Student Full Name

C/o Mr/Mrs/Ms/Miss Parent Full Name

Address Line 1

SUBURB QLD 4XXX

Dear Student First Name

**RE: PERIODIC REVIEW SUBMISSION AGAINST PERMANENT EXCLUSION OF STUDENT FULL NAME FROM SCHOOL NAME**

I have considered the periodic review submission made by you/r mother/father/parents/guardian, Mr/Mrs/Ms/Miss Parent Full Name against your permanent exclusion from School Name.

**My decision**

I have decided **not to revoke** the decision made on date month year, to exclude you permanently from School Name. I have made this decision in accordance with section 315 of the *Education (General Provisions) Act 2006* (the Act).

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, evidence and other material**

I have listed the evidence and other material I used to make this decision in **Attachment 1**.

I have outlined your individual circumstances and listed the material facts relied on to make this decision in **Attachment 2**.

**Reasons for my decision**

You were excluded from School Name on date on the following ground/s:

* persistent disobedience (section 292(1)(a))
* misbehaviour (section 292(1)(b))
* conduct that adversely affects, or is likely to adversely affect, other students (section 292(1)(c))
* conduct that adversely affects, or is likely to adversely affect, the good order and management of the school (section 292(1)(d))
* your attendance at the school poses an unacceptable risk to the safety or wellbeing of other students or staff (section 292(1)(e))
* you have been convicted of an offence and it would not be in the best interests of other students or staff for you to be enrolled at the school (section 292(2)).

1. if the person was excluded on a ground mentioned in section 292(1)(a), (b), (c) or (d): I am not satisfied the disobedience, misbehaviour or conduct is unlikely to reoccur if you were allowed to attend the school.
2. if the person was excluded on a ground mentioned in section 292(1)(e): I am not satisfied that your attendance at the school no longer poses an unacceptable risk to the safety or wellbeing of other students or of staff.
3. if the person was excluded on a ground mentioned in section 292(2): I am not satisfied it would no longer not be in the best interests of other students or of staff for the student to be enrolled at the school.
4. Accordingly, I must not revoke your exclusion.

**Your future education**

Mr/Mrs/Ms/Miss Regional Case Manager Full name # Region has been assigned as regional case manager to assist and support you to access an educational program. I encourage you to contact Mr/Mrs/Ms/Miss Regional Case Manager Surname on (07) #### ####.

**Making a future periodic review submission**

I note that you have made your periodic review submission for this calendar year. You are allowed to continue to make one periodic review submission to the Director-General of the Department of Education or their delegate (the original decision maker) in each calendar year after you have been excluded until the end of the calendar year in which you turn 24 years of age. If you make a submission, the decision will be reviewed and consideration will be given as to whether you should be allowed to enrol again. For more information about how to do this, refer to the *Guide to making a periodic review submission* (**Attachment 2**).

**Questions about this decision**

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

I wish you every success with your future education endeavours.

Yours sincerely

**FULL NAME**

**Principal**

**School Name**

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Enc: Attachment 1: Evidence and other material supporting the decision

Attachment 2: Individual circumstances and material facts

Attachment 3: Guide to making a periodic review submission

**Attachment 1: Evidence and other material supporting the decision**

**Evidence or other material supporting the facts**

* Chapter 12, Part 3, Division 3 and Division 7 of the *Education (General Provisions) Act 2006* (the Act)*.*
* *Human Rights Act 2019* (Qld).
* Departmental procedure: *Student discipline.*
* School Name’s *Student Code of Conduct.*
* Your *OneSchool Enrolment History.*
* Your *OneSchool Student Profile* dated date in full to date in full.
* Statements of Students A and B dated XXXX.
* Statement of Staff Member A dated XXXX.
* Your own statement dated XXXX.
* CCTV/film footage taken on XXXX by a camera overlooking the entrance to class room XXX.
* All other relevant materials – e.g. Screenshots of social media contacts, letters, reports, notes of contact with police etc.
* Notification of *Proposed exclusion from School Name* dated date in full.
* Notification of *Exclusion decision from School Name* dated date in full.
* Appeal submission from you/r mother/father/parents/guardian dated date in full, including:
* ###

This information was previously provided to you.

**Attachment 2: Individual circumstances and material facts**

**Your Individual Circumstances**

* You are age years old and enrolled at School Name on date.
* You were in Year year at the time of your exclusion.
* Your *OneSchool Student Enrolment Profile* indicates the following (list as recorded on OneSchool):
* Medical Conditions *(List all recorded conditions, examples below)*:
* Attention Deficit Hyperactivity Disorder;
* Dysgraphia; and
* Asthma.
* Personalised Learning *(List all recorded items, example below)*:
* DDA Disability:Nationally Consistent Collection of Data (NCCD) disability record under the category of *Cognitive* requiring a *Supplementary* level of adjustment to access and participate in your education.
* Support Provisions *(List current recorded strategies and/or plans, examples below)*:
* Targeted Support (Humanities), Semester X, start date (date in full) to end date (date in full);
* Numeracy Intervention from start date (date in full) to end date (date in full); and
* Risk Management Plan, dated date in full.

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

* *Findings about the permanent exclusion decision should be made (briefly setting out the behaviour and grounds for the exclusion). Then findings to support the decision that is being made under section 315 need to be set out – i.e. if the person was excluded on a ground mentioned in section 292(1)(a), (b), (c) or (d) – why the principal is not satisfied the disobedience, misbehaviour or other conduct is unlikely to recur if the student were allowed to attend the school – refer section 315(5) of the EGPA*.

**My response to the submission**

You/r mother/father/parents/guardian raised various issues in their submission/s dated date in full and date in full. I have considered all aspects of their submissions and my responses are as follows:

Submission 1

* *It is submitted that ###*

**Response 1**:

Submission 2

* *It is submitted that ###*

**Response 2**:

**Attachment 3: Guide to making a periodic review submission to the Director-General or Delegate**

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

You should use this guide when you want to make an appeal submission against a **permanent exclusion** decision (Chapter 12 Division 3 of the *Education (General Provisions) Act 2006*).

***Where should I send my appeal?***

Periodic review appeal submissions should be sent to the Director-General or their delegate (the original exclusion decision maker). The Director-General or their delegate will make a decision on your appeal submission. Your submission can also be sent via post or email to the below addresses. If you have any questions about the appeal process, please contact either your case manager or the original decision maker.

**Postal address:** **Email address (for appeal submissions only)**:

Director-General Behaviour.Central@qed.qld.gov.au  
Department of Education   
PO Box 15033

CITY EAST QLD 4002

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

You are allowed to make one submission to the Director-General or their delegate in each calendar year after you have been excluded until the end of the year in which you turn 24.

***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, however you must give them permission to do so and provide written authorisation with your appeal.

***If you need help***

1. If you need assistance with the appeal process or would like to make an oral appeal, you can contact your case manager whose details are in the decision notice provided by the original decision maker.
2. 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?***

Your submission should explain why your exclusion should be revoked, for example why your attendance at the particular school, or any Queensland state school is no longer a risk to other students and staff. Reasons for your appeal should outline the **facts** that support your case and may cover aspects such as:

1. any new information that is relevant to the matter;
2. any outcomes of programs undertaken, court hearings etc.; and
3. what has changed that makes your attendance no longer a risk to other students and staff at the school.

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. It is important to ensure your appeal only includes information that is relevant to the disciplinary decision.

***What happens with the information I provide?***

Any information you provide within your appeal will be collated by appropriate school, regional and/or central office staff for the Director-General or their delegate’s consideration and final decision.

***When will I hear about my appeal?***

Appeals can take up to 40 school days to complete, as the process is very thorough and involves collecting and reviewing reports and documents from the school and family. During the course of the appeal process, you may be contacted to provide further information or be provided with further documentation to consider. This ensures natural justice is afforded and that every opportunity is provided to the student, family and school to present their case to the Director-General or their delegate.

**SAMPLE PERIODIC REVIEW APPEAL FORMAT**

**TO:** Director-General

Department of Education

**ADDRESS: Postal:** PO Box 15033

CITY EAST QLD 4002

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

**FROM: Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Relationship to Student\*:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Phone Contact:**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Email:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(\*If not a parent, written authorisation must be provided by parent and/or student.)*

**SUBJECT: Submission Against:**

🞏 Permanent exclusion (Chapter 12 Division 3 of the Act)

🞏 Exclusion from certain state schools or all state schools (Chapter 12 Division 4 and 5 of the Act)

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

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

**Reasons for your submission (must be relevant to the current matter):**

**Other information and facts in support of the submission about the matter:**

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

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

Mr/Mrs/Ms/Miss Parent Full Name

# Street

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss Parent Surname

**RE: PERIODIC REVIEW SUBMISSION AGAINST PERMANENT EXCLUSION OF STUDENT FULL NAME FROM SCHOOL NAME**

Please find attached a copy of the letter sent to Student Full Name.

I have decided **not to** revoke the decision made on date month year to exclude Student First Name permanently from School Name. I have made this decision in accordance with section 315 of the *Education (General Provisions) Act 2006*.

The reasons for my decision are outlined in the letter to Student First Name, including information about how to make a periodic review submission and details about how Student First Name will be supported in continuing their educational program.

Mr/Mrs/Ms/Miss Regional Case Manager Full name # Region has been assigned as regional case manager to assist and support Student First Name to access an educational program. I encourage you to contact Mr/Mrs/Ms/Miss Regional Case Manager Surname on (07) #### ####.

If you want to discuss my decision you may like to phone me on (07) #### ####.

Yours sincerely

**FULL NAME**

**Principal**

**School Name**

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Enc: Copy of notification letter sent to student