that is fair and transparent. In achieving this standard, the school will ensure comprehensive and accurate information is provided to parents' as they enter into an enrolment agreement or contract with the school.
- 1.2 The school is committed to maintaining accurate records that comply with the school's legal obligations in relation to school enrolment.
- 1.3 The enrolment policy sets out the principles and framework governing the basis on which students are admitted to the school. The policy, together with the related documents, should be read and understood by parents and those responsible for implementing the policy.
- 1.4 All children enrolling at our school deserve a smooth transition that enables them to become part of our school with minimum disruption and maximum support.
- 1.5 The school aims to provide an efficient process that satisfies the needs of both the students and the school.

2. Principles

- 2.1 The school is committed to ensuring students are admitted to the school in a manner that is fair, transparent and non-discriminatory.
- 2.2 The school will publish clear criteria as the basis on which admissions are made.
- 2.3 The school will provide comprehensive and accurate information about the enrolment process including information about the school, the school's service provision and the school's expectations of parental and student behaviour, so that parents are in a position to make informed choices when entering into an enrolment agreement or contract.
- 2.4 As a school established for children who are unable to learn effectively in a mainstream school, the school will give due care and consideration to how any new enrolments may impact the current student population.
- 2.5 The school keeps and retains accurate records of school enrolments that comply with its commonwealth and state legal and regulatory requirements.

3. Aims of the policy

- 3.1 To ensure admission to the school is fair, transparent and non-discriminatory.
- 3.2 To explain clearly the basis on which offers of admission are made.
- 3.3 To specify the information that parents must have when entering an enrolment agreement or contract.
- 3.4 To comply with the requirements of Education and Training Reform Act 2006 (Vic.) and other relevant legislation.
- 3.5 To comply with the requirements of Australian Consumer Law².

4. Legal and regulatory basis for compliance

- 4.1 Education and Training Reform Act 2006 (Vic.)
- 4.2 Education and Training Reform Regulations 2017 (Vic.)
- 4.3 Victorian Registration and Qualifications Authority (VRQA) Minimum Standards
- 4.4 Equal Opportunity Act (Vic.) 2010
- 4.5 Disability Discrimination Act 1992 (Cth.)
- 4.6 Disability Standards for Education 2005 (Cth.)
- 4.7 Australian Education Act 2013 (Cth.)
- 4.8 Australian Education Regulation 2013 (Cth.).

5. Key definitions

- 5.1 The school must make publicly available a copy of its enrolment agreement³ which is the contract for services between the school and the parent(s) and which the school and all parents must enter into when enrolling their child(ren) in the school.

The enrolment agreement is legally enforceable and codifies the arrangements whereby the parent purchases specified services in relation to the student in return for the payment of fees. In essence the enrolment agreement is the legal contract for services between the school and the parent. The terms and conditions contained within the contract set out the rights and responsibilities of each party to the contract.

- a. The enrolment agreement must include as a minimum:
 - i. codes of conduct for students and parents which set out expectations of behaviour and engagement
 - ii. detailed information about fees including additional charges, how fees are collected, processes for managing the non-payment of fees, etc.
 - iii. educational services provided
 - iv. the grounds on which the agreement may be terminated.
- b. The enrolment agreement could also include information relating to:
 - i. non-discriminatory admissions criteria
 - ii. scholarships, bursaries and grants
 - iii. action in response to breaches of the contract
 - iv. the handling of data and sensitive data under the school's Privacy Policy.

- c. The enrolment agreement is separate from the admissions policy and from the enrolment application form. As the legal contract between the school and the parent, the enrolment agreement also serves a different function from that of a more general marketing prospectus and parent handbook. Schools are advised to publish these as separate documents.
- 5.2 The **enrolment register** is a permanent record of the students admitted to the school. The school is required to implement processes and procedures to ensure that the register is up to date⁴. The enrolment register determines those students for whom attendance must be registered and monitored.
- 5.3 A school that is oversubscribed in one or more age groups may choose to maintain a **waiting list**. The principles of fairness and transparency that apply throughout the enrolment policy also apply to the procedures relating to the management of the waiting list.
- 5.4 Children of **compulsory school age** (six years and up to the age of seventeen years) resident in Victoria are required to be in full-time attendance at school or be in registered home schooling. Non-government schools have no legal restriction in relation to a **minimum age** or a **maximum age** at the point of enrolment.
- 5.5 Within the meaning of the Equal Opportunity Act (Vic.) and the Disability Discrimination Act 1992 (Cth.), schools are not permitted to **discriminate** on the grounds of disability. The legislation permits an exception to be made in relation to sex, race, religious belief, age or age group:
- Schools, amongst other organisations, have a **positive duty** to take reasonable and proportionate measures to eliminate discrimination.
 - When enrolling a student with a disability, schools are required to consider what **reasonable adjustments** need to be made to the learning environment or to the delivery of learning to assist that student.
- 5.6 Schools are advised to require **proof of age and enrolment name** for each enrolment. Such documentation could be in the form of a birth certificate or passport.
- 5.7 Under the Australian Education Act 2013 (Cth.) schools are required to collect **Student Background Characteristics Data** as part of the school enrolment process and report the data to the VCAA or other testing agent when requested.
- 5.8 The **Annual Report to the School Community**⁵ must include a report on the characteristics of students at the school.
- 5.9 The Australian Education Regulation 2013 (Cth.) (s.37) requires student enrolment records to be **retained** for seven years⁶ after end of school year in which the last entry was made. Student enrolment records may be **audited** by either state or commonwealth authorities in order for the authorities to monitor payments made on the basis of student numbers or on the basis of the enrolment of particular categories of students.
- 5.10 Records of enrolment are required for annual data returns for the Australian Government non-government schools⁷ and the Victorian school census under Australian Education Regulation 2013 (s.77).

- 5.11 Legislative privacy requirements⁸ govern how **personal, sensitive and health** information must be collected, used, disclosed and stored as part of the enrolment process. A **privacy notice** must be provided with the enrolment form explaining to parents and students why this information is being collected, what it is used for, where it might be disclosed and how they can access information held about them. The enrolment agreement should make reference to the Privacy Policy.
- 5.12 Schools are required to request and record the immunisation status, called the **Child History Statement**, for each primary student prior to enrolment.
- 5.13 Schools are required to request and record the visa status when enrolling a **student on a visa**, that is any student who holds, or is a dependent of a person who holds, a permanent, bridging or temporary visa.
- Schools are also required to request and record the visa status when enrolling **overseas students** (formerly known as full fee paying overseas students (FFPOS))⁹ who are those who hold a visa that is specifically related to studying in Australia, or a bridging visa attached to a substantive visa with those provisions¹⁰.
 - Non-government schools cannot enrol overseas students travelling on a student visa subclass 500 (formerly 570 or 571) unless the school is registered on the **Commonwealth Register of Institutions and Courses for Overseas Students** (CRICOS)¹¹.
- 5.14 Exchange students enter Australia on a student visa, for which reciprocity must be maintained. The student is enrolled as a student within the school. In order to run student exchange programs, schools must be registered as a student exchange organisation (SEO) with the VRQA or use an SEO that has been registered with the VRQA.
- 5.15 Students attending the school on a cultural visit enter Australia on a tourist visa, are visitors to the school and are not enrolled students.

6. Scope

- 6.1 The application of the policy is relevant to the governing board, the principal, to school staff and parents.

7. Roles and responsibilities

- 7.1 The governing board is responsible for authorising the enrolment policy and for approving the criteria for admission.
- 7.2 The governing board is responsible for approving the terms and conditions contained within the enrolment agreement.
- 7.3 The principal is responsible for ensuring the implementation of the enrolment policy is fair, transparent and non-discriminatory.
- 7.4 The principal is responsible for ensuring enrolment agreements are publicly available and that they are administered and recorded accurately.
- 7.5 The principal is responsible for ensuring an enrolment register [and waiting list] is accurately maintained.
- 7.6 The principal is responsible for ensuring this policy is implemented in accordance with commonwealth and state privacy legislation.

- 7.7 The principal is responsible for:
- a. ensuring that procedures are implemented so that parents are guided through the enrolment process from enquiry to admissions
 - b. ensuring that procedures are in place to record the basis on which a child does or does not fulfil the admissions criteria together with the school's decision to offer a place or not
 - c. ensuring that procedures are in place for the management, storage and retrieval of enrolment data:
 - i. proof of the child's identity, specifically date of birth and enrolment name
 - ii. immunisation status
 - iii. visa status.
- 7.8 The principal is responsible for ensuring that the school reports data relating to the characteristics of students at the school to the school community at least once a year¹².

8. Links to other policies

- 8.1 Attendance Policy
- 8.2 Privacy Policy
- 8.3 Record Management Policy
- 8.4 Complaints Policy

9. Communication of the policy

- 9.1 The school publishes its enrolment policy and admissions criteria on its website and by application to the school office.
- 9.2 The school publishes for parents the procedures by which a student is admitted to the school on its website and by application to the school office.

10. Policy implementation documents

- 10.1 The documents setting out the strategies and actions required to implement this policy are:
 - a. appendix setting out the criteria that will be used as the basis on which offers of admission are made
 - b. procedure for managing the process of enquiries and enrolments¹³

11. Policy review

- 11.1 The governing board will review the Enrolment Policy every three years.
- 11.2 The governing board will review the terms and conditions contained within the enrolment agreement every three years.

Appendix A.

Admissions criteria

1. Admissions criteria

- 1.1 Age criteria:
 - a. Minimum age is five years old
 - b. Maximum age is thirteen years old (should be no older than 11 years at the time of enrolment)
 - c. Allocation to a class is not based on age alone. The school will decide which class is most appropriate for the student. To ensure class sizes are kept small, this may mean that a place for a particular student is not available even when the school is not at full capacity.
- 1.2 Gender:
 - a. No restriction.
- 1.3 Date of Application: Admissions may be prioritised based on date of application.
- 1.4 Admission to the school is dependent on a discussion with school staff and a trial to ascertain suitability for both the student and the school. The following is for guidance only and students are not expected to meet all the criteria listed:
 - a. Unable to learn effectively in a mainstream school environment
 - b. Language or learning disorder
 - c. Does not meet the criteria for enrolment in a government special school
 - d. May have associated issues with lowered self-esteem and social/emotional concerns
 - e. Autism Spectrum Disorder
 - f. Attention Deficit Disorder
 - g. No behavioural issues that would negatively impact current students.

In conjunction with all of the above criteria, the Principal will have discretion in offering places to ensure that the school can meet the needs of the student and to ensure the right balance is maintained across the whole School.

Endnotes

- ¹ In this document, the term 'parents' includes legal guardians i.e. those with authority to sign the admissions agreement with the school.
- ² More detailed information on the Australian Competition & Consumer Commission (ACCC): for consumers at <https://www.accc.gov.au/consumers> and for businesses at <https://www.accc.gov.au/business> (accessed 5 August 2019).
- ³ This new mandated requirement came into force on 1 July 2019; VRQA 2019 minimum standards, p.15.
- ⁴ Victorian Registration and Qualifications Authority Minimum Standards updated for implementation July 2019 <https://www.vrqa.vic.gov.au/schools/Pages/standards-guidelines-requirements-for-schools.aspx> (accessed 5 August 2019).
- ⁵ As required to meet Commonwealth and State legislative requirements.
- ⁶ <https://www.legislation.gov.au/Details/F2013L01476> (Accessed 22 July 2017)
- ⁷ https://ssphelp.education.gov.au/sites/ssphelp/files/files/final_2016_census_guidelines_1.pdf (accessed 22 July 2017)
- ⁸ Privacy and Data Protection Act (Vic) 2014; Privacy Act (Cth.) 1988.
- ⁹ Australian Education Act 2013, s.6.
- ¹⁰ https://ssphelp.education.gov.au/sites/default/files/files/2019_census_guidelines.pdf
- ¹¹ Advice and information is provided by ISCA: <http://isca.edu.au/information-for-schools/esos-act-2000/> (Accessed 22 July 2017)
- ¹² Australian Education Regulations 2013 s.60 <https://www.legislation.gov.au/Details/F2013L01476> (accessed 5 August 2019)
- ¹³ To be produced

Call or email us to begin the enrolment process. We encourage you to book a tour, arrange a meet-and-greet with our principal, ask questions and discover more about what makes Andale unique.

03 9853 3911 | andaleschool@andale.vic.edu.au



**Andale
School**

Est 1981