

Annulment of Enrolment

The Education and Training Act 2020 gives a guarantee of enrolment to students who live in the home zone specified in the school's enrolment scheme. The board needs to be sure that an in-zone address is genuine, because it is required to manage the enrolment scheme for the benefit of local students.

The address given at the time of application for enrolment must be the student's usual place of residence when the school is open for instruction. This means that if you currently live at an in-zone address but move to an out-of-zone address before your child's first day of attendance at the school, your child will not be entitled to enrol at the school.

The Ministry of Education has advised that parents should also be warned of the possible consequences of deliberately attempting to gain unfair priority in enrolment by knowingly giving a false address or making an in-zone living arrangement which they intend to be only temporary eg

- renting accommodation in-zone on a short-term basis;
- arranging temporary board in-zone with a relative or family friend;
- using the in-zone address of a relative or friend as an "address of convenience", with no intention to live there on an ongoing basis.

If the school learns that a student is no longer living at the in-zone address given at the time of application for enrolment and has reasonable grounds to believe that a temporary in-zone residence has been used for the purpose of unfairly gaining priority in enrolment at the school, then the board will review the enrolment. Unless the parents can give a satisfactory explanation within 10 days, the board may annul the enrolment. This course of action is provided for under section 12 of the Education and training Act 2020

Once attendance has commenced, Section 12 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.

Supplying false information or the use of a temporary residence.

Annulment is via Section 12 of the Education and Training Act 2020:

12Enrolment may be annulled if based on false information or temporary residence

(1) The board of a State school that has an enrolment scheme may annul the enrolment of a student if the board believes on reasonable grounds that the student's enrolment or pre-enrolment form falsely claimed, for the purpose of securing enrolment, that—

- (a) the student was living in the school's home zone when the student enrolled at the school; or
- (b) the student was entitled to a particular priority in the ballot for places (for example, by falsely claiming the applicant is the sibling (as defined in [clause 2\(3\)](#)) of an existing student).

(2) The board of a State school that has an enrolment scheme may annul the enrolment of a student if, following a review under [clause 13](#), the board determines that the student has used a temporary residence for the purpose of gaining enrolment at the school.

(3) The address given in a student's pre-enrolment form as the address where the student lives is taken to

be the address at which the student is living on enrolment, unless the board is notified otherwise.

(4) The board may annul the enrolment of any student, or may refuse an application for enrolment by any person, who claimed or claims priority in a ballot as a sibling of a student whose enrolment has been annulled under this clause.

(5) If the board annuls an enrolment under any of subclauses (1), (2), and (4), the annulment takes effect 1 month after the date on which the board decides to annul the enrolment.

(6) A board that annuls the enrolment of a student must immediately—

(a) advise a parent of the student, in writing, of the date of annulment and the date on which it takes effect; and

(b) advise the Secretary of the name of the student and the date of annulment.