

Related Policies

Family Law

Record Keeping (School)

Purpose

This policy sets out the criteria for changing the name of a student on school records.

Policy

School documents in relation to a student's name are consistent with the name of the student on their birth certificate. A student's name is changed on school documents at the time of enrolment or at other times when one or more of the conditions listed in the procedures section of this policy are met.

Definitions

Nil

Procedures

A Principal enrolls a student under an alternative name or changes existing records to indicate the student's new name if one or more of the following conditions are met:

- Both parents indicate in writing their approval to use a new name
- A written court order authorising the use of a new student name is provided to the school
- A statutory declaration is provided by the enrolling parent indicating that the child has had no contact with the other parent and his or her whereabouts are unknown. (While there is no specific legal requirement regarding the period of time, it is considered advisable to apply a five year time span for non contact with the other parent)
- A birth certificate is issued in the new student name
- Proof of adoption is issued in the new student name
- The Department of Community Services (NSW) or the Department of Disability, Housing and Community Services (Office of Children, Youth and Family Support) (ACT), responsible for the care of children, indicates the appropriate use of a new name for the student
- Evidence is provided that the parent and/or a student are subject to witness protection, or some other similar scheme designed to ensure safety, and that the use of a new name for the student is necessary to maintain the safety and well being of the parent and/or student
- A signed request for a name change of a student from one parent and written proof indicating that the other parent is deceased.

Students aged 18 years or more may be enrolled in whatever name they choose.

- **Note:** The Family Court of Australia recognised in *Chapman v Palmer* (1978) FLC 90 – 510 that a child may initiate to have the ability personally to bring about a situation where he or she is known by a surname of his or her choosing. This is more likely where the child is approaching 18 years.

Principals, particularly for older students, must ascertain the student's wishes before effecting any name change on school records according to the conditions above. The Principal will confer with the Deputy Director/Head of Human Resource Services in the event of any dispute regarding the name of a student.

References

N/A

Forms

N/A

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