

# Guidelines for THE GRANTING OF PREFERENCE OF ENROLMENT IN NEW ZEALAND CATHOLIC SCHOOLS

*Updated by the New Zealand Catholic Bishops Conference, November 2018*

## 1. Introduction

These guidelines aim to assist agents of the Bishops who have responsibility for granting of preference. It is hoped that the guidelines will assist you in interpreting the preference criteria and understanding our vision of the significant role parishes and schools have in working cooperatively on the evangelisation and faith formation of students and parents.

The Bishops of New Zealand wish to endorse and affirm the value of Catholic primary and secondary schools in the mission of the Church and as a fulfilment of Canon 217: *All those baptised into the Catholic Church have a right to Catholic education.*

## 2. The Legal Obligations of the Proprietor

Section 442 of the Education Act 1989, Part 33, states:

**“442. Preference of enrolment –** The children of parents who have a particular or general philosophical or religious connection with a state integrated school must be preferred to other children for enrolment at the school.”

The standard clause in the Integration Agreement of Catholic Schools states:

“Preference of enrolment at the school under Section 442 of the Education Act 1989, Part 33\* shall be given to only to those children whose parents have established a particular or general religious connection with the Special Character of the School and the Controlling Authority shall not give preference of enrolment to parents of any child unless the Proprietor has stated that those parents have established such a particular or general religious connection with the Special Character of the school.” (\*Actual reference in Integration Agreements is to the PSCI Act. All such references are now read as in the Education Act 1989.)

## 3. Basic Premises

The following three premises are the basis for the interpretation of the 5 criteria to be used for granting preference.

*Premise 1:* Baptism or a well founded hope of Baptism should be regarded as the norm in the granting of Preference. Baptism may be a future event as a result of attending a Catholic school.

*Premise 2:* Catholic schools are an integral part of the evangelising mission of the Church.

*Premise 3:* The “family” will actively support the child in his/her faith formation and the practices of the Catholic Church.

**It is important to note that the eligibility for preference of enrolment is based on factual conditions relating to the status of the person’s connection to the Catholic Church, not on the state of their faith practices.**

There is a need for:

- Bishops' agents who sign preference cards, to have a pastoral approach, recognising the significant role they play especially in the re-evangelisation of non-practising Catholics.
- Catholic schools to be proactive in the evangelisation process
- The school and parish to have a close collaborative relationship, unified in their goal for active evangelisation and faith formation of the children and parents.

#### 4. Five Preference Criteria

4.1 The criteria to be used by Proprietors, and their authorised agents, when determining whether or not the parents of a child have established such a particular or general religious connection with the Catholic Special Character are:

- 5.1 The child has been baptised or is being prepared for baptism in the Catholic Church.
- 5.2 The child's parents/guardians have already allowed one or more of its siblings to be baptised in the Catholic faith.
- 5.3 At least one parent/guardian is a Catholic, and although their child has not yet been baptised, the child's participation in the life of the school could lead to the parents having the child baptised.
- 5.4 With the agreement of the child's parent/legal guardian, a significant familial adult such as a grandparent, aunt or uncle who is actively involved in the child's upbringing undertakes to support the child's formation in the faith and practices of the Catholic Church.
- 5.5 One or both of a child's non-Catholic parents/guardians is preparing to become a Catholic.

##### **Preference Criteria 5.1, 5.2 and 5.5**

- 4.2 These three criteria are clear cut and need to be applied as they stand.
- 4.3 It is important to recognise, that no additional conditions, such as regular attendance at Sunday Eucharist can be attached to the granting of preference.
- 4.4 It should also be recognised that in our current secularised society, the time when people are seeking preference of enrolment, is potentially a time of initiating re-evangelisation of Catholics who are no longer actively involved in the Church.

##### **Preference Criterion 5.3**

- 4.5 Currently there is wide interpretation of criterion 5.3 and this is a cause of major concern for many people.
- 4.6 The second part of criterion 5.3, *the child's participation in the life of the school could lead to the parents having the child baptised*, should be given prominence and accepted by all, as crucial when a decision is being made in granting preference of enrolment. The word here is "could" which implies that it is possible as distinct from probable. This is the element of "well founded hope".
- 4.7 We recognise that there are likely to be differences of interpretations of this criterion and offer the following examples of situations to demonstrate how we believe the criterion should be interpreted:

*Situation 1:* The parent has formally left the Church. Preference should not be granted

*Situation 2:* The Catholic parent is now *actively involved* in another Christian denomination or other religion and has no intention of supporting their child in the practices of the Catholic Church. We do not believe preference should be granted as it is unlikely that the child will be baptised in the Catholic Church as a result of attending a Catholic school, even if the parent has not *formally* left the Catholic Church.

*Situation 3:* The Catholic parent is now *actively involved* in another Christian denomination or other religion and the child has been baptised in the Church of the new religion. We do not believe preference should be granted in this situation even if the parent has not *formally* left the Catholic Church.

*Situation 4:* The Catholic parent no longer has any or at best infrequent contact with the child. In this situation we believe that preference should not be granted unless the non-Catholic parent, who is also the caregiver, is able to demonstrate a sincere commitment to the responsibility undertaken at the time of marriage to bring up the children as Catholics.

*Situation 5:* The Catholic parent has died but it was their wish that their child had a Catholic education and the Non-Catholic parent is committed to support the child in the faith formation and practices of the Catholic Church. We believe preference should be granted.

*Situation 6:* The step-parent who is active in the family life of the child is Catholic. We believe preference should be granted.

*Situation 7:* The Catholic parent is a “lapsed Catholic”. In this situation we believe preference should be granted because of the existing connection and the open possibility of re-evangelisation.

*Situation 8:* If a parent seeks a new preference certificate for their child to attend a secondary school (or a change of primary school) and the child has not been baptised during the previous schooling at a Catholic Primary School, there may still be “a well founded hope of baptism” especially at the secondary level where teenagers / young adults assume more personal responsibility. We believe preference should be granted. What may need strengthening, is, the active evangelisation strategies by both the school and parish.

#### **Preference Criterion 5.4**

4.8 The interpretation for granting preference under criterion 5.4 needs clarification. The following requirements are essential when people are seeking preference of enrolment under criteria 5.4:

- The significant familial adult in the child’s life, who is undertaking to support the child’s formation in the faith and practices of the Catholic Church, would need to accompany the parents/caregivers when they are seeking preference of enrolment.
- If the significant familial adult is not personally known to the person granting preference of enrolment, they need to have some evidence to show they are an active member of the Catholic Church.
- The significant familial adult must live in a physical position that enables sufficient contact and influence to be able to actively support the child’s formation in the faith and practices of the Catholic Church.
- The parents/caregivers should give written agreement that they will support the child’s formation in the faith and practices of the Catholic Church. This is included in the attached revised version of the Preference Card.

- The significant familial adult gives permission and commits to being included in the school/college's faith events and Religious Education programme, e.g. school masses, liturgies on the Religious Education programme, social justice and service initiatives as all parents are expected to. This is included in the October 2016 version of the Preference Certificate.

#### 4.8.1 The "significant familial adult" must:

- Have a familial and spiritual/pastoral connection with the child.
- Be authentic and honour the integrity of the NZCBC's intent of the 5.4 criterion.
- Be in a genuine, meaningful relationship with the child.
- Be an active faith member of a Catholic Eucharistic community.
- Live geographically close enough to support the child(ren) in liturgical and Eucharistic celebrations at both the school and church levels.
- Committed to assisting the parent(s) in their support of their child(ren) in the formation of their faith and the practices of the Catholic school which includes attendance at Sunday masses.
- Be in attendance when the parent is seeking a preference certificate from the Bishop's agent and also when the child is being enrolled at the school/college.
- Give permission and commit to being included in the school/college's faith events and Religious Education programme, e.g. school masses, liturgies on the Religious Education programme, social justice and service initiatives as all parents are expected to.

#### 4.10 What does **NOT** constitute an authentic "significant familial adult"?

- The neighbour or family friend is a Catholic.
- A Catholic godparent of a child who has already been baptised in another faith tradition.
- A family member such as an aunt, uncle or other relation who has very limited contact with the child
- Principal of a school or person responsible for Boarding in a Boarding school

#### 4.11 Examples of a significant familial adult:

- A legal guardian who has responsibility for the child after the parents death knowing the parents would have wanted a Catholic education for their child even if they had not baptised their child.
- An involved Catholic grandparent who had lapsed in practice of the faith and not baptised their children. Subsequent to the children becoming adults the grandparent has re-activated their faith and become involved in the Church and hopes for baptism of their grandchild and maybe their children.

## 5. Appeals

- 5.1 An appeals process will be formalised in each Diocese, with a person or a committee being appointed by the Bishop being delegated this responsibility.
- 5.2 The Preference of Enrolment Certificate will inform families of their ability to appeal a decision not to grant preference.
- 5.3 A national appeals form is attached. We have agreed that this national appeals form will be used by all Dioceses throughout New Zealand but will include Diocesan specific information.

## 6. Preference of Enrolment Certificates

The Preference of Enrolment Certificates includes:

- Written commitment by parents/caregivers that they will support their child's faith formation and practices within the Catholic Church
- Diocesan specific contact details including the name and contact details of the person to whom an appeal can be made.
- Written agreement by the familial adult where preference is being granted under Criterion 5.4.

A copy of the revised Preference of Enrolment Certificate is attached. We have agreed that this certificate will be used by all Dioceses and we ask that you ensure the certificate in use is dated October 2016 (updated November 2018). Older versions of this certificate should not be used.

## 7. Issues Associated with Granting Preference

### Schools facing pressure on the rolls

- 7.1 It must be clearly understood that there is an obligation on schools to accept preference students ahead of any non-preference students.
- 7.2 If all preference applications are unable to be accepted, the school should have a clear transparent enrolment policy, or an enrolment scheme officially approved by the Ministry of Education, specifying priorities for acceptance
- 7.3 While there can be no ranking of the preference criteria, Diocesan Vicars and/or Managers of Education, can offer schools assistance on developing enrolment policies, acceptable to the Ministry of Education, which can include priorities such as:  
First priority of acceptance is Preference students
  - from within the local parish or contributing parish or parishes
  - who have a sibling attending the school
  - with some connection with the local parish or contributing parish or parishes

### Evangelisation

- 7.4 Schools formally acknowledge and promote their role in the evangelising mission of the Catholic Church.
- 7.5 Continued strengthening of the school-parish partnership for ongoing evangelisation and personal invitation for faith formation and sacraments is crucial. A united school-parish faith community, with a sense of collaboration and team work is a hallmark of such a relationship.
- 7.6 A resource paper offering further suggestions assists the parish-school faith community in the task of collaborative evangelisation accompanies these guidelines.

***APPROVED BY: The New Zealand Catholic Bishops' Conference, October, 2016, (updated November 2018).***

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