



**Rationale:**

Tintinhull Public School is committed to ensuring compliance with NSW Department of Education policies. This policy provides information for the community and direction for school personnel on the entitlements, requirements and procedures for the enrolment of students at Tintinhull Public School.

**Implementing NSW Department of Education (DoE) Enrolment of Students in Government Schools Policy at Tintinhull Public School**

**Current Department of Education Policy**

***Enrolment of Students in NSW Government Schools: A Summary and Consolidation of Policy (see attached).***

**General Principles Governing Enrolment**

- The department is committed to providing [high quality education](#) to all students enrolled in NSW government schools.
- The department supports parents' duty to enrol a child of [compulsory school-age](#) in a NSW Government school.
- Parents may enrol their child in Kindergarten at the beginning of the school year if the child turns 5 years of age on or before 31 July in that year. The Education Act 1990 mandates that all children must be in compulsory schooling by 6 years of age.

- Parents may apply to enrol their child at any school, however are [entitled to enrol](#) their child at the local school within the designated intake area which the child is eligible to attend. The Secretary designates [school intake areas](#).
- The department has selective and specialised schools, programs and services, and temporary resident enrolments that are subject to specific procedures, eligibility criteria and assessments.
- A student is enrolled when an application to enrol is certified as accepted by the principal and the student is placed on the [enrolment register](#) of a school. Enrolment should be in one school only at any given time, however a student may be in attendance at more than one school in particular circumstances.
- The department makes [reasonable adjustments](#) so students with disability can apply for enrolment on the same basis as students without a disability.
- In enrolling a student, the department determines if there is a need to provide additional support for the student, including assessment of:
  - health, safety, and other risks arising from the student's past behaviour
  - any disclosed wellbeing needs of the student
  - any adjustments for students with a disability
  - any history of unsatisfactory attendance (when the student has been enrolled in another school)
  - any disclosed health needs including whether or not the student has previously required an emergency response
  - any disclosed learning needs and other special circumstances (such as whether the student was bullied at a previous school.
  - In enrolling a student, the department may need to make additional enquiries where a student has been absent from the NSW system for a period of time, the enrolment background is unclear or where the student has been overseas and records are unavailable.
  - The department values preschool education and a number of government schools have preschool classes, which are subject to specific enrolment procedures.
  - A person over 18 years of age may be enrolled in a NSW Government school in particular circumstances

### **Relevant law: Education**

Education Act 1990 principles, rights and obligations:

- s4(a) – every child has the right to an education.
- s4(c) and (d) and s34– the State has a duty to ensure students receive high quality education through the provision of public education. A parent may enrol a child at any NSW Government school, if they are eligible to attend and the school can accommodate them. A child is entitled to be enrolled at the government school that is designated for the intake area in which the child's home is situated. The Secretary, Department of Education must designate intake areas for schools so that each school-age child in the state is eligible to attend a government school.
- s4(b), s21B and s22 - education of a child is primarily the responsibility of the parents. It is the duty of a parent to ensure a child of compulsory school age is enrolled and attends a government school, registered non-government school or be registered for home schooling.

### **Relevant Law: Anti-discrimination**

The anti-discrimination objective in the Enrolment of students in NSW Government schools policy accords with the purpose of the following Acts, to recognise human rights, control unlawful discrimination against persons on the basis of race, gender, religion, sex, age, ethnicity, language background, disability, caring responsibilities, sexual orientation, transgender or marital or domestic status and support the principles of multiculturalism.

### **Enrolment Cap**

An enrolment cap for a school is established centrally, based on available permanent accommodation. Demountable classrooms are not usually counted towards the enrolment cap unless new or replacement accommodation is under construction. No additional accommodation (permanent or demountable) will be provided to cater for increased enrolments resulting from non-local enrolments retained otherwise. In schools with support classes, the enrolment cap accounts for lower student-teacher ratios in disability and learning support classes. The enrolment cap for selective schools is set in accordance with the Selective High School and Opportunity Class Placement policy.

### **Local Enrolment Buffer**

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

The size of the buffer will differ in each school based on historical data, enrolment fluctuations and on the number of families moving into or out of the area. For example, in the case of secondary schools, the number of local area students exiting an Intensive English High School or Intensive English Centre should be taken into account, where appropriate.

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

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

### **Enrolment Applications**

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

Principals can seek any information they consider to be of assistance in determining if a student is a local enrolment, see Legal Issues Bulletin Number 3 for further information.

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

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

Further information for parents is available on the Enrolment website.

### **Enrolment Panel**

The principal establishes an enrolment panel to interview the applicant, contact referees, consider the application and associated documentation. The panel should include:

- Nominated staff member.
- Administration Manager
- Parent association representative

It is preferable that the principal is not a member of the panel so that any appeal in the first instance can be considered by the principal.

Some schools may be unable to create a full panel due to issues such as remote location and/or staff consists of a single teaching principal. The principal will determine the most equitable method of assessing enrolment applications in partnership with the Director, Educational Leadership.

### **Non-local Enrolment Applications**

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

- the child's age
- the type of school
- the resources of the school
- the existing number of permanent classrooms and other facilities at the school.
- the existing student numbers in each class.

Except for enrolments at the commencement of the school year, schools that have not reached their local enrolment buffer level should only accommodate non-local enrolments into classes with available places. In schools where demand for non-local enrolment exceeds the number of available places below the enrolment buffer, the school must develop non-local enrolment criteria and establish an enrolment panel to consider and make decisions on all non-local enrolment applications.

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

### **Criteria for Consideration of Non-Local Enrolment Applications**

Criteria for the enrolment of non-local students should be developed by the principal after consultation with the school community. The principal may establish a panel consistent with section 9.4.3 (see policy) to determine and prioritise the criteria.

Criteria for non-local enrolment applications must be documented and cannot be unlawfully discriminatory.

Criteria may include:

- siblings already enrolled at the school
- proximity and access to the school
- access to single-sex education
- medical reasons
- safety and supervision of the student before and after school
- availability of subjects or combinations of subjects
- compassionate circumstances
- structure and organisation of the school
- recent change in the local intake area boundaries
- access to Out Of School Care

Criteria must not include student ability, performance or achievement. Priority should be given to siblings of currently enrolled students, where possible.

Only specialist schools, for example sports or performing arts high schools, may include student ability, performance or achievement in the school's specialisation within the criteria for non-local enrolment.

It should be made clear what priority is given to each of the criteria.

The criteria should be made available to the school community and parents who are interested in enrolling their children. Schools ensure that information about selection criteria, the choice of courses or programs available is accessible in a way that enables the student and parents to make informed choices.

### **Waiting Lists and Appeals for Non-Local Applications**

A waiting list may be created for non-local students who are not offered enrolment. Any waiting list created will remain valid during the current intake period only. The waiting list is determined by the enrolment panel. Parents are advised in writing if their child is to be placed on a waiting list and his or her position on it. The length of the waiting list should reflect realistic expectations of potential vacancies.

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

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

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

**Andrew Rodgers**  
**Principal**  
**Tintinhull Public School**  
**27<sup>th</sup> January 2023**