

Wellington College Enrolment Criteria

The Zone

Legislation gives the right of enrolment to any student who lives within the College home zone. For maps of the zone boundaries, please see the College website, www.wellington-college.school.nz under Enrolment/Enrolment Process.

Students living outside the home zone can apply for entry by ballot. The ballot is usually held in August of the preceding year for Year 9, and October/November for Years 10-13. Dates are available on request from the school around May each year. The number of students accepted through the ballot depends on the number of places available. Applications for the ballot are processed in the following order of priority:

- First priority: Special programmes – this is not applicable at Wellington College.
- Second priority: Applicants who are siblings of current students.
- Third priority: Applicants who are siblings of former students.
- Fourth priority: Applicants who are children of Board employees.
- Fifth priority: All other applicants.

The names of those successful in the Year 9 ballot each year are published on the website. The only other means by which out of zone students may be enrolled are:

- Following a direction by the Secretary under Sections 11P,16,17D or 18A of the Education Act 1989;
- If the principal agrees to accept a student excluded or expelled from another school and the Secretary for Education endorses the proposal.

Application for Enrolment

Application for Enrolment forms are available from the College reception and contributing schools, and can be downloaded from the website. An Enrolment Information booklet is also available. Applications for Enrolment must be accompanied by:

- a) A Birth Certificate – and a passport if the student was born outside New Zealand;
- b) For in zone students, two recent original documents verifying the in zone street address eg. rates notice, tenancy agreement, telephone or electricity account, etc.
- c) Proof of guardianship if necessary.

An application may be declined if the application is made on the basis of living in the home zone, but the College Board does not accept that the given address is the student's usual place of residence. The board may also decline an application made on the basis of a sibling relation if it does not accept that the relationship is consistent with the interpretation provided in the legislation. In each situation the board must write to the parents explaining why the application has been declined and informing the parents of the Secretary's discretionary powers under Section 11P(2) of the Education Act. If an application is declined for one of these reasons, the principal should offer to place the student's name in the general ballot for out of zone places.

Open Day and Interviews

Wellington College has one Open Day each year which is usually held in late July. Individual interviews are not held for prospective students, except during the year for those arriving from overseas or other parts of the country. However, parents of students successful in the Years 10-13 ballots will be asked to meet with the Headmaster with their son(s) in December or late January.

Summary of Ministry Guidelines for Enrolment

The Ministry of Education has provided schools and potential parents with guidelines for enrolment schemes and their operation, and some of the key points of these guidelines relating to the home zone are outlined below.

Living in the Home Zone (pp 6-7)

It is the Ministry's view that any decision on whether or not a student lives within a home zone should be based on whether or not the student's given address is his usual place of residence. A student is considered to be living in the home zone when the student currently (at those times when the school is open for instruction) has his place of residence at an address within the home zone and intends to remain within the zone.

The intention of remaining within the home zone is shown by any of the following:

1. The student lives with his parent(s)/guardian(s) in a house in the home zone owned, leased or rented by the parent(s)/guardian(s).
2. The student lives with a family member or some other responsible adult who has been given a **primary** duty of care¹ by the student's parent(s)/guardian(s) in a house in the home zone owned, leased or rented by that adult. Students accepted for a school hostel are also covered by this description.
3. A student over 16 lives independently and owns, leases, rents or occupies a house in the home zone either with the agreement of the student's parent(s)/guardian(s) or in situations where the student has been granted an Independent Living Allowance.

The board will periodically have to make a decision on difficult situations, such as shared custody or temporary living arrangements when people are recent arrivals to an area. In the case of shared custody it may be that the student's usual place of residence can only be defined in terms of two addresses. In the case of new arrivals to an area, the board should remember that 'usual place of residence' is not the same as 'permanent place of residence' and this may mean that somebody who is genuinely, but temporarily, living in the home zone has to be enrolled.

Determining Genuineness (pp8-9)

The onus is on the parent to provide evidence which will enable the board to judge whether the given address will be the student's usual place of residence when the school is open for instruction. If, at the time of application, the parent is not able to provide the board with such evidence, the board may decide to decline the application. In cases where an applicant then requests a directed enrolment under Section 11P(1), the Ministry will ask the board to explain the grounds for its decision to refuse the student's enrolment.

The following situations are likely to raise suspicions and point to a possible non-genuine in-zone living arrangement:

¹ "Primary duty of care" indicates that the person with whom the student is boarding will take a high level of responsibility for the student's welfare. A board might doubt the genuineness of the boarding arrangement if the parents insist on being the first point of contact for all matters relating to the student's progress and behaviour at the school.

- A check with the student’s current intermediate or full primary school reveals a different address from that given at the time of pre-enrolment² for the secondary school.
- The in-zone family address given at the time of pre-enrolment is a recent acquisition and there is no suggestion that this is a new family home resulting from a recent move, or that it is admitted to be a rental address occupied by the family while it is attempting to find permanent accommodation.
- The student will be boarding at an in-zone address while the family home is out of zone but not too far away.
- After an unsuccessful application from an out of zone address, the parents make a new application based on an in-zone address – either as a new family home or as a boarding address for the student.

If a non-genuine in-zone living arrangement comes to light before enrolment takes place (ie. before attendance begins), the board would be able to simply withdraw any offer of a place which is might have made on the basis of the information provided at pre-enrolment. If, however, the matter does not surface until attendance has begun, the board will have to follow the enrolment review procedures set out in Section 110A of the Education Act 1989.

Practical Examples for Determining Genuineness (pp 9-11)

The following are some common enrolment scenarios which schools have brought to the attention of the Ministry. These are not intended to provide answers that will be applicable in all similar situations, but rather to provide a guide as to how genuineness might be determined.

Example One:

A family has moved into the zone just prior to the application for enrolment.

This is a very common scenario in which genuineness can be very difficult to establish. To assist with this, it may be helpful to ascertain the following:

- Assess the suitability of the dwelling, particularly as compared with their previous dwelling, if possible (eg. if a family claims to have shifted from a five-bedroom house into a two-bedroom unit, the genuineness of the application is very suspect).
- If the parents own the in-zone dwelling, can they provide proof of ownership and proof of sale of their previous home?
- If the in-zone dwelling is rented, assess the length of the rental agreement. It may even be appropriate to contact or request a letter from the landlord to help establish the genuineness of the arrangement. Does the family own an out of zone home?
- Investigate whether the student had previously made an unsuccessful out-of-zone application.

[NB – The Wellington College Board of Trustees has determined that at least twelve months’ residence in the zone is sufficient to prove genuineness.]

Example Two:

A student is boarding at an in-zone address. His family lives just outside the school zone.

If the parents insist that they have retained the primary duty of care, then the genuineness of the in-zone living arrangement begins to look very suspect. Even if the parents say that they have handed over the primary duty of care, the situation is still highly suspicious given that the parents live nearby. However, the applicants should be given the opportunity to provide evidence to support the genuineness of their application. Such evidence might include:

- That the boarding arrangement has been in place for a reasonable period prior to the application;

² “Pre-enrolment” refers to the process of applying for entry to the school. “Enrolment”, on the other hand, occurs when attendance at the school commences and the student is first marked as present on the school roll. (Section 110(2) of the Education Act 1989).

- That special family circumstances have meant that the boarding arrangement is preferable for non-schooling-related reasons.

Example Three:

A student lives with his grandmother inside the school zone.

While it is more credible that parents might grant a primary duty of care to their son's grandmother than to a non-family member, it is not clear whether this is actually the case. To ascertain genuineness, it may be helpful to know:

- How far away the student's parents live;
- How long the student has lived with his grandmother;
- The suitability of the grandmother's residence;
- Whether there are any special family circumstances making this arrangement necessary or preferable.

Example Four:

A student has recently moved in with his father who lives in the school zone, having previously lived with his mother, outside the school zone.

In the case of shared custody, it is entirely legitimate for a student to move in with either parent for the purposes of enrolling at a particular school. The question, of course, is whether the student is genuinely living there. Questions, which may assist in ascertaining the genuineness of such a situation, could include:

- The suitability of the father's dwelling (eg. if it is a one bedroom flat, this may be less credible as a genuine living arrangement than a larger dwelling);
- How long the father has lived at the in-zone address;
- Whether there are any other reasons for the student shifting to live with his father.

Example Five:

A family has recently arrived in New Zealand. They are living in a rented flat while they look for more permanent accommodation.

This is a common and very difficult situation to assess. It is, of course, entirely reasonable for a family to rent a flat after just arriving in the country. Equally it is possible that the family has done this specifically in order to gain enrolment at a particular school. Investigations which may assist in ascertaining the genuineness of such a situation could focus on:

- The suitability of the dwelling;
- Whether this is the family's first address in New Zealand. (This could be confirmed through cross-referencing rental agreements with entry stamps on passports);
- If it is not their first address, why they have shifted address so quickly.

Example Six:

A family is sharing a house with another family.

The following kind of information may be helpful to establish the genuineness of such situations:

- If the student's family claim that they aren't the family that pays the power/phone bills, it may be appropriate to ask for some other evidence that they actually live there (eg. a bank statement or other mail addressed to them);
- The length of time the arrangement has been in place (if the two families have been living together for years, it is more likely to be genuine);
- The suitability of the house for two families;
- Evidence that the student's family is paying rent in some form.

Example Seven:

A family gives a motel as their in-zone address.

Under normal circumstances, a motel would not be considered a usual place of residence. However, the family might be able to show that they have recently relocated from another part of the country for work-related reasons. In such a case the child has to go to school somewhere and it is sensible if the school is the one whose zone includes the motel. If the parents were able to provide strong evidence (such as unconditional sale and purchase agreements) that they would be relocating to a permanent, in-zone address, the board might feel that it is appropriate to enroll the student. If, however, the parents provide evidence of only a short-term rental agreement at an in-zone address, the situation begins to look suspicious and the school would be wise to warn the parents of the law relating to temporary residence. If there is no evidence that the parents have recently shifted from another part of the country or are new arrivals from overseas, the in-zone motel address is even more suspicious as a genuine in-zone living arrangement.

Conclusion (p11)

In most cases, no individual piece of evidence will be conclusive on its own. But, collectively different factors may give a good indication as to the likely genuineness of the situation. Importantly, asking such questions of applicants will give the opportunity for genuine applicants to prove they are genuine, despite their unusual circumstances.

Although seeking additional information may be time-consuming for a board, it is far more efficient to be thorough at the point of application, rather than having to effect an annulment at a later point.

In some situations, however, suspicions will remain despite there being no reasonable ground to decline an application. The Ministry recommends that schools compile a list of such students for further investigation at a later date, after attendance has commenced.

The Ministry also recommends that schools should keep full and accurate records and notes on all applications that are declined and enrolments that are annulled. These will be valuable to the Ministry if the parent later makes an application for directed enrolment under Section 11P. In some cases, it may be difficult for the Ministry to uphold a board's decision if proper records have not been kept.

Annulment of Enrolment (pp15-16)

Once attendance has commenced, Section 11O provides for the annulment of enrolment if the board has reasonable grounds for believing that, at the time of application, the parents provided false information or deliberately used a temporary address in an attempt to unfairly gain priority in enrolment.

Reasons for annulment fall into two categories:

1. *Supplying false information*

Annulment is via Section 11O(1) for the following reasons:

- (a) Although the student had an in-zone address at the time of application, the student had moved to an out of zone address by the time of enrolment (ie. the first day of attendance); or
- (b) The student had never lived at the in-zone address given at the time of application; or
- (c) New evidence has come to light which suggests that the student is not, in fact, the sibling of a current or former student.

In these situations, if the board has reasonable grounds for believing that the information given at the time of application was deliberately false, and the parents have been unable to provide a satisfactory explanation, then the board may annul the enrolment.

2. *Use of a temporary residence*

Annulment is via Section 11O(1A) if the board has received no satisfactory explanation following its decision to review an enrolment. An enrolment may be reviewed if the board has reasonable grounds to believe that a temporary address was used to unfairly gain priority in enrolment.

Annulment Procedures

The annulment will take effect one month from the date on which the board decided to annul the enrolment. Immediately after annulling an enrolment, the board must:

- (a) advise the student's parents, in writing, of the date of the annulment and the date on which it takes effect; and
- (b) advise the Secretary (by contacting the relevant Ministry office) of the name of the student and the date of the annulment.

Copies of the Ministry's Guidelines and relevant parts of the Education Act are available on request from the Headmaster's office.

The following notice appears in the College Enrolment Information booklet:

Warning - Dishonest enrolment and criminal offences: From time to time, parents who live outside the College home zone submit enrolment applications that dishonestly claim residence in the zone. Some people think that there is no crime if what is involved is a school enrolment. Others think that the offence is no more than making a false declaration. In fact, the position is much more serious. Dishonest applications constitute offences under the Crimes Act that carry up to seven years' imprisonment. Using a forged document, such as a doctored tenancy agreement, is a crime that could carry up to 10 years' imprisonment.