



**Education**

# **Enrolment of non-Australian Citizens Procedures and eligibility**

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# ENROLMENT OF NON-AUSTRALIAN CITIZENS: PROCEDURES AND ELIGIBILITY

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## 1. INTRODUCTION

This document outlines eligibility and procedures for the enrolment of non-Australian citizens in NSW Government schools, both permanent and temporary residents, with the exception of international students. For details on enrolment of international students refer to [Procedures and Eligibility for Enrolment of International Students in NSW Government Schools](#).

This document must be read in conjunction with the following Department of Education policy and implementation documents:

- [Enrolment of Students in New South Wales Government Schools: A Summary and Consolidation of Policy](#)
- [Proof of Identity and Residency Status](#)
- [Schedule of Visa Subclasses and Enrolment Conditions](#)
- [Temporary Residents Program: Application form for an Authority to Enrol](#).

All students wishing to enrol in a NSW Government school must complete an [Application to Enrol in a NSW Government School](#). Non-Australian citizens must comply with additional requirements as outlined in this document.

### 1.1 Travel documents and proof of identity

- 1.1.1 Non-Australian citizens may be permanent or temporary residents of Australia. Non Australian citizens applying to enrol must provide travel documentation as proof of identity and residency status. Travel documentation will usually include a passport and usually, but not always, evidence of a visa showing how long the holder can remain in Australia as well as any other conditions attached to the visa.
- 1.1.2 The specific travel, entry and residency conditions attached to the visa are set by the Department of Immigration and Border Protection and reviewed and amended on a regular basis.
- 1.1.3 Students who are non-Australian citizens enrolling in NSW Government schools must have their proof of identity and official travel documents sighted, copied and certified by the principal or delegated senior staff member.
- 1.1.4 Dependants may have their own passport or they may be included on their parent's passport. Dependants who are listed on a parent's passport are generally subject to the same visa conditions as the parent.
- 1.1.5 Students in the Residence Determination Program (Community Detention) who do not have travel documentation will have identifying documentation issued by the Department of Immigration and Border Protection. The enrolment of these students is managed through the Equity team, Learning and Teaching Directorate and these students should not be enrolled without an *Authority to Enrol* issued by the Intensive English Programs Advisor, Equity.
- 1.1.6 The implementation document [Proof of Identity and Residency Status](#) provides details of travel documents and proof of identity required of non-Australian citizens. It also provides information on regulations governing Australian citizenship and official evidence of Australian citizenship.

### 1.2 Health requirements

- 1.2.1 It is not compulsory for parents to immunise their children and the immunisation

status of a child is not grounds for a principal to decline an application to enrol in Kindergarten. Nevertheless, section 86 of the [Public Health Act 2010](#), requires principals at the time of enrolment to request the applicant to provide the school with evidence of a student's immunisation status. This evidence can be in the form of an immunisation certificate from a medical practitioner or an Immunisation History Statement issued by the Australian Childhood Immunisation Register. Under the *NSW Public Health Act*, students for whom proof of vaccination has not been provided may be asked to stay at home during an outbreak of a vaccine-preventable disease. For further information see [Legal Issues Bulletin No 43](#) and the Student Welfare Directorate's [Immunisation information website](#).

- 1.2.2 The Australian Government has additional health requirements for people entering Australia. Students applying for enrolment will have met the requirements and schools do not need to verify these details. For information refer to the [Department of Immigration and Border Protection website](#).

### **1.3 Enrolment conditions for permanent residents, New Zealand citizens and Norfolk Islanders**

- 1.3.1 Permanent residents of Australia, New Zealand citizens holding current New Zealand passports and Norfolk Islanders, subject to providing proof of their identity and residency status as outlined in [Proof of Identity and Residency Status](#), can enrol in NSW Government schools under the same conditions as Australian citizens.

## **2. ENROLMENT CONDITIONS FOR TEMPORARY RESIDENTS**

### **2.1 Travel documentation**

- 2.1.1 Temporary visas permit the holders to stay in Australia for purposes including business, study, family matters, holidays and medical reasons. Details of the types of visas and visa subclasses can be found in [Proof of Identity and Residency Status](#). The length of stay permitted on the visa varies. Students cannot be enrolled beyond the stay of their visa.
- 2.1.2 The conditions governing the enrolment of different groups of temporary residents vary according to the visa subclass held by the student and, in some cases, their particular circumstances. For details, refer to the [Schedule of Visa Subclasses and Enrolment Conditions](#).
- 2.1.3 Temporary residents, including holders of an eVisa or Electronic Travel Authority, must produce their passport and visa or other travel documentation to confirm their proof of identity, residency status and eligibility to study in a NSW Government school. Individuals who have entered Australia and who do not have evidence of their visa must obtain formal documentation from the Department of Immigration and Border Protection of their residency status. For details, refer to [Proof of Identity and Residency Status](#).
- 2.1.4 Parents/guardians of students who hold temporary visas are required to notify the Temporary Residents Program and the principal or delegate of any change to their Australian residency status, including visa conditions. The principal must advise the Temporary Residents Program of these changes.

- 2.1.5 Under Section 34A (4) of the [Education Act 1990](#), the Secretary may terminate the enrolment of a child at a Government school who is not entitled to be enrolled at the school if the child was enrolled as a result of false information or a false document provided to the principal.

## 2.2 Temporary Residents Fee

- 2.2.1 In general, holders of temporary visas are liable to pay the [Temporary Residents Fee](#) as a contribution to the cost of their education in a NSW Government school. Under Section 31A (1) of the [Education Act 1990](#), the Secretary may fix the fees to be paid by overseas students, or classes of overseas students, at Government schools. Overseas students are defined in the [Education Act 1990](#) Section 3, as students who hold a visa under the *Migration Act 1958* of the Commonwealth that enables the student to study in New South Wales but does not include the holder of a permanent visa or special category visa within the meaning of that Act.
- 2.2.2 In accordance with Section 31 A (3) of the [Education Act 1990](#), the Secretary may exempt an overseas student, or class of overseas students, from the requirement to pay a fee. Details of fees and exemptions are provided in Section 3 of this document. Information on the current visa subclasses which are fee liable and those which are exempt is provided in the [Schedule of Visa Subclasses and Enrolment Conditions](#). The visa subclasses which are exempt may vary over time, depending on changes to visas and conditions.
- 2.2.3 Students who are required to pay the [Temporary Residents Fee](#) are also required to pay a non-refundable administration fee. A student holding a temporary visa is eligible for enrolment only for the period of a current valid visa and only when any fees due are paid.
- 2.2.4 Some classes of overseas students may request an individual exemption from payment of the [Temporary Residents Fee](#), depending on their visa subclass or their particular circumstances. Appeals for exemptions from the [Temporary Residents Fee](#) are considered on a case-by-case basis. For more information refer to Section 3 of this document.

## 2.3 Eligibility to enrol

- 2.3.1 Students on temporary visas other than visitors or other short stay visas may be enrolled in their local school based on their residential address in Australia, in the same way as Australian citizens and permanent residents.
- 2.3.2 Applications for enrolment by holders of visitor visas and other visas with conditions limiting the period of study to 13 weeks or less are subject to the principal's discretion.
- 2.3.3 Requests for non-local enrolments by all temporary residents are to be treated in accordance with conditions outlined in the [Enrolment of Students in New South Wales Government Schools: A Summary and Consolidation of Policy](#).
- 2.3.4 Holders of temporary visas are not eligible to enrol in NSW Government selective high schools including agricultural high schools, selective classes in comprehensive high schools, or opportunity classes in primary schools. For more information on [Selective High School Placement](#), refer to [www.schools.nsw.edu.au/shsplacement](http://www.schools.nsw.edu.au/shsplacement). For more information on [Opportunity Class Placement](#), refer to [www.schools.nsw.edu.au/ocplacement](http://www.schools.nsw.edu.au/ocplacement).

- 2.3.5 Holders of visitor visas and other short term visas of 13 weeks or less are not eligible to enrol in an Intensive English Centre or the Intensive English High School to receive on arrival intensive English as an Additional Language/Dialect (EAL/D) support before enrolling in high school. Details of visa subclasses ineligible for intensive EAL/D support can be found on the [Schedule of Visa Subclasses and Enrolment Conditions](#).
- 2.3.6 Temporary residents must also be less than 19 years of age by 31 July in the current year to be eligible to enrol in an Intensive English Centre or the Intensive English High School. Temporary visa holders who are 19 years or older should be referred to TAFE NSW for English language courses. Refer to [English as an Additional Language or Dialect: Advice for Schools](#).
- 2.3.7 Resident provisional visa holders and temporary humanitarian visa holders are eligible to enrol in NSW Department of Education preschools. Enrolment of children in these visa categories is subject to proof of identity and residency status as outlined in the [Proof of Identity and Residency Status](#) support document. Eligible children may enrol in NSW Department of Education preschools under the same conditions as Australian citizens and according to [Enrolment of Children in NSW Department of Education and Communities Preschool Classes Procedures](#)
- 2.3.8 Holders of some temporary visas are not eligible to enrol in Department of Education preschools. Details of visa subclasses and eligibility can be found on the [Schedule of Visa Subclasses and Enrolment Conditions](#).
- 2.3.9 Children enrolled in preschool in a NSW Department of Education facility do not have to pay the [Temporary Residents Fee](#) but are liable for payment of any preschool fees which apply and may be liable to pay the [Temporary Residents Fee](#), in accordance with the requirements outlined in this document, once they enrol in primary school.
- 2.3.10 Students who hold temporary visas, other than visitors or other short stay visa holders and international students, may be eligible for enrolment at a distance education school or centre in the same way as Australian citizens and permanent residents.
- 2.3.11 Students who are travelling overseas or who are temporary residents of another country may be eligible for distance education. Distance education is not available for students who are normally resident overseas. This applies whether students are Australian citizens, or hold permanent or temporary resident visas. For more information, refer to [Distance Education: Guidelines](#).
- 2.3.12 Study tours for groups of international school-aged students may be organised for short periods from half a day to a term. These group visits must be arranged through the Department of Education International, Study Tours Program. Students visiting Intensive English Centres or the Intensive English High School as part of a study tour arranged by DE International are visitors to the school and are not enrolled students. Further information on study tours can be found at [www.decinternational.nsw.edu.au/study/study-tours](http://www.decinternational.nsw.edu.au/study/study-tours).
- 2.3.13 Temporary resident students who have a disability may be enrolled in schools through the usual procedures for students with disabilities and in accordance with the requirements outlined in this document. The exceptions are international students and their dependants, and holders of visitor visas and other short term visas, usually of 13 weeks or less, where specific procedures apply.
- 2.3.14 Applications for enrolment of international students with a disability are managed through the [International Student Program](#) and in accordance with the [Procedures](#)

[and Eligibility for Enrolment of International Students in NSW Government Schools.](#)

- 2.3.15 Temporary resident children who are prior to school age and who have a disability may be enrolled in Early Intervention programs through the usual procedures for these programs. These children are exempt from payment of the [Temporary Residents Fee](#) for the duration of the Early Intervention program but may be liable to pay the fee, in accordance with the requirements outlined in this document, once they enrol in primary school.
- 2.3.16 The [Temporary Residents Program: Application form for an Authority to Enrol](#) requires parents to provide information on students with disability. The dependants of student visa holders must also apply to the Temporary Residents Program to obtain a *Confirmation of Placement* document, required by the Department of Immigration and Border Protection for the issue of a dependant student visa. Schools must refer students with a disability who hold dependant student visas, visitor visas or other short term visas to the Temporary Residents Program prior to seeking enrolment or assessment by the regional student services officers.

## **2.4 Educational provision**

- 2.4.1 Temporary residents, once enrolled, are generally entitled to the same educational provision as Australian citizens and permanent residents, with the following exceptions and conditions:

2.4.2 *English as an Additional Language/Dialect (EAL/D)*

Holders of visitor visas and other short term visas of 13 weeks or less are not eligible to receive on arrival intensive English as an Additional Language/Dialect (EAL/D) support under the EAL/D New Arrivals Program, either in a school or an Intensive English Centre (IEC). Details of visa subclasses ineligible for intensive EAL/D support can be found on the [Schedule of Visa Subclasses and Enrolment Conditions](#).

Temporary residents whose first language is not English and who need EAL/D support may be included in a school's EAL/D Targeted Support Program. Each student's need for EAL/D support is determined by the school. For more information, refer to [English as an Additional Language or Dialect: Advice for Schools](#).

2.4.3 *TAFE delivered HSC VET courses (TVET)*

High school students on a temporary visa who are enrolled in *TAFE delivered HSC VET courses (TVET)* are to be enrolled in the same manner as all other TVET students. If they wish to enrol in a TAFE course beyond their approved *TAFE delivered HSC VET Program* these students must pay tuition fees and the applicable TAFE NSW fee or Concession fee in addition to the [Temporary Residents Fee](#), if applicable. For more information, refer to the *TAFE delivered HSC VET courses (TVET) Guidelines for schools and TAFE Institutes* for the current year.

## **2.5 School student transport**

- 2.5.1 School student transport is the responsibility of Transport NSW. Under Transport NSW policy, school aged temporary residents enrolled in a NSW Government school who are exempt from payment of the [Temporary Residents Fee](#) are eligible to apply for the [School Student Transport Scheme](#). For more information, refer to: [www.transport.nsw.gov.au/customers/ssts](http://www.transport.nsw.gov.au/customers/ssts).

2.5.2 Students with disability who are unable to travel to and from school under the Transport NSW School Student Transport Scheme may be eligible for transport assistance under the Department of Education Assisted School Travel Program. For enquiries regarding eligibility and applications for access to transport, please contact the school principal or the Assisted School Travel Program on 1300 338 278.

## 2.6 Guardianship

2.6.1 The relevant *Family Details* sections of the [Application to Enrol in a NSW Government School](#) must be completed by the person with whom the student lives, whether that person is a parent, relative or carer.

2.6.2 There are specific requirements for the guardianship and accommodation arrangements for international students. For information, refer to [Procedures and Eligibility for Enrolment of International Students in NSW Government Schools](#).

2.6.3 Students holding visitor visas are expected to reside with their parent or direct relative over the age of 21.

## 2.7 Specific enrolment conditions

### 2.7.1 Conditions applying to student visas

2.7.1.1 Student visa holders in schools include:

- international (full fee paying) students holding visa subclass 500P or 571P (principal holders of the visa)
- dependants of international students enrolled in universities, colleges or other education providers
- exchange students
- student guardian dependants (up to six years of age).

2.7.1.2 International students in schools pay full fees for the cost of their education and their enrolment is managed through the [International Student Program](#).

2.7.1.3 The dependants of international students may enrol in NSW Government schools. The enrolment is managed through the Temporary Residents Program.

2.7.1.4 Holders of dependant student visas are liable to pay the [Temporary Residents Fee](#) and are not eligible to request individual exemptions. Some particular groups, including full scholarship holders, are exempt from payment. For more information refer to Section 3 of this document.

2.7.1.5 Exchange students must enrol through a registered exchange organisation. Student exchange programs for NSW Government schools are administered through the [Secondary Student Exchange Program](#). Exchange students are not eligible to access intensive EAL/D support under the EAL/D New Arrivals Program. Further information on exchange programs can be found at: [www.internationalschool.edu.au/exchange](http://www.internationalschool.edu.au/exchange).

2.7.1.6 Dependants of student guardian visa holders cannot be enrolled once they reach the age of six. After the age of six dependants of student guardian visa holders must obtain a student visa prior to any further period of enrolment.

## 2.7.2 Conditions applying to visitor visas

- 2.7.2.1 Visitor visas include tourists, business visitors and medical treatment visitors. Visitor visa holders, including those with multiple entry visas, may enrol in school for a maximum of 13 weeks subject to their entry date and visa expiry date. All enrolments are at the principal's discretion.
- 2.7.2.2 Students on visitor visas are liable to pay the visitor rate of the [Temporary Residents Fee](#) and they are not eligible to apply for individual exemptions from the fee. Visitor visa holders are not eligible for intensive EAL/D support under the EAL/D New Arrivals Program.

## 2.7.3 Conditions applying to bridging visas

- 2.7.3.1 A bridging visa is granted by the Department of Immigration and Border Protection to individuals who do not hold a substantive visa or who have applied for another visa. Bridging visas come into effect only when the initial substantive visa has ceased. Bridging visas usually remain in effect until a decision has been made as to the new visa application.
- 2.7.3.2 Bridging visa holders may be eligible to enrol in a school or an Intensive English Centre while waiting for a decision about their application for a new substantive visa. When applying to enrol, bridging visa holders must provide the previous substantive visa and documentary evidence of the new substantive visa applied for. In the case of students whose previous substantive visa is a visitor visa, the 13 week limit for enrolment will no longer apply.
- 2.7.3.3 Bridging visa holders are generally liable to pay the [Temporary Residents Fee](#). Fee liability is determined according to the conditions of the immediate previous substantive visa and the substantive visa being applied for. For details, refer to the [Schedule of Visa Subclasses and Enrolment Conditions](#).
- 2.7.3.4 Bridging visa holders who are applying for a student visa must fulfil the same enrolment conditions as for international students. For information, refer to [Procedures and Eligibility for Enrolment of International Students in NSW Government Schools](#).

## 3. FEES AND EXEMPTIONS

### 3.1 Temporary Residents Fee and other fees and charges

- 3.1.1 The [Temporary Residents Fee](#) applies at different rates depending on the type of visa held and the academic year of the student. Current fee rates and payment arrangements are available on the Department of Education site at: [www.decinternational.nsw.edu.au/study/schools/temporary-residents](http://www.decinternational.nsw.edu.au/study/schools/temporary-residents)
- 3.1.2 Temporary residents liable to pay the [Temporary Residents Fee](#) are also required to pay a once only, non-refundable administration fee. Students holding visas that are in a fee exempt category are also exempt from paying the administration fee.
- 3.1.3 In addition to the [Temporary Residents Fee](#), schools may also request voluntary school contributions from temporary residents, as they can of all other students.

- 3.1.4 The [Temporary Residents Fee](#) covers tuition across all the key learning areas of the NSW Board of Studies curriculum, textbook hire and access to generalist support services, such as school counsellors and careers advisors.
- 3.1.5 The [Temporary Residents Fee](#) does not include the cost of excursions, medical expenses or provision of school uniforms. It does not cover additional fees which may be payable for certain subjects or for optional or extension activities in sport or other disciplines.
- 3.1.6 Students who are exempt from payment of the [Temporary Residents Fee](#), either because they are in a fee exempt category or because of their specific circumstances, are not exempt from payment of school fees noted in sections 3.1.3 and 3.1.5.
- 3.1.7 Where a student has specific additional learning support needs, these will be considered on an individual basis and an additional fee may be payable.
- 3.1.8 Under Section 31A (1) of the [Education Act 1990](#), the NSW Department of Education reserves the right to vary fees without notice and any additional fees must be paid from the date of increase.

## 3.2 Payment processes

- 3.2.1 Fees are paid to the NSW Department of Education, Temporary Residents Program. Payment must be made in Australian currency using the Department's original invoice (from the [Temporary Residents Program](#)), by BPay or a telephone payment, by credit card (Mastercard or Visa card), bank cheque, bank draft or Australian money order and made payable to the NSW Department of Education. Personal and company cheques are not accepted.
- 3.2.2 The [Temporary Residents Program](#) keeps records of all applications and payments. The Temporary Residents Program will process the fully completed application within five working days and will send an invoice to the parent/guardian for any continuing period of paid enrolment.

## 3.3 Exemptions

### 3.3.1 Temporary visa subclasses that are fee exempt

- 3.3.1.1 A number of temporary visa subclasses are exempt from payment of the [Temporary Residents Fee](#). For details refer to the [Schedule of Visa Subclasses and Enrolment Conditions](#).

### 3.3.2 Students in the Residence Determination Program (Community Detention) are exempt from fees.

### 3.3.3 Exemptions in specific circumstances

- 3.3.3.1 Temporary resident students in the following specific circumstances are liable for the Temporary Residents Administration Fee however are exempt from payment of the Temporary Residents Education Fee:

- Dependants of international students who hold visa subclass 500 or 574, and the principal visa holder is undertaking a Post Graduate Doctorate

course (as per their Confirmation of Enrolment), the course provider is a NSW institution, and the principal visa holder is not a recipient of a scholarship that includes school fees for dependant children

- Dependants of international students who have a full scholarship from a publicly funded Australian higher education institution.

3.3.3.2 Temporary resident students in the following specific circumstances are exempt from the Temporary Residents Administration Fee and the Temporary Residents Education Fee:

- Dependants of international students who have a full scholarship from the Australian Government or who are sponsored by the Department of Foreign Affairs and Trade or the Department of Defence
- Exchange students who enrol in NSW Government schools through organisations that manage student exchange programs and are registered with the NSW Department of Education
- Dependants of teachers on exchange programs organised by the NSW Department of Education or in agreements or memoranda of understanding recognised by the Department
- Temporary residents enrolled in a NSW Government hospital school and receiving in-patient care
- Temporary resident students with links to an Australian citizen or permanent resident by birth, marriage or adoption, who have applied for permanent residency and do not hold, or have applied for, a dependant student visa
- Temporary resident students with links to an Australian citizen or permanent resident by a de facto relationship, who have applied for permanent residency under family stream migration and do not hold, or have applied for, a dependant student visa
- Students who are holders of an ImmiCard issued by the Department of Immigration and Border Protection.

### 3.3.4 Individual exemptions and the Exemption Review Panel

3.3.4.1 Provision exists for students in some visa subclasses to appeal for an exemption from payment of the [Temporary Residents Fee](#). Holders of some temporary visa subclasses are not eligible to appeal for an exemption. For details, refer to [Schedule of Visa Subclasses and Enrolment Conditions](#).

3.3.4.2 Individual appeals for exemption from payment of the [Temporary Residents Fee](#) are considered by an Exemption Review Panel, convened by the Chief Education Officer, DE International.

3.3.4.3 The Exemption Review Panel is responsible for:

- considering appeals for exemption from the [Temporary Residents Fee](#)
- informing applicants of the outcome
- monitoring the exemption process, the number and grounds for exemption
- providing advice to senior officers on the outcomes of the exemption process.

- 3.3.4.4 In determining the applicant's eligibility for exemption, factors to be considered may include:
- gross annual income of the family unit
  - parent in receipt of an Australian pension or Social Security payments
  - number of dependant children in relation to income
  - illness or misadventure relating to the applicant which impacts on capacity to pay
  - examples of hardship which may not have been foreseen and over which the applicant had no control upon arrival in Australia.
- 3.3.4.5 Appeals for exemption must be submitted to the [Temporary Residents Program](#). Applicants appealing payment of the fee must complete an [Application for Fee Exemption Low Income](#) form and attach the following:
- a copy of the employment contract with the sponsoring organisation, and
  - payslips for the previous three month period provided by an employer for each working family member, and
  - a declaration from the employer/s indicating gross annual income for each working family member, or
  - documentary evidence of any support from Centrelink, other support agencies or individuals, if applicable, and
  - visas for all family members.
- 3.3.4.6 The decision to exempt is based on the information provided by the applicant at the time of the application, which may be verified if considered necessary.

## 3.4 Refunds

- 3.4.1 A student may be entitled to a refund of the [Temporary Residents Fee](#) if the student's visa category changes to an exempt category, the visa is cancelled, the student's application to enrol is rejected or, for some other reason, the student does not commence enrolment or the student leaves the school prior to the expiry of the paid period of enrolment.
- 3.4.2 The refund will amount to the balance of fees for the remaining period of enrolment or the entire [Temporary Residents Fee](#) amount in the case of a rejection of the enrolment. Any change of visa status must be confirmed by the appropriate documentation.
- 3.4.3 Notification of withdrawal from school must be made in writing to the [Temporary Residents Program](#), signed by the parent/guardian.
- 3.4.4 Holders of visitor visas and other short term visas with conditions limiting enrolment to 13 weeks or less are not entitled to a refund of the [Temporary Residents Fee](#).

## 3.5 Failure to pay fees

- 3.5.1 In accordance with Section 31A (4) and (5) of the [Education Act 1990](#) applicants must be advised at the time of enrolment that failure to pay fees may result in the student's enrolment in school being terminated or in the student being excluded from school activities. This advice is provided on the [Temporary Residents Program: Application form for an Authority to Enrol](#).

- 3.5.2 Applicants must also be advised that in accordance with Section 31A (6) of the [Education Act 1990](#), legal action may be taken by the Secretary to recover any outstanding fees owed to the Department of Education. This advice is provided on the [Temporary Residents Program: Application form for an Authority to Enrol](#).

### **3.6 Payments to schools**

- 3.6.1 Schools will receive a payment for each temporary resident student enrolled through the Temporary Residents Program. The amount of the payment will depend on the student's visa.
- 3.6.2 For students other than international students and short term visitor visa holders, schools will receive one payment of \$100 for each temporary resident student. Payment will be made only on the student's initial enrolment in the NSW Government school system and will be made to the school to which the initial Authority to Enrol is issued.
- 3.6.3 For international students and visitor visa holders, schools will receive a payment of 25% of the fees paid by each student enrolled.

## **4. ENROLMENT PROCEDURES FOR TEMPORARY RESIDENTS**

### **4.1 Applying to enrol**

- 4.1.1 All temporary visa holders, with the exception of international students, apply to enrol at their local or chosen school. The school must provide students with the [Application to Enrol in a NSW Government School](#) and [Temporary Residents Program: Application form for an Authority to Enrol](#) to complete.
- 4.1.2 Students must produce their passport and proof of their current visa or other travel documents and supporting documents to confirm their identity and residency status.
- 4.1.3 Students who hold an eVisa (electronic visa) need to obtain a printed record of their visa details including visa class and subclass, visa expiry date and visa conditions from the [Department of Immigration and Border Protection](#). Students who present without a printed record must be referred to the Department of Immigration and Border Protection to obtain formal documentation.
- 4.1.4 For students enrolling in a Government primary school for the first time, parents/guardians should also provide evidence of a student's immunisation status to the school. See Section 1.2 of this document.
- 4.1.5 The principal must sign the completed [Temporary Residents Program: Application form for an Authority to Enrol](#) to confirm that:
- the student's application to enrol has been risk assessed
  - a place is available at the school
  - the school is capable of meeting the student's needs, including EAL/D support, and
  - all required travel documents have been sighted and copied.
- 4.1.6 The school will make two copies of all travel documents. Each copy must be signed and dated by the school principal or other delegated senior staff member certifying

that he or she has sighted the original. The school must retain one photocopy of the travel documents and store it with the [Application to Enrol in a NSW Government School](#) in accordance with the [Privacy and Personal Information Protection Regulation 2014](#) and the Department of Education [Privacy Code of Practice](#). The other copy must be provided to the applicant for submission to the Temporary Residents Program.

- 4.1.7 The school will advise all temporary resident students whether they are liable to pay the [Temporary Residents Fee](#) according to their visa subclass.
- 4.1.8 The school will advise all fee liable students if they are eligible to appeal the requirement to pay the [Temporary Residents Fee](#).
- 4.1.9 Students who claim exemption from payment of the [Temporary Residents Fee](#) because they have links to an Australian citizen or permanent resident by birth, marriage, de facto relationship or adoption and have applied for permanent residency, must provide a copy of the students birth certificate, marriage or adoption certificate and evidence of the application for permanent residency to the [Temporary Residents Program](#).
- 4.1.10 The school will advise all students, whether they are fee exempt or liable to pay the [Temporary Residents Fee](#), that they are responsible for forwarding the completed [Temporary Residents Program: Application form for an Authority to Enrol](#) to the [Temporary Residents Program](#). The form must be accompanied by the signed and certified copies of all travel and supporting documents and payment, if applicable.
- 4.1.11 The school will advise applicants they cannot be enrolled until the principal has assessed the [Application to Enrol in a NSW Government School](#) and the enrolment has been approved by the Temporary Residents Program and an *Authority to Enrol* has been issued to the school.
- 4.1.12 The Temporary Residents Program will process all applications and any payments due and will issue an *Authority to Enrol* to the school as confirmation of approval for enrolment. A letter confirming the starting date of the student will be sent to the parent.
- 4.1.13 On receipt of the *Authority to Enrol* from the [Temporary Residents Program](#), the school can then enrol the student from the date provided on the *Authority to Enrol*.
- 4.1.14 Requests for letters confirming placement in a NSW Government school must be referred to the Temporary Residents Program. Schools must not issue letters confirming enrolment.

## 4.2 Continuing enrolment

- 4.2.1 The [Temporary Residents Program](#) monitors visa ceasing dates of all temporary resident students enrolled, both fee paying and fee exempt, to ensure that visas are current.
- 4.2.2 The [Temporary Residents Program](#) monitors the enrolment of all students on temporary visas who are liable for payment of fees. An invoice will be sent to the student when fees are due for continuing enrolment.

### 4.3 Enrolling in another NSW Government school

- 4.3.1 If a temporary resident student wishes to change his or her enrolment to another NSW Government school, the student must complete a new application process for the new school. The student must complete a new [Application to Enrol in a NSW Government School](#) and advise the [Temporary Residents Program](#) of the change.
- 4.3.2 If the enrolment is approved, the [Temporary Residents Program](#) will issue an *Authority to Enrol* to the new school.
- 4.3.3 If the student has already paid the [Temporary Residents Fee](#) to cover their continuing enrolment, the fees will apply to the enrolment in the new school.

## 5. RESPONSIBILITIES AND DELEGATIONS

### 5.1 School principal

- 5.1.1 The school principal is responsible for:
- advising all prospective students of the process for applying to enrol in a NSW Government school, including providing students with the [Application to Enrol in a NSW Government School](#) and the [Temporary Residents Program: Application form for an Authority to Enrol](#)
  - advising temporary resident students or their parents/guardians whether they are liable to pay the [Temporary Residents Fee](#) and, if so, whether they are eligible to apply for exemption from the fee and the process for doing so
  - ensuring they or delegated officers sight original travel and identity documents, keep copies of relevant documents and maintain and update complete enrolment data for all temporary resident students
  - notifying the Temporary Residents Program of any withdrawal from school, variations in temporary residents' visa status or residential and contact details
  - ensuring temporary resident students are only enrolled once an *Authority to Enrol* has been issued for their school.

### 5.2 Temporary Residents Program

- 5.2.1 The [Temporary Residents Program](#) is responsible for:
- processing temporary resident applications for enrolment, issuing *Authorities to Enrol*, issuing *Confirmations of Placement*, monitoring currency of temporary visas and maintaining records of temporary resident student enrolments
  - collecting Temporary Residents Program Administration and Education Fees, maintaining records of payments received, making requisite payments to schools and providing refunds where applicable
  - confirming the accuracy of student visa details by accessing the Department of Immigration and Border Protection on-line visa verification system, [Visa Entitlement Verification Online – VEVO](#)
  - advising the Department's Legal Services Directorate if action needs to be commenced for debt recovery
  - responding to public inquiries and providing advice and information to individual clients, Government and non-Government agencies and schools.

### 5.3 Equity team, Learning and Teaching Directorate

5.3.1 The Equity team is responsible for:

- developing advice on the enrolment of non-Australian citizens
- monitoring and reporting on the implementation of the procedures and eligibility for the enrolment of non-Australian citizens as appropriate
- negotiating with the Department of Immigration and Border Protection in relation to the enrolment of students in the Residence Determination Program in NSW Government schools, including developing a Memorandum of Understanding setting out enrolment protocols and levels of funding from DIBP
- managing the enrolment of students in the Residence Determination Program into schools, issuing *Authorities to Enrol*, maintaining a student database, monitoring continuing enrolment and issuing invoices to DIBP for payment.

### 5.4 DE international

5.4.1 DE International is responsible for:

- convening the Exemption Review Panel
- responding to individual requests for exemption from payment of the [Temporary Residents Fee](#) through the Exemption Review Panel and maintaining records of exemption requests and decisions made
- providing advice on the outcomes of the exemption process.

### 5.5 Legal Services Directorate

5.5.1 Legal Services Directorate is responsible for:

- taking legal action in accordance with Section 31 A (6) of the [Education Act 1990](#) to recover any outstanding [Temporary Residents Fee](#) as a debt in a court of competent jurisdiction

### 5.6 Secretary of Education

5.6.1 The Secretary of Education is responsible for:

- fixing the fees to be paid by overseas students, or classes of overseas students, at Government schools in accordance with Section 31 A (1) of the [Education Act 1990](#)
- determining in accordance with Section 31 A (3) of the [Education Act 1990](#), individuals or classes of overseas students, considered to be exempt from payment of the [Temporary Residents Fee](#),
- terminating the enrolment of students if a fee payable has not been paid in accordance with section 31A (5) of the [Education Act 1990](#).

## 6. CONTACTS

### **DE International**

#### **Temporary Residents Program** Locked Bag 7004

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Australia

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Fax: +61 2 4224 9074

Email: [tempvisa@det.nsw.edu.au](mailto:tempvisa@det.nsw.edu.au)

Web: [www.decinternational.nsw.edu.au/study/schools/temporary-residents](http://www.decinternational.nsw.edu.au/study/schools/temporary-residents)

### **DE International**

#### **International Student Program**

Locked Bag 53

Darlinghurst NSW 1300

Australia

Telephone: +61 1300 300 229

Fax: +61 8293 6928

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Web: [www.decinternational.nsw.edu.au/study/schools/international-students](http://www.decinternational.nsw.edu.au/study/schools/international-students)

### **DE International**

#### **Study Tours Program**

Locked Bag 53

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Telephone: +61 2 8293 6911 Fax: +61 2 8293 6972

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### **DE International**

#### **Student Exchange Program**

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### **Equity**

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Web: <http://www.schools.nsw.edu.au/learning/yrk12focusareas/multiculted/index.php>