

Eligibility Determination – [Language]* Continuers Courses

(where there are [Language] in Context and/or [Language] and Literature courses)

Information and Application Form

* insert relevant language, eg Chinese

Students need to meet specific eligibility criteria for [Language] Continuers courses where there are [Language] in Context and/or [Language] and Literature courses. For each of these courses, students must apply for an eligibility determination. The principal needs to make eligibility decisions before the student's enrolment in the relevant Languages course.

A student applying for an eligibility determination must:

- complete the *[Language] Continuers Course – Application for Eligibility Determination* form including the Statutory Declaration
- provide relevant additional documentation the principal requires, or that they wish to submit.

Note: Submitting false, inaccurate or incomplete information could place a student's eligibility for the Higher School Certificate (HSC) at risk.

Course eligibility criteria

To be eligible for a course, a student must meet all eligibility criteria at the time of entry to that course.

For determining eligibility:

- speakers of dialects and variants of a language are considered speakers of the standard language, eg Cantonese Chinese speakers are considered speakers of Mandarin
- speakers of Indonesian and speakers of Malay are considered speakers of both languages
- formal education is 'education that is institutionalised, intentional and planned through public organizations [sic] and recognised private bodies, and – in their totality – constitute the formal education system of a country.' (UNESCO International Standard Classification of Education, 2011, para 36).

Target candidature	Eligibility criteria
<p>Students are learning the language as a second (or additional) language. Students typically have studied the language for 200–400 hours at the commencement of Stage 6.</p> <p>(In languages where Extension courses are offered, the Extension courses are available to HSC Continuers course candidates only.)</p>	<ul style="list-style-type: none"> • Students have had no more than one year's formal education from the first year of primary education (Year 1) in a school where the language is the medium of instruction. • Students have had no more than three years residency in the past 10 years in a country where the language is the medium of communication.

Determining eligibility

The principal of the school delivering the course determines eligibility. This may be:

- the student's home school
- the Secondary College of Languages
- the NSW School of Languages
- a Distance Education Centre
- a TAFE.

For a student who intends to study the course with an approved outside tutor, the principal of the student's home school determines eligibility.

To be deemed eligible for a course, a student must meet all eligibility criteria at the time of entry to that course.

The principal must provide the eligibility determination to the student in writing before the student enrolls in the relevant Language course. Schools that deliver Language courses outside the home school may have early submission deadlines. The student is responsible for meeting these deadlines.

Review of principal's eligibility determination

If a student believes that the principal's determination has not been made according to the course eligibility criteria, they can request a review of the determination.

Students requesting a review must:

- use an *Application for Review of Eligibility Determination* form
- submit their review request to the principal within one week of receiving the principal's original decision
- if applicable, include relevant documentation not included in the original application.

The principal and/or school review panel will re-examine the matter and advise the student of the outcome in writing.

Appeal to NESA

If the review concludes that the student remains ineligible to undertake the Language course, the student may appeal to NESA.

Any student who wishes to appeal to NESA must submit their request to the principal within one week of receiving the review decision. The school must then submit the appeal to NESA within one week of the student's request.

The appeal must include:

1. an *Application for Eligibility Determination* form (including the Statutory Declaration)
2. an *Application for Review of Eligibility Determination* form
3. an *Appeal to NESA against Principal's Eligibility Determination* form
4. documentation submitted to the principal as part of the student's application for eligibility determination or review.

Appeals should be emailed to studentsupport@nesa.nsw.edu.au.

NESA will notify the principal and the student of its decision via email.

[Language] Continuers Course
Application for Eligibility Determination

(where there are [Language] in Context and/or [Language] and Literature courses)

PART A: TO BE COMPLETED BY THE STUDENT

Applicant details:

Student Number:	
Student Name:	
Student Email:	

Language:	
-----------	--

Home school details:

School Name:	
Contact Person:	
Phone Number:	
Principal:	
School Email:	

Teaching school details (if different from home school)

School Name:	
Contact Person:	
Phone Number:	
Principal:	
School Email:	

Section 1: Formal education*

* Formal education is “education that is institutionalised, intentional and planned through public organizations [sic] and recognised private bodies, and – in their totality – constitute the formal education system of a country.” (UNESCO International Standard Classification of Education, 2011, para 36).

Please write the required information in the table below. FILL IN ALL BLANKS. If you did not attend school in any of these years, please write ‘none’ in the relevant space.

School year	Calendar year	Name of school attended	Country in which school was attended	Languages learned (other than English)
10				
9				
8				
7				
6				
5				
4				
3				
2				
1				

Further information related to formal education (if applicable):

Section 2: Residency

Please write the required information in the table below. FILL IN ALL BLANKS.

School year	Calendar year	Country of residence	Language of communication in country of residence
10			
9			
8			
7			
6			
5			
4			
3			
2			
1			

Further information related to country/language of residence (if applicable):

Section 3: Additional documentation provided by student

The student may choose or be asked to provide additional documentation to support their application. Such documentation may include copies of school reports from previous schools, passports/visas or evidence of residency in Australia and/or overseas.

Please list any additional documentation submitted with this application.

Section 4: Student declaration

Please complete the Statutory Declaration, which must be signed by the student and an appropriately qualified person. It is an offence under the *Oaths Act 1900* to make a false statutory declaration. Please note that the signing of a statutory declaration may also be witnessed by audio-visual link. Where this is the method used, the witness should tick the box alongside the statement provided. If you are unsure of the answers to any of the questions you have given above, seek advice from your principal before you sign the declaration.

Statutory Declaration OATHS ACT 1900 (NSW), EIGHTH SCHEDULE

I, , do solemnly and sincerely declare that
[name of declarant]
all information given on this form is complete and correct, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at: on
[place] [date]

.....
[signature of declarant]

in the presence of an authorised witness, who states:

I, ,
[name of authorised witness] [JP registration no./qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it: [* please cross out any text that does not apply]

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification¹ for not removing the covering, and
2. *I have known the person for at least 12 months OR
*I have confirmed the person's identity using an identification document and the document I relied on was
[describe identification document relied on]

3. Please tick if applicable [* please cross out any text that does not apply]:

☐

This declaration was [*signed in counterpart OR *countersigned] and witnessed over audio-visual link in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW).

.....
[signature of authorised witness]

.....
[date]

¹ Note – A special justification includes having a legitimate medical reason for not removing the face covering.

This statutory declaration may be signed and witnessed by audio visual link, in accordance with the authority provided by Part 2B of the Electronic Transactions Act 2000 (NSW).

The following persons may witness a statutory declaration in New South Wales:

- a justice of the peace
- a notary public
- a solicitor or barrister with a current New South Wales or interstate practising certificate
- a commissioner of the court for taking affidavits
- a person by law authorised to administer an oath

For statutory declarations to be signed and witnessed via audio-visual link, please refer to section [14G of the *Electronic Transactions Act 2000*](#) to ensure that you comply with the requirements.

Section 5: Statement by student's home school

(Please tick)

- The following additional information is provided for the consideration of the principal making the eligibility determination. Such additional information can be drawn from school enrolment forms and school interviews.

Principal's Signature: _____ Date: ____ / ____ / ____

Additional comments / information where the school delivering the course is not the student's home school.

Teacher's Signature: _____ Date: ____ / ____ / ____

The eligibility determination is to be made by the school delivering the course for which the student is seeking an eligibility determination. This may be the student's home school, the Secondary College of Languages, the NSW School of Languages, a Distance Education Centre or TAFE. In the case of a student who intends to study the course with an approved outside tutor, this section is to be completed by the student's home school.

School / Institute: _____

Principal's Name: _____

Principal's Signature: _____ Date: ____ / ____ / ____

[Language] Continuers Course

Application for Review of Eligibility Determination

(where there are [Language] in Context and/or [Language] and Literature courses)

This form need only be completed if the student believes that the principal's determination has not been made in accordance with the course eligibility criteria, and the student is seeking a review of the determination by the principal.

PART A: TO BE COMPLETED BY THE STUDENT

Applicant details:	
Student Number:	
Student Name:	

Language:	
-----------	--

Home school details:	
School Name:	
Contact Person:	
Phone Number:	
Principal:	

Teaching school details (if different from home school)	
School Name:	
Contact Person:	
Phone Number:	
Principal:	

Section 1: Student statement

Please provide an additional statement in support of your application for a review of your eligibility determination.

Section 2: Additional documentation (optional)

If you wish to provide any additional documentation in support of your application for a review of your eligibility determination, please list the additional documents in the space below.

Student's Name: _____

Student's Signature: _____ Date: ____ / ____ / ____

PART B: TO BE COMPLETED BY THE PRINCIPAL

Section 3: Principal's review and determination

In reviewing the determination of a student's eligibility to enter a Stage 6 Language course, the principal is required to consider:

- the student's original *Application for Eligibility Determination*
- any additional documentation submitted with the original Application
- the additional statement made and any documentation that the student may have provided with the student's *Application for Review of Eligibility Determination*.

Determination:

_____ is ☐ eligible to commence the
(student's name) ☐ ineligible

_____ course in _____.
(name of course) (calendar year)

Reason:

School / Institute: _____

Principal's Name: _____

Principal's Signature: _____ Date: ____ / ____ / ____

[Language] Continuers Course
Appeal to NESA against Principal's Eligibility Determination
(where there are [Language] in Context and/or [Language] and Literature courses)

This form need only be completed if the student wishes to appeal to NESA against the principal's determination.

PART A: TO BE COMPLETED BY THE STUDENT

I _____

--	--	--	--	--	--	--	--

(student name) (student number)

wish to appeal to NESA against the principal's determination that I am ineligible to undertake the _____ Continuers course.
(language)

Student's Signature: _____ Date: ____ / ____ / ____

PART B: TO BE COMPLETED BY THE PRINCIPAL

I acknowledge the student's appeal to NESA against the determination I made that the student is ineligible to undertake the above [Language] Continuers course. I will send all the relevant documentation that was considered in making the determination.

Principal's Name: _____

Principal's Signature: _____ Date: ____ / ____ / ____