Date

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Student name

c/o Parent name

Address Line 1

SUBURB QLD 4XXX

Dear Student first name

**RE: DECISION – CANCELLATION OF ENROLMENT FROM school NAME**

**My decision**

I have decided to cancel your enrolment. I have made this decision under section 316 of the *Education (General Provisions) Act 2006* (the Act). Your enrolment at School name is now cancelled. You may not apply to re-enrol at school name until day month year.

In reaching this decision I have given proper consideration to relevant human rights, including your right to education, and consider that my decision is compatible with human rights.

**Material facts and evidence**

I have listed the material facts and the evidence I used in making my decision in **Attachment 1**.

**My reasons**

My reason/s for cancelling your enrolment is/are:

* I am reasonably satisfied that your behaviour amounts to a refusal to participate in the educational program provided at School name.

**Your future education**

**Additional paragraph if student is under 17 years of age:**

As you are in the compulsory participation phase, you are required under section 231 of the Act to participate in education and training until you:

* gain a Queensland Certificate of Education; or
* gain a Certificate III vocational qualification; or
* turn 17 years of age.

I encourage you to contact the following people or organisations to discuss other education and vocational options:

* (insert all possible options with contact details – regional office contact person, youth worker, community organisation, another state school principal, non-state school principal or contact person at other local educational or vocational options, such as TAFE, an apprenticeship or employment).

**Making a submission**

If you believe that your enrolment should not have been cancelled, you, your parent or someone else with your permission, can write to the Director-General of the Department of Education to explain why and my decision will be reviewed by the Director-General or his/her delegate. This is called making a submission. For information about how to make a submission, refer to the *Guide to making a submission* (**Attachment 2**).

Your submission should be addressed to:

**Email:** Behaviour.Central@qed.qld.gov.au

or

**Post:** School Discipline Appeals

 Disability, Inclusion & Student Services

Department of Education

PO Box 15033

City East QLD 4002

If you want to discuss my decision you can contact me on school telephone number.

If you need help to understand the reasons for the decision, please ask your parents to discuss this with you.

I wish you all the very best with your future education.

Yours sincerely

**Principal name**

**Principal**

**School name**

Enc: Attachment 1: Material facts and evidence supporting the decision

 Attachment 2: Guide to making a submission

**Attachment 1: Material facts and evidence supporting the decision**

**Evidence or other material supporting the facts**

* Chapter 12, Part 3, Division 8 of the Act
* Departmental procedure: *Cancellation of enrolment*

**Material facts relied on to make the decision**

**Attachment 2: Guide to making a submission**

***When should I use this guide?***

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

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

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

Appeals against long suspensions and charge-related suspensions must be lodged within **five school days** of being notified in writing of the decision. Appeals against exclusions and cancellation of enrolments must be lodged within **30 school days** of being notified in writing of the decision.

***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 within 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?***

1. Students or their parents
2. 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.
3. 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.
4. 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:

1. objections to the processes undertaken (how the decision was made, investigation process etc)
2. objections to the fact or reasons as given by the decision maker in the notification letter
3. objections to the perceived severity of the decision and/or
4. 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**

**TO: Name:**

 **Position:**

 **Address:**

**FROM: Name:**

 **Relationship to Student\*:**

 **Address:**

 **Phone Contact:**

 **Email:**

 *(\*If not a parent, written authorisation to be provided by parent.)*

**SUBJECT: Submission Against:**

🞏 Long term (11-20 days) Suspension (Chapter 12 Division 2 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)

|  |
| --- |
| **DETAILS OF ORIGINAL DECISION:****Decision Maker: Name:**  **Position:**  **School (if applicable):** **Date of Decision:** \_\_\_\_/\_\_\_\_/\_\_\_\_ |

|  |
| --- |
| **STUDENT DETAILS:****Name:** **Last School Attended:**  |

Reasons for your submission:

Other information and facts in support of the submission:

Signature of person making the submission:

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

Date

Parent name

Address Line 1

SUBURB QLD 4XXX

Dear Title Parent surname

**RE: CANCELLATION OF ENROLMENT from school NAME**

Please find attached a copy of the letter sent to Student name as required under section 318 of the *Education (General Provisions) Act 2006*. I have decided to cancel Student first name’s enrolment at School name because I am reasonably satisfied Student first name has behaved in a way that amounts to a refusal to participate in School name’s educational program.

**Additional sentence for students under 17 years of age:**

As Student first name is in the compulsory participation phase, he/she must participate full time in an eligible option under section 231 of the *Education (General Provisions) Act 2006*.

I encourage Student first name to contact the following people or organisations to discuss other education and vocational options:

* (insert all possible options with contact details – regional office contact person, youth worker, community organisation, another state school principal, non-state school principal or contact person at other local educational or vocational options, such as TAFE, an apprenticeship or employment).

Information about how to make a submission against this decision is detailed in the attached letter.

If you want to discuss my decision you may like to contact name on school telephone number.

Yours sincerely

**Principal name**

**Principal**

**School name**

Enc: Copy of notification letter sent to student