Separation, Divorce and Remarriage - Frequently Asked Questions

Sydney Catholic Schools (SCS) understand that separation, divorce, remarriage and other complex family situations can be difficult to navigate at times. We hope this fact sheet can be a source of information and support in identifying the obligations of schools and families.

Parents seeking enrolment

Who can enrol a child?

Any person with parental responsibility or guardianship can enrol a child.

Can we list biological parents, stepparents and other caregivers on the enrolment form?

Yes, the SCS enrolment form contains four fields in which to list parents, carers and other contacts.

What documents do I need to provide to enrol my child?

You will require:

- The child's birth certificate and/or adoption paperwork.
- Any interim/final Family Court orders concerning parental responsibility.
- Any Apprehended Violence Order (AVO), which express the child as a protected person.

What name will my child be enrolled under?

Your child will be enrolled in the name on their birth certificate and their legal name will be used for all formal purposes, though they may be known by a nickname.

You may change your child's name legally by seeking an order of the Family Court or applying for a change of name through the NSW Registry of Births Deaths & Marriages. You must provide change of legal name documentation to the school.

Who needs to be listed as a parent/carer on the enrolment form?

Sole parental responsibility: If there is a Family Court order stating that one parent has sole parental responsibility, only that parent needs to be listed on the enrolment form. In all other circumstances, both parents need to be listed on the enrolment form.

Joint parental responsibility: All parents/carers with legal parental responsibility need to be listed on the enrolment form and their contact details must be provided.

Who needs to be involved in the enrolment process?

It is best practice that where a child is being enrolled in a school that both parents attend the enrolment interview and sign the enrolment form.

If one parent is applying to enrol a child without the other parent listed on the birth certificate/adoption paperwork/court orders, the school will contact the second parent to advise them of the enrolment. The school will confirm with both parents in writing the enrolment of the child at the school.

I have been advised of the enrolment of my child with SCS and I don't want the enrolment to proceed. What should I do?

Where there is shared parental responsibility either parent can enrol a child. If the other parent does not agree with the enrolment they are encouraged to resolve this outside of the school and seek independent advice. The school cannot stop a parent with parental responsibility from enrolling their child.

Parents with children already enrolled

My partner or spouse and I are separating. What should I do?

Arrange a meeting with the school principal as soon as possible so that they can:

- Be mindful of any change in your child's behaviour
- Discuss with you wellbeing supports which can aid your child at this time
- Develop a plan for your child in conjunction with the class teacher and pastoral or wellbeing staff

Can the school provide me a statement for my divorce/parenting proceedings?

Sydney Catholic Schools cannot take sides and accordingly, we cannot provide any parent with any statement or character reference for Family Court purposes.

If you require school enrolment records or other information on the student file for Family Court, this request must be made in writing. Any person with parental responsibility will then be sent a copy of the permitted documents on the file.

I don't want the school to communicate with one parent. Is this possible?

Wherever there is joint parental responsibility for a child by court order, or in absence of a court order, the school will always copy in both parents in any communications unless there is a relevant AVO.

Similarly, both parents should attend meetings or parent teacher interviews together. This will ensure that both parents are briefed equally of any matters impacting their child.

Where there is joint parental responsibility either parent is entitled to:

- Attend school events.
- Receive a copy of school reports, newsletters and any other communications.
- Collect their child from school.
- Meet with their child's teacher at parent/teacher evenings.

Can I visit my child at school?

No parent should be visiting the school site during school hours. Parents should not use the school as a means to visit their child. Visiting during school hours is not encouraged and is disruptive to students.

The other parent picked up our child from school on a day that isn't his or her day in the court orders. What will the school do?

Schools are not a party to Family Court orders and cannot enforce court orders.

Where a person with parental responsibility attends a school site to collect their child we cannot prevent them doing so even where it is not their allocated day. In this situation we would notify the other parent and police if required.

If there is an AVO in place protecting the child and the parent attempts to pick up the child in contravention of that order, we will phone the police.

The other parent and I have agreed on changes to the existing court orders that are relevant to the school. What information do I need to provide the school? *(For example, changes to our child's care arrangements or primary residence).*

If you have entered into new Family Court orders reflecting changes to the existing arrangement, please provide the school with a copy of the most recent sealed orders for their records.