

Appeals: Information for parents/carers

If a school decides not to offer your child a place, you can appeal.

There are many reasons why a school may not be able to accept enrolments from students who live outside their school zone. These include, but are not limited to:

- **Capacity constraints** – they may not have enough capacity to offer enrolment to out-of-zone students.
- **Increased local enrolments** – they might be experiencing, or forecast to experience, an increase in enrolments from within the school zone. This means they may have to leave some capacity for future students living in-zone.
- **Staffing constraints** – schools may only have enough staff to take a certain number of enrolments.

Appeals on compassionate grounds

Schools will consider appeals on compassionate grounds in exceptional circumstances. Families must be able to clearly demonstrate the exceptional circumstances which they believe make an enrolment at their designated neighbourhood school unsuitable for their child or children. This may include:

- family violence
- wellbeing and safety concerns
- physical and/or mental health concerns.

Importantly, this is not a comprehensive list of exceptional circumstances whereby a family may seek an enrolment on compassionate grounds; each application will be dealt with on a case-by-case basis.

It is important to provide schools and regional offices with supporting evidence of your claim. This may include:

- legal documentation
- reports from allied health and/or medical professionals, the Department of Families, Fairness and Housing (DFFH) practitioners, Victoria Police and/or family violence services
- court orders.

The following examples do not necessarily meet exceptional circumstances on compassionate grounds:

- **Ease of transportation** – having a school, that is not your local school, be more convenient for you to access via car, foot, public transport or carpool, or is closer to your workplace, family member's house (that is not the child's permanent address) and/or the school of your child's sibling/s may not be appropriate grounds for appeal.
- **Individual needs of a student with a disability** – Under the Disability Standards for Education 2005, education providers are legally required to make reasonable adjustments for students with disability. On that basis, grounds for exceptional circumstances do not include concerns related to a student's disability where those concerns can be addressed by making reasonable adjustments.

The reasonable adjustments webpage has further information:

<https://www.education.vic.gov.au/school/teachers/learningneeds/Pages/reasonable-adjustments.aspx>

- **Curriculum** – preference for the school's curriculum program is unlikely to meet the grounds for exceptional circumstances, as Victorian government primary schools deliver school-based curriculum programs that align with the Victorian Curriculum F-10 provided by Victorian Curriculum and Assessment Authority.

For further information, please see: <https://www2.education.vic.gov.au/pal/enrolment/guidance/placement-policy>

Appeals on permanent residence

When assessing enrolment applications, schools may request that parents/carers provide supporting documentation, such as original or certified copies of rental agreements or unconditional contracts of sale, to assist them in verifying a student's permanent residence.

Please note, the following example does not necessarily meet the requirements under permanent residence:

- Anticipated move** – if you are planning to move into a different address after the beginning of the school year, this does not mean you are guaranteed entry into the local school of the new address. This includes situations where families are building/buying a new home or starting a new lease agreement. The school may not be able to offer your child a place until after you have taken possession of the property and can provide proof that it is your new permanent residence.

If you are unable to provide sufficient proof of your permanent residence, schools may not accept your enrolment. For further information, please see:

<https://www2.education.vic.gov.au/pal/enrolment/guidance/determining-permanent-residence>

Appeal timelines

| Date | Description |
|--|--|
| Monday 31 July 2023 to Friday 25 August 2023 | If your enrolment application was not successful, and you believe you have appropriate grounds to appeal the decision, parents/carers can lodge a written appeal with the primary school. Please use the Appeal Form to lodge an appeal with the primary school. |
| Friday 25 August 2023 | Closing date for written appeal to be lodged with the <u>primary</u> school. |
| Friday 15 September 2023 | Your child's appeal will be considered by the school's placement or enrolment committee and/or Principal and you will receive written notification of the outcome by this date. |
| Friday 15 September 2023 to Friday 20 October 2023 | <p>If your appeal to the primary school is unsuccessful and you believe that your grounds have not been adequately considered by the school's placement or enrolment committee and/or Principal, you may lodge a further written appeal to the relevant Department of Education Regional Director by Friday 20 October 2023.</p> <p>Appeals to the Regional Director will not be considered if you have not appealed to the primary school in the first instance.</p> |
| Friday 20 October 2023 | <p>Closing date for parents/carers to lodge a written appeal with the applicable Regional Director, where they have been unsuccessful with their school appeal.</p> <p>Appeals are considered by a panel of senior regional staff that assess the appeal against the Placement Policy. This panel provides a recommendation to the relevant Regional Director who makes the final decision.</p> <p>Parents are not required to meet with the panel. The panel will make a recommendation to the Regional Director based on evidence outlined in the appeal and Department of Education's Placement Policy.</p> |
| <p>Any appeals received after this date will only be considered if the relevant Regional Director considers there to be exceptional circumstances. If you wish to lodge an appeal after the closing date, you should contact your regional office for advice.</p> | |
| Friday 17 November 2023 | <p>Regions will notify all parents/carers in writing of the outcome of Regional Director appeals by this date.</p> <p><i>**This only applies to appeals received by the closing date of Friday 20 October.</i></p> |

Appeal Form

Section 1: Student current school details

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| Student's Current School (N/A if not enrolled at a school) | |
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Section 2: Student Details

| | | | |
|--|---|-------------------------------|----------------|
| Family Name | | | |
| First Given Name | | Date of Birth (dd-mm-yyyy) | __ / __ / ____ |
| Second Given Name | | Gender | |
| Name used by student <i>(if applicable)</i> | | | |
| Current Permanent Residential Address | | | |
| Apartment/Unit Number <i>(if applicable)</i> | | | |
| Street Number and Name | | | |
| Suburb | | Postcode | |
| Current Mailing Address | <input type="checkbox"/> Same as residential <input type="checkbox"/> Different <i>(complete below)</i> | | |
| Street Number and Name | | | |
| Suburb | | Postcode | |

Section 3: Parent / Carer Details

| Adult A | | Adult B | |
|---|--|---|--|
| Relationship to Child (Parent, Carer, Step-Parent, Grandparent, etc.) | | Relationship to Child (Parent, Carer, Step-Parent, Grandparent, etc.) | |
| Title (Ms, Mrs, Mr, etc) | | Title (Ms, Mrs, Mr, etc) | |
| Given Name | | Given Name | |
| Family Name | | Family Name | |
| Mobile Number | | Mobile Number | |
| Phone Number (<i>home</i>) | | Phone Number (<i>home</i>) | |
| Email Address | | Email Address | |
| On <u>weekdays</u> , student lives with Adult A (<i>tick one</i>) | " Full Time or Mostly " Equal Time (equal spilt with Adult B) " Sometimes or never | On <u>weekdays</u> , student lives with Adult B (<i>tick one</i>) | " Full Time or Mostly " Equal Time (equal split with Adult A) " Sometimes or never |
| Permanent Residential Address | " Same as Section 2 " Different to Section 2, please complete: | Permanent Residential Address | " Same as Section 2 " Different to Section 2, please complete: |

Section 3: Parent / Carer Details cont'd

| | | |
|--|--|---------------------------------|
| Is the student at risk? | " Yes <i>(complete the below questions and attach a copy of any relevant orders)</i> " No | |
| Please describe risk | | |
| Relevant orders attached <i>(please highlight)</i> | " Intervention Order | " Other <i>(please specify)</i> |
| | " Protection Order | |

Section 4: Government school preference

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| School at which applicant has been unsuccessful <i>(include campus if applicable)</i> | |
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Section 5A: Grounds for appeal

Please select **one** of the reasons below as grounds for your appeal and complete **section 5B**.

The below options align with the [Placement Policy](#).

| | |
|---|--------------------------|
| Students for whom the school is the designated neighbourhood school - Appeal on permanent residence | <input type="checkbox"/> |
| Students with a sibling at the same permanent address who are attending the school at the same time | <input type="checkbox"/> |
| All other students in order of closeness of their home to the school | <input type="checkbox"/> |
| Overarching consideration - Compassionate grounds (due to exceptional circumstances) | <input type="checkbox"/> |

Section 5B: Rationale for appeal

Dear placement or enrolment committee and/or Principal of preferred school

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Section 6: Signature of parents or carers

Privacy Notice Summary: To assist with the consideration of your appeal, the placement or enrolment committee and/or Principal may seek information about you and your child. The full Privacy Notice is attached to this form.

- I declare that all the information provided in this appeal is, to the best of my knowledge, true and correct and I have read the attached Privacy Notice.
- If applicable: I have attached documents in support of my appeal.

| | | | |
|-------------------|----------|-------------------|----------|
| Adult A Signature | | Adult B Signature | |
| Date | / / 2023 | Date | / / 2023 |