

Enrolment Policy

Introduction

Western Australian Independent Schools have both legal and ethical responsibilities to ensure that enrolment practices are inclusive of all students. Enrolment practices must comply with both Commonwealth and State anti-discrimination laws. These laws protect applicants and enrolled students from discrimination and harassment on various grounds, including disability, race, sex, gender, religion, and family status. Under the Disability Discrimination Act, students with disabilities are entitled to reasonable adjustments to support their full participation in education.

Child Side Playgroup and School (CSS) is an inclusive, non-denominational, co-educational school, that is committed to inclusivity and social justice. CSS is open to all children unless the school is unable to meet the specific needs of a child without causing unjustifiable hardship to the school.

Scope and Application

This policy applies to all employees, parents/guardians, children and community members of Child Side School.

The use of the word child/children in this policy refers to students in the context of the school environment.

The use of the word Educator/Educators in this policy refers to registered teachers in the context of the school environment.

Related Legislation/Guidelines

- Disability Discrimination Act 1992 (Cth)
- Disability Standards for Education 2005(Cth)
- School Education Act 1999
- School Education Regulations 2000 (WA)
- Guide to the Registration Standards and Other Requirements for Non-Government Schools
- Guidelines for Inclusive Education (AISWA)
- Public Health Act 2016 (WA)
- School Curriculum and Standards Authority Act 1997
- Equal Opportunity Act 1984 (WA)
- Privacy Act 1988 (Cth)
- Public Health Amendment (Immunisation Requirements for Enrolment) Act 2019,
- WA Health – Immunisation Requirements for Schools
- WA Immunisation Guidelines PDF
- Sex Discrimination Act 1984 (Cth)
- Equal Opportunity Act 1984 (WA)
- Competition and Consumer Act 2010 (Cth)
- Fair Trading Act 1987 (WA)
- National Credit Code

Related Policies

- CSS Anti-Discrimination and Harassment Policy
- CSS Attendance Policy
- CSS Diverse Needs Policy
- CSS Child Protection Policy
- CSS Code of Conduct – ECC and MCC (K-6)
- CSS Code of Conduct – YAC (7-10)
- CSS Code of Conduct – School Staff
- CSS Code of Conduct – Governing Council Member
- CSS Code of Conduct – Parent/Guardian
- CSS Sickness Accident and Trauma Policy
- CSS General Duty of Care Policy
- CSS Retention of Records Policy
- CSS Work Health and Safety Policy
- CSS Privacy Policy

Related Documents

- Expression of Interest Form
- Enrolment Pack
- Parent Pack
- New and Exiting Children Checklist
- Returned Forms Checklist
- Enrolment Register
- Immunisation Records

Definitions

Enrolment

A student is enrolled when the enrolment is complete in accordance with the school's policies and procedures. An expression of interest (written or verbal), or payment of a deposit, is not considered an enrolment. Further, it is a normal and accepted practice that schools will commence their enrolment process before the day on which the student commences school.

Immunisation Status

This is the status of having been immunised against (or having acquired immunity by infection from) all or specified vaccine preventable notifiable infectious diseases, or not. Each student's immunisation status is as recorded on his or her current immunisation history statement.

Pooled Selection System

Under this model, all complete applications that meet the School's eligibility requirements such as minimum age, residency or visa status, and immunisation compliance are placed into a central applicant pool. Each applicant is then categorised according to the School's preference criteria. This system reduces risks associated with implicit bias, inconsistent application of criteria, or inadvertent disadvantage to families who apply later in the year.

Social Justice

Social justice is the pursuit of fairness, equity and human rights across society, ensuring all individuals have equal access to opportunities, resources, and rights regardless of background, identity or circumstances.

Policy Statement

Age Requirements

Child Side Playgroup and School operates an educational program for children from Kindergarten to Year 10 and also operates a weekly Playgroup (registered through Playgroup WA). CSS does not deliver an education program for children under 3 years old.

Compulsory Schooling

Under the School Education Act 1999 (WA), children must participate in education during what the legislation calls the compulsory education period.

- This period begins at the start of the calendar year in which a child reaches 5 years and 6 months, and
- Continues until the end of the year in which the child reaches 17 years and 6 months, or until the child turns 18, whichever happens first.

In practical terms, compulsory schooling begins in Pre-primary, which is the first compulsory year of education in Western Australia.

Non-compulsory Schooling - Kindergarten Eligibility - Minimum Age Requirements

Kindergarten is an optional early childhood education year and is not part of compulsory schooling under the Act.

A child is eligible to start Kindergarten at the beginning of the school year if they will turn 4 years old on or before 30 June of that year.

Because the school year starts in February, some children begin Kindergarten while still 3 years old and turn 4 during the first half of the year. Children who turn 4 after 30 June must wait until the following year.

All Kindergarten enrolments must also meet Western Australia's immunisation requirements, which apply to both school-based and community kindergartens.

Education and Participation Requirements for 16 to 17 Year Olds

Once children reach 16 and 17 years of age, they must continue to be engaged in education, training, or an approved combination of school, training, and/or employment, consistent with the requirements of the School Education Act 1999 (WA).

This obligation continues until the young person reaches the end of the compulsory education period. These requirements are set out in sections 11A–11I of the Act, which govern alternative options and participation pathways during the final years of compulsory education.

Because these requirements are legislative, schools must:

- ensure children are enrolled in the correct compulsory year level,
- maintain accurate attendance and participation records, and
- ensure parents are informed of their obligations under the School Education Act 1999 (WA).

Enrolment Register and Procedures

CSS maintains clear enrolment procedures and accurate attendance records that are legally compliant and aligned in accordance with the School Education Act 1999.

All enrolment enquiries and consequent enrolments are required to follow and meet the requirements of the *Child Side Enrolment Process and Conditions for Enrolment*. The school administration follows a clearly articulated process for new and exiting children to ensure the enrolment standards and requirements for Non-Government schools are met.

The Objects of the South West Learning Community Association Inc. (SWLCA) t/as Child Side Playgroup and School refer to the rights and responsibilities of children, parents/guardians, and staff. In relation to this context, the school has a responsibility (in conjunction with staff) to

support the rights to safety for ALL children, staff and parents/guardians and all enrolment decisions will be made within this context.

The *CSS Enrolment Register* is maintained electronically (and can be reproduced in written form when required) by the school administrator and details the child's :

- full name,
- date of birth,
- date of enrolment,
- vaccination status as shown on a current Australian Immunisation Register (AIR) Immunisation History Statement (IHR)*,
- Medicare number and reference number (If applicable) and
- eventually the date at which enrolment ceases.

*CSS is legally required to report immunisation status to the Chief Health Officer upon request.

During the enrolment process, CSS is also required to collect certain information to comply with the School Education Act 1999 (WA) and to ensure the child's safety, wellbeing and educational needs can be met. CSS can and will also request documentary evidence which supports information and disclosures provided by parent/guardians during this process.

Before confirming an enrolment, CSS will undertake appropriate due diligence to determine whether it can reasonably meet a child's educational, behavioural, medical, cultural and access requirements. This process reflects the School's obligations for standards and legislation, and its broader duty of care for all children, and staff.

In addition to the initial enrolment information the school may also request additional information to assist identify the adjustments a child may require and to determine whether those adjustments are reasonable and achievable within the School's context.

CSS maintains the right and responsibility to terminate or delay the enrolment of any child whose parent/guardian have withheld any vital information which may put their child (or other children and staff) at significant physical or emotional risk (especially in the critical period of starting at our school).

This option also extends to any child whose parent/guardian is unwilling to take responsibility to seek help and support from relevant agencies and the school for their child (which the school deems necessary to help the child's development and safety within our school setting).

It also extends to situations where the school determines that it cannot meet the ongoing needs of a child, or the child or their family act in ways that make the educational program or school's operations unworkable.

This action is intended to support and enhance the Objects of the School and will only be activated in extreme circumstances.

School Curriculum and Standards Authority (SCSA)

CSS schools must:

- Open a student record upon enrolment
- Inform SCSA of the enrolment
- Notify SCSA of any student transfers

SCSA will then issue a *Western Australian Student Number (WASN)* for the child.

Pooled Waiting List and Selection System

CSS uses a pooled selection system when the number of eligible applicants could or exceeds available places. All complete *Expression of Interest* applications that meet the School's eligibility requirements are placed into a central applicant pool. Each applicant is then categorised according to the School's preference criteria.

Places are offered giving preference to the following priorities:

1. Continuing enrolments (level of vacancies and configuration of classes is determined by school leadership and the Governing Council from year to year)
2. Siblings of enrolled Child Side children and existing Child Side Playgroup Families.
3. Children of past Child Side students.
4. Families seeking and are aligned with Child Side's unique educational approach.

CSS reserves the right to prioritise applicants in the waiting pool based on the educational priorities and circumstances of the school, which may change from time to time.

It should be understood that placement on the waiting list does NOT guarantee enrolment or any order of priority for enrolment.

Legal Obligations

Enrolment Contract

The *CSS Enrolment Form* (part of the *CSS Enrolment Pack*) is a legally binding agreement between the school and the applicant, usually the parent or guardian, covering the provision of education to a child. This agreement is formed once the school accepts the enrolment and/or when the enrolment fee is paid. The contract sets out the rights and responsibilities of both parties and provides the legal framework for the ongoing relationship between the school and the family.

Gender

CSS has both legal and ethical responsibilities to ensure that enrolment practices are inclusive of all students, including those who are transgender, non-binary, gender diverse, or questioning. Gender diversity is protected under state and federal anti-discrimination laws, and schools must take active steps to respect and support students' affirmed identities from the point of enrolment.

Advertising

CSS will ensure that all advertising and promotional materials are accurate and not misleading, in accordance with:

- Competition and Consumer Act 2010 (Cth)
- Fair Trading Act 1987 (WA)

All enrolment documentation must truthfully reflect the school's offerings, ethos, and capacity to deliver services.

Fee Payment and Refunds

Before offering a place, CSS will assess whether the applicant(s) can reasonably meet the financial obligations. If a payment plan is offered, the school must ensure compliance with the *National Credit Code* to avoid penalties.

The following conditions apply:

- CSS requires one term's (School term) notice for withdrawal from the school.
- In the event of an early withdrawal, fees will not be refunded unless they exceed more than one term's charges.
- At the discretion of the Principal, a charge may apply for "reasonable damages" for the loss incurred due to an early withdrawal.
- The *Expression of Interest Fee and the Enrolment Fee* is non-refundable.
- At the discretion of the Principal, and in discussion with the Governing Council, CSS reserves the right to charge late payment fees, such as interest charges, should there be ongoing outstanding fees where there has been no arrangements discussed to address unpaid fees.

Immunisation

Two requirements were introduced in 2019.

1. Schools are required to record the immunisation status of every new enrollee.
2. Schools are prevented from enrolling any child into Pre-Kindergarten or Kindergarten:
 - Whose Australian Immunisation Register (AIR) Immunisation History Statement is not 'up to date'.
 - Who is not following an approved catch-up schedule as indicated on the child's AIR Immunisation History Statement
 - Who does not have a valid immunisation certificate issued or declared by the Chief Health Officer or
 - If the school is not satisfied the child is exempt because of particular family circumstances.

Follow The Instructions of the Chief Health Officer

CSS will follow any direction issued by the Chief Health Officer. These powers apply to all year levels, from Kindergarten to Year 12.

This may include :

- The reporting of children's immunisation records. This information must be taken from the Australian Immunisation Register Immunisation History Statements provided at enrolment. This applies to:
 - Children enrolled in Pre-Kindergarten and Kindergarten whose immunisation status is not up to date.
 - Children in other year levels, if requested by the Chief Health Officer.This requirement to record immunisation status came into effect on 1 January 2019 and applies to new enrolments only from that date.
- At any time during an outbreak of a vaccine-preventable disease the Chief Health Officer may instruct a school to:
 - Exclude children who are not immunised or who are under-immunised from attending school or taking part in school programs; and/or
 - Close part or all of the school to help prevent the spread of disease; and/or
 - Provide specified information about children's immunisation status to the Chief Health Officer.

Viewing of Documentation by Regulatory Bodies

Enrolment forms and other school documentation may be viewed at any time and upon request by Education Authorities visiting the school (e.g. school registration visits).

Record Retention

Enrolment records and associated documents must be retained for 7 years from the day the enrolment ceases and may not be disposed of without the authority of the Director General of the Department of Education. If the school closes, whether voluntarily or otherwise, all children's records including those required by the School Curriculum and Standards Authority must be transferred to the Director General for permanent retention.

Privacy Obligations

All enrolment records will be handled in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles.

CSS enrolment documentation includes a *Privacy Collection Notice*, in compliance with the Privacy Act 1988 (Cth) and the 13 Australian Privacy Principles (APPs).

Staff will be trained in privacy compliance, including the *Notifiable Data Breach Scheme* (NDBS).

Policy Review

All policies are reviewed and amended in accordance with *CSS Policy on Policies and The CSS Policy, Guidelines, Procedures and Frameworks Register*.

This policy and associated guidelines will be reviewed every two years; provided that an earlier review is undertaken whenever a matter or other information becomes evident regardless of indicators or not, there has been a policy or procedural failure.

Appendices

Appendix 1	Enrolment Process and Conditions of Enrolment
Appendix 2	Legislative Directives/Guidelines which Support and Provide Additional Information Relevant to Specific Enrolment Considerations

Version Management

VERSION	DATE REVIEWED	DATE RATIFIED	CHANGES MADE	AUTHOR OF CHANGES	NEXT REVIEW DATE
2	Sept 2011	26/10/11	Tracking system & Register information added	KM	
3	June 2014	25/6/14	Name changes	KM	
4	Sept 2018	18/10/2018	Updated format added Enrolment Process added to Conditions of Enrolment	LF & KM	Term 3 – 2021
5	May 2020	29/07/2020	Requirement for IHS and Medicare numbers. to be supplied at enrolment, requirement for student number to be opened for new enrolments to state curriculum	LF	Term 2 - 2023
6	May 2023	17/05/2023	Added the priority enrolment for Children of past Child Side students, reference to disposal of records	LF	Term 3 - 2024
7	March 2026	13/05/2026	Added the electronic management of records added additional information to the enrolment processes. Significant update to reflect new legislation and guidelines (privacy, inclusion, health, reporting)	CD, JM, KM	Term 2 -2029

Enrolment Process and Conditions of Enrolment

Process Checklist for Enrolment	
1.	Telephone/Online enquiry - parents are invited to read the website and if they believe they are aligned with philosophy and content, proceed to;
2.	Initial Talk and Tour, and meeting with Co-Principal and if the family believes they are aligned and chooses to proceed;
3.	Complete and return: <ul style="list-style-type: none"> - <i>Expression of Interest Form</i> (must be completed and signed off) and - the 2 latest school reports, NAPLAN reports, any school psychologist or other agency reports supplied. The family must also pay the prescribed <i>Expression of Interest Fee</i> per application (child).
4.	The applicant will be placed on a waiting list which is reviewed as positions become available.
5.	If an enrolment place is available and the applicant is offered the placement, the applicant's parent/guardian must complete: <ul style="list-style-type: none"> - an Enrolment meeting - the Enrolment Pack and - read through the Parent Pack

Enrolling at Child Side is dependent on the following conditions:

- The school can meet the needs of the child seeking enrolment without causing the school unjustifiable hardship.
- The philosophy of Child Side School is a *Family Philosophy*. Families choose Child Side School based on philosophy and therefore commit to enrol ALL of their children in the school unless the school is unable to meet a specific child's needs without unjustifiable hardship.
- Families completing an *Expression of Interest Form* and supplying the latest 2 school reports, NAPLAN reports and reports from school psychologist or any other agencies. The school may request further information where it is relevant to the child's safety or wellbeing. This information may include care or welfare orders, medical or diagnostic information about any medical condition that requires monitoring, a management plan, or specific steps to keep the child safe while participating in school activities. While the schools may ask for supporting documents the information requests will be limited to what is genuinely necessary.
- Upon a vacancy becoming available and payment of the *Enrolment Fee* being received, parents/guardians will complete an *Enrolment Pack* and sign the *Enrolment Form*. This form should be accompanied by the following information for each child :
 - A copy of the child's birth certificate (original should be sighted),
 - Medicare card and reference number (if applicable)

- A copy of the *Australian Immunisation Register (AIR) Immunisation History Statement (IHR)*, which should be no more than 2 months older than the date of commencement. The date of the IHR should be noted, assessed for recency and recorded as a part of the process.
- Parent/guardian disclosing and providing ALL information relevant to a child's disability/ies, developmental condition or support needs, including the provision of supporting clinician letters, relevant therapy reports or summaries from treating professionals.
- The signature of the parent/guardian on the *Enrolment Form* is taken as acceptance of school policies including the school purpose and philosophy, school procedures, adhering to the 'Code of Conduct', parental involvement, privacy disclosure and subscribing to the Constitution of the SWLCA.
- Enrolment forms may be viewed at any time and upon request by Education Authorities visiting the school (e.g. school registration visits).
- Payment of enrolment fee.
- Parents/guardians agree to the payment of school fees in advance and determines and agrees to the best way for their family to pay these i.e. yearly, monthly, fortnightly, or weekly.
- The school or the parent/guardian have the right to call a review meeting after 4 weeks to discuss any settling issues and the school has the right to carry out the actions outlined in the Policy Statement (terminate or delay enrolment process).

Following an Enrolment

- An *Enrolment Record* must be opened for the child and SCSA must be informed of the enrolment. SCSA will issue a Western Australian Student Number (WASN) for that child. The school Administration Assistant will request student numbers from SCSA as part of the procedure for processing new enrolments.
- When enrolling a child who is transferring from another WA school, the School Administration must:
 - Notify the previous school administration
 - Notify the School Curriculum and Standards Authority (SCSA).
- All documentation collected and reviewed for the purposes of the enrolment process and due diligence should be stored in accordance with the schools Privacy and Retention of Records Policy.
- Parents and guardians may be required to provide additional documentation in relation to a child's disability, developmental condition or support need, including clinician letters, relevant therapy reports or summaries from treating professionals.

Ceasing Enrolment and Student Transfers

- Parents/guardians must notify the school Leadership Team in writing when they have decided to cease the enrolment for their child.

- Only the Principal may remove a child's name from the enrolment register in the following circumstances.
 - The school believes on reasonable grounds that the child is enrolled in another school or is no longer a resident in Western Australia.
 - The child is exempt under Section 11 of the School Education Act 1999 (WA) or is registered to be home schooled.
 - The Director General, as the Minister's delegate, authorises removal under Section 21, where inquiries to establish the child's whereabouts have been unsuccessful.
- When a child transfers from CSS to another school or is registered with the Home Education Department, the school must receive a transfer notice from the school/Home Education Department.
- The school may provide the transferred school/Home Education Office with the requested information (as per the transfer notice) but only with written consent from the child's parent or guardian.
- When a child leaves the school and a transfer note is not received, the school Administration must endeavour to find the whereabouts of the child.
A child is considered missing when:
 - They cannot be located.
 - Their parent(s) or legal guardian(s) cannot be contacted.
 - The school has not received formal notification (e.g. transfer note or withdrawal letter) indicating the student is enrolled elsewhere.
- If the child is considered to be 'missing', they should be reported to the Department of Education Attendance Officer at the Bunbury District Office who will advise whether or not the child needs to be referred to the Student Tracking System (STS) Officer in Department of Education.
- CSS is required to wait for a response from the *Student Tracking Coordinator (STC)* at the Department of Education.
 - If the child has been enrolled at another public school, the STC will confirm this within 15 school days.
 - If the child remains unlocated, they will be added to the Student Whose Whereabouts are Unknown (SWU) List.
 - For non-government schools, the STC may authorise the Principal to update the attendance records and enrolment register to reflect that the enrolment has ceased.

Termination of a Child's Enrolment

- CSS school maintains the right and responsibility to terminate or delay the enrolment process of any child whose parent/guardian have withheld any vital information which may put their child (or other children and staff) at significant physical or emotional risk (especially in the critical period of starting at our school).
- This option also extends to any child whose parent/guardian is unwilling to take responsibility to seek help and support for their child from relevant agencies and the school (which the school deems necessary to help the child's development and safety within our school setting).

- A child's enrolment may be terminated if the school determines that it cannot meet the ongoing needs of a child, or the child or their family act in ways that make the educational program or school's operations unworkable.
- The action of terminating a child's enrolment is intended to support and enhance the Objects of CSS and will only be activated in extreme circumstances.
- The School (School Leadership and/or the Governing Council Chair) will notify the parent/guardian in writing that they have decided to cease the enrolment for their child and will outline the process and timeframe for this process to be finalised.

Legislative Direction/Guidelines which Support and Provide Additional Information relevant to Specific Enrolment Considerations

Immunisation Status

From 1 January 2019, an *Immunisation History Statement* is required to be requested and provided to the school by each new student's parent/guardian. The statement must be current – that is, no older than two months before being sighted by the school.

From 22 July 2019, children seeking to enrol in Pre-Kindergarten or Kindergarten must either be up-to date with their immunisations or exempt. If not, the child cannot be enrolled.

- Public Health Act 2016 (WA) and the School Education Act 1999 (WA) require schools to request, obtain and assess the immunisation status of each child applying for enrolment.
- Parents/guardians enrolling their child in Pre-primary or later years are required to provide the school with an AIR *Immunisation History Statement* regardless of Immunisation Status.
- For children entering in Pre-primary to Year 10, their enrolment cannot be refused in any compulsory year of schooling based on their immunisation status.
- The school may be required to disclose the Immunisation Status of enrolled children to the WA Health Department and/or Chief Health Officer.

The *Enrolment Register* must record that the new child's immunisation status is either 'up to date' or 'not up to date'. If an immunisation statement is not provided, the immunisation status must be recorded as 'not up to date'. In the interests of ongoing duty of care and risk management mitigation the school administrator should maintain these records to ensure they are current.

The requirement to record immunisation status does not apply to children who were already enrolled at the school on 1 January 2019. It will apply to them if and when they change schools.

Acceptable Documentation

At the time of the most recent application for enrolment, schools must sight one of the following:

- An Australian Immunisation Register (AIR) Immunisation History Statement (IHS) that is no more than two months old on the day it is sighted by the school.
- A valid immunisation certificate issued or declared by the Chief Health Officer.

Note: The previously used *Immunisation History Form* is no longer accepted. Catch up schedule information is now included in the AIR Immunisation History Statement.

For more information, refer to:

- WA Health – Immunisation Requirements for Schools
- WA Immunisation Guidelines PDF

Obtaining an AIR Statement

Families can obtain an AIR Immunisation History Statement through:

- myGov and Medicare online
- The Express Plus Medicare mobile app
- Their vaccination provider, who can print the statement or assist with AIR registration and catch-up schedules.

Children not registered with Medicare can still have an AIR record. Any recognised immunisation provider can assist with registration and updating records.

Additional Information to Record

During the enrolment process, schools should also record:

- The child's Medicare number and reference number (if applicable)
- The date of the IHS and the date it was sighted
- A copy of the IHS for school records

Keeping a copy and date record supports the school's compliance and provides evidence in case of dispute.

Further Guidance

Schools are strongly encouraged to consult the WA Department of Health's comprehensive guidelines for full advice on immunisation requirements. A summary is available on page (iv) of the Guidelines document.

Refusal to Immunise – Impact on Enrolment (Pre-Kindergarten and Kindergarten)

If parents refuse to immunise their child and do not provide a current *Australian Immunisation Register Immunisation History Statement* (or a valid *Chief Health Officer Exemption* or approved catch up vaccination evidence), the school is legally prohibited from enrolling the child in Pre-Kindergarten or Kindergarten under section 141D(2) of the School Education Act 1999 (WA). **The enrolment cannot lawfully proceed.**

Note: This strict enrolment condition applies only to Pre-Kindergarten and Kindergarten. It does not apply to compulsory year admissions.

Requirements for Other Year Groups (Pre-primary to Year 12)

Compulsory Year Admissions (Pre-primary onwards)

For children entering Pre-primary to Year 12, schools must ask for and record the child's immunisation status at enrolment. This information must be taken from the *Australian Immunisation Register Immunisation History Statement*, and schools may also be required to report this information to the Chief Health Officer.

However, a child cannot be refused enrolment in any compulsory year of schooling because they are not immunised.

Chief Health Officer Directions - Attendance Restrictions (All Year Levels)

At any time during an outbreak of a vaccine-preventable disease the **Chief Health Officer** may instruct a school to:

- Exclude children who are not immunised or who are under-immunised from attending school or taking part in school programs; and/or
- Close part or all of the school to help prevent the spread of disease; and/or
- Provide specified information about students' immunisation status to the Chief Health Officer.

Schools must follow any direction issued by the Chief Health Officer. These powers apply to all year levels, from Pre-Kindergarten through to Year 12.

Immunisation Status and Overseas Vaccinations

Children Vaccinated Overseas

When enrolling a child who has received vaccinations overseas, schools must follow the requirements set out in Section 2.3 of the WA Health Department's *Western Australian Immunisation Requirements – Guidelines*.

Schools must not accept overseas immunisation records as evidence of a child's immunisation status. Regardless of whether a child is in Western Australia temporarily or has recently arrived as a permanent resident, parents or guardians must provide a current *Australian Immunisation Register (AIR) Immunisation History Statement*. This is the only approved document for

confirming immunisation status at enrolment. Schools should advise families to have overseas vaccination records uploaded to the AIR by an Australian vaccination provider where this has not yet occurred.

To obtain an *AIR Immunisation History Statement*, parents or guardians must first present their child's overseas vaccination records to a local immunisation provider—such as a GP, immunisation clinic or participating pharmacy. The provider will register the child on the AIR, upload any previous vaccinations, and administer overdue vaccines if required. Once updated, parents can access the child's *AIR Immunisation History Statement* through their myGov account, the Express Plus Medicare app, or by calling the AIR enquiries line on 1800 653 809.

For offshore applicants, the Department of Health WA advises that overseas parents/guardians should contact the relevant Public Health Unit (PHU) directly rather than the school doing so on their behalf. Parents may email scanned copies or photographs of overseas vaccination records to the PHU, which will assist in creating an AIR record for the child. Further information is available through Healthy WA under Children vaccinated overseas – Healthy WA .

Schools must take all reasonable steps to ensure that parents or guardians provide a current *AIR Immunisation History Statement* at the time of enrolment.

This requirement applies to childcare services, community kindergartens and all schools. As the AIR statement is the only acceptable evidence of immunisation status, schools should actively follow up with families who have not yet provided it to ensure compliance with public health requirements.

Students on Visas

A child's eligibility for Commonwealth and State funding depends on their citizenship, residency or visa status. These requirements do not apply to *Full Fee Paying Overseas Students* enrolled in CRICOS registered schools, as they are funded outside the standard government arrangements.

Schools must confirm a child's status before finalising enrolment, as this may affect applicable tuition fees, the school's reporting obligations and the child's inclusion in census counts. It is particularly important to verify the visa subclass for dependants of visa holders, as different visas attract different funding entitlements.

Children born in Australia after 20 August 1986 are not automatically Australian citizens. A child is only an Australian citizen at birth if at least one parent is an Australian citizen or an Australian permanent resident. If neither parent meets this requirement, the child is considered a temporary resident and generally holds the same visa subclass as the parent.

Accurate verification at enrolment ensures proper classification for funding purposes and helps schools comply with both State and Commonwealth reporting frameworks.

When a Child is born overseas

- Parents or guardians must provide either:
 - Child's *Australian Passport*; or
 - Child's *Australian Citizenship Certificate*; or
 - Child's *Visa Grant Notice*
- If an *Australian Passport* or *Australian Citizenship Certificate* has been provided, the child should be noted as an Australian Citizen.
- If a *Visa Grant Notice* has been provided, the child should be noted as either a Temporary Resident or Permanent Resident, depending on the visa sub-class.

When a Child is born in Australia (with at least one parent also born in Australia)

- These children are noted as Australian Citizens and only their Australian birth certificate is required, although an Australian Passport is also acceptable.

When a Child is born in Australia (with both parents born overseas)

- The parents or guardians are required to provide the school with additional documentation as children born in Australia are only deemed to be Australian Citizens by birth if at least one parent is either a Permanent Resident or Australian Citizen at the time.
- The school must be provided with at least one of the following documents.
 - The Child's *Australian Passport*; or
 - The Child's *Australian Citizenship Certificate*; or
 - One parent's *Australian Citizenship Certificate* granted prior to child's birth; or
 - One parent's *Australian Passport* granted prior to child's birth; or
 - One parent's *Permanent Residency Visa* granted prior to child's birth.

New Zealand Citizens and Children born in Australia to New Zealand-born parents

- For residency purposes, New Zealand Citizens are considered temporary residents and are classified as holders of a *Special Category Visa* (sub-class 444). Notwithstanding this, holders are permitted to remain in Australia indefinitely as long as they remain a New Zealand Citizen. *Visa Grant Notices* are not issued to New Zealand Citizens; instead, proof of New Zealand citizenship acts as evidence of residing in Australia on the 444 visa.
- To confirm New Zealand citizenship, schools must hold one of the following documents for students:
 - *New Zealand Passport*; or
 - *New Zealand Birth Certificate* (as long as it states that the child is a Citizen by birth, which is only applicable to births on or after 1 January 2006); or
 - *New Zealand Citizenship Certificate*.

Verification and Documentation

Schools should use the Visa Entitlement Verification Online (VEVO) to confirm visa status. The following documents may be required:

- Permanent Resident: *VEVO* result or *Visa Grant Notice*
- Australian Citizen (born in Australia):
 - *Birth Certificate* + *Parent's Citizenship Certificate* or *Passport* (granted before birth)
 - *Australian Passport* or *Citizenship Certificate*
- Temporary Resident: *Visa Grant Notice* or *VEVO*
- Bridging Visa: *Visa Grant Notice* (*VEVO* is insufficient)
- Visitor Visa: Enrolment must not exceed three calendar months; student is not eligible for funding

Refer to AISWA's Quick Reference – Enrolling Students on Visas (login required) for more detail.

Special Cases: Subclass 500 Visa Dependents

According to the Department of Education: Students whose parents hold a subclass 500 visa are generally not eligible for Commonwealth funding unless, the parent receives a full scholarship or sponsorship from a Commonwealth entity or an institution listed under Section 4(1) of the Higher Education Funding Act 1988.

Schools must retain documentary evidence of such sponsorships for audit purposes.

Census Requirements

As per advice from the Department of Education, Skills and Employment (DESE):

- Schools must retain copies of visa documentation and assessment materials used to determine funding eligibility.
- If a student's visa status cannot be confirmed by Census Day, they must be excluded from the census count.

Resources and Guidance

Schools are encouraged to consult:

- AISWA's Students on Visas section (login required)
- Funding Guidelines for Non-Government Schools
- Immigration and citizenship - Department of Home Affairs

Important Note: Only registered migration agents or Department of Home Affairs staff are legally permitted to provide visa advice.

Assessing the School's capacity to meet a child's needs

Before confirming an enrolment, the School should undertake appropriate due diligence to determine whether it can reasonably meet a child's educational, behavioural, medical, cultural and access requirements. This process reflects the School's obligations under the Disability Standards for Education 2005 (Cth), the Disability Discrimination Act 1992 (Cth), and its broader duty of care to all students.

Information Required for Due Diligence

To make an informed assessment, the School may request relevant supporting documentation ("discovery documents"). These may include medical or developmental reports, specialist assessments, wellbeing or behaviour plans, Individual Education Plans from previous schools, therapy summaries or NDIS information offered voluntarily by families, and any court orders or family information relevant to safety. The purpose of collecting this information is to identify the adjustments a child may require and to determine whether those adjustments are reasonable and achievable within the School's context.

Capacity Assessment

Once sufficient information has been provided, the School must consider the nature and complexity of the child's needs, the level of adjustments required, and whether these adjustments are reasonable in the circumstances. This includes examining the impact of proposed supports on the child, other children, staff, resources and overall safety, and whether the School has the facilities, expertise and staffing capacity to implement them. Where the required adjustments exceed the School's resources or would compromise safety or educational outcomes, the School must be able to articulate its decision using objective, capacity based reasons rather than factors connected to the student's diagnosis or personal attributes. The school should contact the AISWA IE team for assistance.

Waitlisting/ Application Pool Pending Assessment

Where required documentation is incomplete, unclear or still being gathered, the School may place the application on a waitlist or application pool. This allows time for all necessary information to be provided, for meaningful consultation with parents or guardians to occur, and for the School to form an evidence based view about whether it can meet the child's needs safely and appropriately.

Trial Attendance

After the due diligence assessment has been complete, in some circumstances, the School may offer a short trial period to help determine whether the environment and available

supports are suitable for the child. Any trial must be time limited, documented, based on clear criteria related to adjustments, and formally reviewed with the family at its conclusion. This approach helps avoid premature decisions and ensures that enrolment outcomes are grounded in practical observation rather than assumptions. The school should contact the AISWA IE team for assistance.

Determining When a School Cannot Meet a Child's Needs (Including School Financial Hardship)

When an independent school in Western Australia concludes that it cannot meet a child's needs, that conclusion must rest on clear, comprehensive and contemporaneous evidence. Under the School Education Act 1999 (WA) and the non-government school registration framework, schools are expected to provide appropriate educational programs and to plan collaboratively with families and professionals developing and reviewing supports and adjustments as needed for children with disability or additional needs. This includes documenting assessments, meetings, specialist reports, and the adjustments trialled (and their outcomes) to demonstrate genuine efforts to meet the child's requirements.

If, after this process, the school determines it still cannot meet the child's needs, the reasoning must identify the specific constraints that make ongoing provision unsafe, ineffective, or unsustainable. These constraints can include staffing or expertise that cannot reasonably be obtained, facilities that cannot reasonably be adapted, or substantiated health and safety risks evidenced through risk assessments and incident records. The obligation to provide a safe educational environment forms part of the statutory context for these decisions.

Financial capacity is a legitimate and relevant consideration, not as a proxy for refusing enrolment, but because WA's registration standards require that non-government schools have sufficient financial resources to provide the education for which they are registered and to remain financially viable.

The Minister may determine standards concerning "the sufficiency of schools' financial resources," and the Director General can require financial information at any time in assessing compliance with those standards. Accordingly, where the resourcing needed to meet a particular child's documented needs would create a material and demonstrable financial hardship to the school, to the point that it would compromise the school's ability to meet its registration obligations or maintain viability. This may form part of a lawful, evidence based conclusion that the school cannot reasonably meet those needs.

Any such conclusion must be supported by objective evidence (e.g. budget analyses, board papers, cash flow impacts, unsuccessful recruitment processes, and costed options considered) and must show that alternatives were explored and exhausted.

The final decision should be set out in a clear written statement that:

- summarises the child's assessed needs and the adjustments trialled
- explains the educational, safety and resourcing constraints including specific financial viability impacts that render further adjustments not reasonable
- records the options canvassed with the family and external providers and why these cannot address the gaps

This approach aligns with WA expectations for equitable access and transparent decision making and with the registration requirement that independent schools maintain sufficient financial resources to deliver their approved educational program.

Offer

An enrolment offer should only be made once the School is satisfied that all required information has been reviewed, reasonable adjustments have been identified and can be implemented, the School can safely and effectively support the child. This ensures the School meets both its legal responsibilities and its duty of care. The school should contact the AISWA IE team for assistance.

Toilet Training

Independent schools in Western Australia may include reasonable readiness expectations for children entering early childhood programs, including expectations around toilet training. Many schools adopt toileting independence as part of their enrolment criteria due to staffing capacity, hygiene considerations, and the practical realities of early learning environments. However, this discretion has limits.

Any toilet training requirement must be applied in a manner consistent with the Disability Discrimination Act 1992 (Cth) and the Equal Opportunity Act 1984 (WA). A school cannot refuse enrolment if a child's toileting delay is linked to a diagnosed disability, developmental delay, or a suspected disability, as doing so may amount to unlawful discrimination. In these situations, the school and family should work together to identify reasonable adjustments such as a toileting management plan, modified routines, or additional staff support that enables the child to participate safely and equitably.

While public school policy in Western Australia states that children must not be refused enrolment because they are not toilet trained, this requirement does not apply to independent schools. Nonetheless, it reflects well established principles of inclusive early childhood practice. Independent schools are encouraged to adopt similar supportive approaches, as these align with broader duty of care responsibilities and anti-discrimination obligations.

Where toileting needs are not disability related, a school may still set out reasonable expectations as part of the enrolment process. In these cases, families may be asked to continue toilet training at home, and the school may provide short-term supports to help the child build independence. Any expectations should be communicated clearly, applied consistently, and implemented in a way that protects the child's dignity and wellbeing.

Relevant Legal Framework

Several pieces of legislation are relevant when schools establish toileting expectations. The *Disability Discrimination Act* requires schools to avoid discrimination in enrolment and to provide reasonable adjustments where toileting needs are connected to a disability, unless doing so imposes unjustifiable hardship. The *Equal Opportunity Act (WA)* similarly prohibits discrimination in education, and blanket expectations that disadvantage children with disability may amount to indirect discrimination unless individual circumstances and reasonable adjustments are considered.

The *School Education Act 1999 (WA)* does not set any toilet training requirements and does not provide authority to refuse enrolment on this basis. This is useful when clarifying that such expectations are established by the school rather than by legislation. Public school policy, while not binding on independent schools, confirms that children cannot be refused enrolment because they are not toilet trained and highlights accepted inclusive practice in the sector.

Communicating Expectations With Families

Schools may choose to include general information about toileting readiness in their enrolment materials. A supportive statement may explain that early learning programs encourage developing independence, including in toileting, and that families are asked to continue supporting toilet training at home. Where a child is still developing these skills, the school can outline short term supports such as spare clothing, scheduled reminders, and a simple transitional plan.

If families indicate that toileting challenges may relate to developmental, medical, or disability related factors, schools should respond in a way that reflects their legal obligations. This may involve meeting with parents and relevant professionals to discuss appropriate adjustments and documenting these in a Toileting Support or Health Care Plan. During this process, interim supports can be put in place so the child can participate safely and with dignity.

Where the school considers that particular adjustments would fundamentally alter the program or create an unjustifiable hardship, this should be communicated respectfully and with clear reasoning. Even in these circumstances, the school should outline any alternative adjustments that can be offered and commit to regular review.