

SHOLEM ALEICHEM COLLEGE ENROLMENT POLICY

1. Policy statement

- 1.1 Sholem Aleichem College is committed to ensuring that students are enrolled in the College in a manner that is fair and transparent. In achieving this standard, the College will ensure comprehensive and accurate information is provided to parents/ guardians as they enter into an Agreement by Parents/Guardians for Enrolment at Sholem Aleichem College and ELC.
- 1.2 The College is committed to maintaining accurate records that comply with the College's legal obligations in relation to College enrolment.
- 1.3 The enrolment policy sets out the principles and framework governing the basis on which students are admitted to the College. The policy, together with the policy implementation documents listed in section 10, should be read and understood by parents/ guardians and those responsible for implementing the policy.

2. Statement of Commitment to Child Safety

Sholem Aleichem College is committed to ensuring a child safe environment exists throughout our College. The safety, wellbeing and rights of all children attending the College are paramount. Sholem Aleichem College's commitment to creating a safe environment for all students who attend the College is endorsed at the highest level by the College Council and the Principal. For more information please refer to our Child Protection Policy, available on the Sholem app and the College website.

3. Principles

- 3.1 The College is committed to ensuring students are admitted to the College in a manner that is fair, transparent and non-discriminatory.
- 3.2 The College will publish clear criteria as the basis on which admissions are made, available at Appendix A, on the College website.
- 3.3 The College will provide comprehensive and accurate information about the enrolment process including information about the College, the College's service provision and the College's expectations of parental and student behaviour, so that parents/ guardians are in a position to make informed choices when entering into an enrolment agreement or contract. This information is provided for in the College Resource Guide, the Parent/Guardian and Volunteers Code of Conduct and on application.
- 3.4 The College values diversity across the College community and this principle shapes the way in which the College's admissions criteria are applied. The College has a Diversity and Inclusion Policy, which is available on our Sholem app. The College is also a Respectful Relationship (RR) school and regular RR committee meetings are held attended by staff and parent representatives.
- 3.5 The College keeps and retains accurate records of College enrolments that comply with its commonwealth and state legal and regulatory requirements.

4. Aims

- 4.1 To ensure admission to the College is fair, transparent and non-discriminatory.
 - 4.2 To explain clearly the basis on which offers of admission are made.
 - 4.3 To specify the information that parents/ guardians must have when entering an enrolment agreement or contract.
 - 4.4 To comply with the requirements of Education and Training Reform Act 2006 (Vic.) and other
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relevant legislation.

5. Legal and regulatory basis for compliance

- 5.1 Education and Training Reform Act 2006 (Vic.)
- 5.2 Education and Training Reform Regulations 2017 (Vic.)
- 5.3 Victorian Registration and Qualifications Authority (VRQA) Minimum Standards
- 5.4 Equal Opportunity Act (Vic.) 2010
- 5.5 Disability Discrimination Act 1992 (Cth.)
- 5.6 Disability Standards for Education 2005 (Cth.)
- 5.7 Australian Education Act 2013 (Cth.)
- 5.8 Australian Education Regulation 2013 (Cth.).

6. Key definitions

- 6.1 The College must make publicly available a copy of its enrolment agreement which is the contract for services between the College and the parent(s) and which the College and all parents/ guardians must enter into when enrolling their child(ren) in the College. The agreement is available on the College website and Sholem app.

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. The enrolment agreement is the legal contract for services between the College and the parent. The terms and conditions contained within the contract set out the rights and responsibilities of each party to the contract.

The enrolment agreement must include as a minimum:

- i. codes of conduct for students and parents/ guardians which set out expectations of behaviour and engagement
- ii. detailed information about fees including additional charges, how fees are collected, how fee levels are changed, processes for managing the non-payment of fees, etc.
- iii. educational services provided
- iv. the grounds on which the agreement may be terminated.

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 College's Privacy Policy.

- 6.2 The **enrolment register** is a permanent record of the students admitted to the College. The College is required to implement processes and procedures to ensure that the register is up to date. The enrolment register determines those students for whom attendance must be registered and monitored.
- 6.3 Where oversubscribed in one or more age groups the College 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.
- 6.4 Sholem Aleichem College applies the Government minimum age for preschool and primary school entry.
- 6.5 Within the meaning of the Equal Opportunity Act (Vic.) and the Disability Discrimination Act 1992 (Cth.), Colleges 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:
- Colleges, amongst other organisations, have a **positive duty** to take reasonable and proportionate measures to eliminate discrimination.
 - When enrolling a student with a disability, Colleges 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.
- 6.6 Colleges 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.
- 6.7 Under the Australian Education Act 2013 (Cth.) Colleges are required to collect **Student Background Characteristics Data** as part of the College enrolment process and report the data to the VCAA or other testing agent when requested.
- 6.8 The **Annual Report to the College Community**¹ must include a report on the characteristics of students at the College.
- 6.9 The Australian Education Regulation 2013 (Cth.) (s.37) requires student enrolment records to be **retained** for seven years² after end of College 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.
- 6.10 Records of enrolment are required for annual data returns for the Australian Government non-government Colleges³ and the Victorian College census under Australian Education Regulation 2013 (s.77).
- 6.11 Legislative privacy requirements⁴ 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/ guardians 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.
- 6.12 Colleges are required to request and record the immunisation status, called the **Child History Statement**, for each primary student prior to enrolment.
- 6.13 Colleges 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.
- Colleges are also required to request and record the visa status when enrolling **overseas students** (formerly known as full fee paying overseas students (FFPOS))⁵ 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 provisions⁶.
 - Non-government Colleges cannot enrol overseas students travelling on a student visa subclass 500 (formerly 570 or 571) unless the College is registered on the **Commonwealth Register of Institutions and Courses for Overseas Students** (CRICOS)⁷.
 - Students attending the College on a cultural visit enter Australia on a tourist visa, are visitors to the College and are not enrolled students.

7. Scope

- 7.1 The application of the policy is relevant to the College Council, the principal, to College staff and parents/ guardians including prospective students and parents/ guardians.

8. Roles and responsibilities

- 8.1 The College Council is responsible for authorising the enrolment policy and for approving the criteria for admission.

¹ As required to meet Commonwealth and State legislative requirements.

² <https://www.legislation.gov.au/Details/F2013L01476> (Accessed 22 July 2017)

³ https://ssphelp.education.gov.au/sites/ssphelp/files/files/final_2016_census_guidelines_1.pdf (accessed 22 July 2017)

⁴ Privacy and Data Protection Act (Vic) 2014; Privacy Act (Cth.) 1988.

⁵ Australian Education Act 2013, s.6.

⁶ https://ssphelp.education.gov.au/sites/default/files/files/2019_census_guidelines.pdf

⁷ Advice and information is provided by ISCA: <http://isca.edu.au/information-for-Colleges/esos-act-2000/> (Accessed 22 July 2017)

- 8.2 The College Council is responsible for approving the terms and conditions contained within the enrolment agreement.
- 8.3 The principal is responsible for ensuring the implementation of the enrolment policy is fair, transparent and non-discriminatory.
- 8.4 The principal is responsible for ensuring enrolment agreements are publicly available and that they are administered and recorded accurately.
- 8.5 The principal is responsible for ensuring an enrolment register and waiting list is accurately maintained.
- 8.6 The principal is responsible for ensuring this policy is implemented in accordance with commonwealth and state privacy legislation.
- 8.7 The principal is responsible for:
 - a. ensuring that procedures (Appendix B) are implemented so that parents/ guardians 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 College's decision to offer a place or not 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.
- 8.8 The principal is responsible for ensuring that the College reports data relating to the characteristics of students at the College to the College community at least once a year⁸.

9. Related policies

- 9.1 Attendance Policy
- 9.2 Privacy Policy
- 9.3 Record Management Policy
- 9.4 Complaints and Grievances Policy.

10. Communication of the policy

- 10.1 The College publishes its enrolment policy and admissions criteria on its website and by application to the College office.
- 10.2 The College publishes for parents/ guardians the procedures by which a student is admitted to the College on its website and by application to the College office.
- 10.3 The College publishes the enrolment agreement on its website and by application to the College office.

11. Policy implementation documents

- 11.1 The documents setting out the strategies and actions required to implement this policy are:
 - a) Appendix A setting out the criteria that will be used as the basis on which offers of admission are made
 - b) Appendix B sets out the Application process and procedures
 - c) detailed procedures for recording enrolments

12. Policy review

- 12.1 The College Council will review the Enrolment Policy every two years.
- 12.2 The College Council will review the terms and conditions contained within the enrolment agreement every two years.
- 12.3 The College Council will require the principal to report on the application of the admissions criteria as part of the board's discussion of its Annual Report to the College Community.

⁸ Australian Education Regulations 2013 s.60 <https://www.legislation.gov.au/Details/F2013L01476> (accessed 5 August 2019)

Appendix A. Admissions criteria

1. Criteria

1.1 Age criteria:

- a. Although non-government Colleges have no legal restriction in relation to a minimum age, Sholem Aleichem College gives guidance to parents/ guardians to follow the minimum age of the year of entry as stipulated by the government.
- b. Sholem Aleichem limits intake generally to 40 students per year level, but the College Principal and Council may exercise discretion in determining whether and how the additional students are admitted.

1.2 Date of Application:

- a. Sholem Aleichem College provides a period of up to one month for completion of applications and uses the date of receipt of application as a way to prioritise admissions.

1.3 Family affiliation criteria:

- a. Sholem Aleichem College gives priority to students who have a sibling(s) already enrolled in the College. Sibling is defined as coming from the same family (e.g. Brother or sister) and includes step-siblings.
- b. Sholem Aleichem College gives priority to students whose parent(s) and grandparent(s) or step parents/ guardians attended the College. This is defined by past family members being alumni of the College.
- c. Sholem Aleichem College may also give priority to students whose parent(s) are employed by the College.

1.4 Religious criteria:

- a. Sholem Aleichem College will accept an enquiry from students of all faiths but require parents/ guardians and students to accept and support the particular ethos and values of the College, that it is a Jewish school based on Yiddish, Hebrew and Jewish culture, customs and values.

1.5 Criteria that seek to rely on evidence of attitude and ability:

- a. Sholem Aleichem College requires a reference from a student's previous College (if applicable) that could address issues as: i. prior academic achievements, ii. behaviour and attitude or iii. contribution to the life of the College. The reference may be in a form or a free form letter of support.
- b. The College may use external data such as NAPLAN results.
- c. Sholem Aleichem College interviews either parents/ guardians or the student or both as part of its admissions procedures. Such interviews range from those that are highly structured through to those that are more open-ended and free flowing.
- d. Sholem Aleichem College may require prospective students to attend some form of activity or trial day, the purpose of which is to give the student an opportunity to get to know the College but also to allow the College to observe the student and for the College to use those observations as evidence of attitude and/or ability. Alternatively, Sholem Aleichem College may seek to observe the child in their prior school/ kinder. This is to ensure the College can meet the student needs.

- 1.6 Sholem Aleichem College may give preference to students who have attended the College or a connected part of the College in the previous year or in previous years.

Appendix B. Admissions process and procedures

1 Admissions process

- 1.1 The Process of enrolment commences with an initial interview, and tour of the facilities.
- 1.2 The parents/ guardians complete an application, which is then assessed against the admission criteria by the Enrolments Officer.
- 1.3 It should be noted that Sholem Aleichem College will not admit any students regardless of meeting the admissions criteria if the College is at its authorised capacity.
- 1.4 If the criteria for enrolment are met, a written offer is sent to the parents/ guardians with an Enrolment pack containing the College resource guide, and Codes of Conduct. Parents/ guardians have up to one month to respond to the offer.
- 1.5 Other than the above absolute criteria, the following are pre-requisites to enrolment:
 - a) Completed registration form and paid registration fee (non-refundable)
 - b) Provided birth certificate, updated Immunisation History Statement and if coming from overseas a visa
- 1.6 The following are pre-requisites for finalising the enrolment process:
 - a) Signed and returned enrolment agreement and paid enrolment fee (non-refundable)
 - b) At least 2 years' worth of school reports (if applicable)
 - c) Any allied health reports (if applicable)
 - d) Any internal or external observations (at prior school or kinder) (if applicable)

2 Students with additional needs

- 2.1 Where a student has a declared education support need, or a disability, or other information has come to light indicating a possible need for education support services, the College will make an initial assessment of the student's needs. In addition, the Principal or their delegate may:
 - require the parents/guardians to provide additional comprehensive and up to date medical (including any relevant medication), psychological or other reports from specialists/allied health professionals outside the school/ kinder; and/or
 - obtain an independent assessment of the student.
- 2.2 Any assessments or reports required from non-School personnel will be at the parents/guardians' expense.
- 2.3 In considering all prospective enrolments (or the maintaining of a student's enrolment after such relevant information is declared or comes to light), the College may ask parents/guardians to authorise the Principal or their delegate to contact:
 - the Principal or delegate of the student's previous school or kinder to confirm information pertaining to the student; and/or
 - any medical or other professionals whom the College considers can provide relevant information pertaining to the needs of the student.
- 2.4 The relationship between the College and parents/guardians is a key consideration in determining the viability of an enrolment. The extent to which parent/guardians effectively and willingly communicate such information may be a factor in the College's decision to proceed with (and maintain) an enrolment.

3 Decision not to accept an enrolment and withdrawal

- 3.1 Sholem Aleichem College retains the right to use its discretion to make a final decision with respect to enrolment of a student. In the use of its discretionary power, the decision will be explained to the parents/ guardians.
- 3.2 Where the College judges that it cannot meet the needs of the student, even with reasonable adjustment or additional support, the College will consult with its Inclusion department in order to make this assessment and provide the reasons for its decision to the parents/ guardians.
- 3.3 Where a student is to be withdrawn from the College, reasonable notice period is to be provided (minimum one term notice) and any outstanding term fees are to be paid prior to

cessation of the enrolment agreement.

4 Appeals Process

- 4.1 Where the College does not offer a place to a child for enrolment in the College, Parents/ Guardians may appeal the College's decision within 3 weeks of being notified they have not received an offer of enrolment.
- 4.2 The appeal must be in writing, signed by the Parent/ Guardian and include the grounds for appeal. The appeal should be made in accordance with the Complaints and Grievances Policy by sending an email to the Principal at principal@sholem.vic.edu.au. The Appeal will be heard by the Fee and Enrolment Appeal Committee who comprises of members of the Council.
- 4.3 The College will assess and make a determination for appeals on a case-by-case basis. The College may preference students as set out in this Enrolment Policy and permitted by the Education and Training Reforms Act 2006 (Vic).
- 4.4 The College will notify the Parent/ Guardian of the outcome of the appeal within 14 days of receiving the appeal.
- 4.5 If Parents/ Guardians are not satisfied their appeal was adequately considered, they can escalate their appeal in accordance with the College's Complaints and Grievances Policy.

Reviewed: December 2022

Endorsed by Council: January 2023

Next review: December 2023 or earlier where required