

# Submission Guide

## School Disciplinary Absences

### When should I use this guide?

You should use this guide when you want to make a submission or appeal against the following:

- Long term (11-20 days) Suspension (Chapter 12 Division 2 of the *Education (General Provisions) Act 2006*) (EGPA)
- Charge-related suspension (Chapter 12 Division 2 of the EGPA)
- Exclusion (Chapter 12 Division 3 of the EGPA)
- Exclusion from Certain Schools (Chapter 12 Division 4 of the EGPA)
- Cancellation of Enrolment (Chapter 12 Division 8 of the EGPA).

### When do I need to lodge my appeal?

Appeals against long suspensions, charge-related suspensions and cancellations of enrolment can be lodged at any time. Appeals against exclusions must be lodged within 30 days of receiving the notice.

### Where should I send my appeal?

The name and contact details of the person to whom you should send your appeal are included in the decision notice provided by the original decision maker. If you want more time to prepare the appeal, you must contact the person to whom you are sending your appeal and request more time and the Director-General will consider your request. The Director-General or his/her delegate will make a decision on your appeal.

### Who can appeal?

- Students or their parents
- Other persons (e.g. solicitor, social worker) can help you make the submission or can prepare it on your behalf. You must give them permission to do so and provide written authorisation with your appeal.

- If you need assistance with the appeal process, you can also contact the case manager whose details are in the decision notice provided by the original decision maker. If you want to make an oral appeal, an independent third person will be made available to take notes and produce an agreed-upon record.
- If you wish to obtain further details about the basis for the original decision, please contact the decision maker.

### What should I include in my appeal?

In your appeal, you should state the **reasons** why you think the decision is unfair, outlining the **facts** that support your case. Reasons for your appeal may cover aspects such as:

- objections to the processes undertaken (how the decision was made, investigation process etc)
- objections to the fact or reasons as given by the decision maker in the notification letter
- objections to the perceived severity of the decision and/or
- any new information that is relevant.

An example of a suggested format for your appeal is shown on the next page. Your appeal may have more than one page and may use any format.

### What happens with the information I provide?

Any information you provide with your appeal will be used by the officer reviewing the decision to make his/her final decision. If necessary, your appeal may be passed on to other relevant officers at the regional office, central office or the school.

### When will I hear about my appeal?

The reviewing officer may contact you verbally and will provide you a written response.

If you have any questions about this process, please contact either your case manager or the original decision maker.



**SAMPLE APPEAL FORMAT**

**SUBJECT:** Periodic Review Submission Against the Director-General’s Decision

<b>To</b>	<b>Name</b>
	Position
	Address

<b>FROM</b>	<b>Name</b>
	Relationship to Student*
	Address
	Phone Contact
	Email <i>(*If not a parent, written authorisation to be provided by parent.)</i>

<b>SUBJECT</b>	<b>Submission Against</b>
	<input type="checkbox"/> Long term (11-20 days) Suspension (Chapter 12 Division 2 EGPA) <input type="checkbox"/> Charge-related suspension (Chapter 12 Division 2 of the EGPA) <input type="checkbox"/> Exclusion (Chapter 12 Division 3 of the EGPA) <input type="checkbox"/> Exclusion from Certain Schools (Chapter 12 Division 4 of the EGPA) <input type="checkbox"/> Cancellation of Enrolment (Chapter 12 Division 8 of the EGPA)

<b>DETAILS OF ORIGINAL DECISION</b>	
Decision Maker:	Name
	Position
	School (if applicable)
Date of Decision	___ / ___ / ___

<b>STUDENT DETAILS:</b>	
Name:	
Last School Attended:	

Reasons for submission:

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Other information and facts in support of the submission:

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Signature of person making the submission: \_\_\_\_\_

Date: \_\_\_ / \_\_\_ / \_\_\_