

ENROLMENT¹ POLICY

1. Purpose of this policy

- 1.1 Shepparton ACE Secondary College 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 parents² 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.

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, 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. The school will ensure enrolments are consistent with the school mission statement.
- 2.4 The school values diversity across the school community and this principle shapes the way in which the school's admissions criteria are applied.
- 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 Law³.

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.)

¹ Could be called Admissions Policy.

² In this document, the term 'parents' includes legal guardians i.e. those with authority to sign the admissions agreement with the school.

³ 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).

- 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 agreement⁴ 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:
- codes of conduct for students and parents which set out expectations of behaviour and engagement
 - detailed information about fees including additional charges, how fees are collected, how fee levels are changed, what the fees cover etc.
 - educational services provided
 - the grounds on which the agreement may be terminated.
- b. The enrolment agreement could also include information relating to:
- non-discriminatory admissions criteria
 - action in response to breaches of the contract
 - the handling of data and sensitive data under the school's Privacy Policy.
- 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 date⁵. 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.

⁴ This new mandated requirement came into force on 1 July 2019; VRQA 2019 minimum standards, p.15. ⁵ 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).

- 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, participation rates. Year 12 results and pathways.
 - 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 requirements⁹ 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 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))⁸ 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 provisions⁹.
 - 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)**¹⁰.

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) ⁹ Privacy and Data Protection Act (Vic) 2014; Privacy Act (Cth.) 1988.

⁸ Australian Education Act 2013, s.6.

⁹ https://ssphelp.education.gov.au/sites/default/files/files/2019_census_guidelines.pdf

¹⁰ Advice and information is provided by ISCA: <http://isca.edu.au/information-for-schools/esos-act-2000/> (Accessed 22 July 2017)

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 school council is responsible for authorising the enrolment policy and for approving the criteria for admission.
- 7.2 The school council 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:
- ensuring that procedures are implemented so that parents are guided through the enrolment process from enquiry to admissions
 - 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
 - ensuring that procedures are in place for the management, storage and retrieval of enrolment data:
 - proof of the child's identity, specifically date of birth and enrolment name
 - immunisation status
 - 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 year¹¹.

8. Links to other policies

- 8.1 Attendance Policy
- 8.2 Privacy Policy
- 8.3 Statement of School Values and Philosophy
- 8.4 Complaints and Appeals Policy

9. Communication of the policy

- 9.1 The school publishes its enrolment policy on its website

10. Policy review

- 10.1 The school council will review the Enrolment Policy every four years.
- 10.2 The school council will review the terms and conditions contained within the enrolment agreement every four years.

¹¹ Australian Education Regulations 2013 s.60 <https://www.legislation.gov.au/Details/F2013L01476> (accessed 5 August 2019)

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