Student Full Name

# [Type sidebar title]

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

# Street

SUBURB QLD 4###

Dear Student First Name

**RE: SUBMISSION AGAINST EXCLUSION FROM SCHOOL NAME**

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

**My decision**

I have decided to **amend** the Principal’s decision made on date month year, to exclude you permanently/until date in full from School Name. Currently, you are not permitted to apply for re-enrolment at School Name, however I have decided to amend the period of your exclusion to ## months, specifically until day month year. I have made this decision in accordance with section 313 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**

* I am reasonably satisfied that your actions on day month year, amounted to (insert ground/s) for the purposes of section 292(1)(x) of the Act.
* I am satisfied that your conduct entitled the Principal of School Name to discipline you by means of exclusion under section 291 of the Act.
* Given the serious nature of your conduct on date and your behavioural history while enrolled at the school, I am not satisfied that suspension alone is adequate to deal with your disobedience/misbehaviour/conduct/risk.

**My reasons for amending the decision are**

* I consider that your individual circumstances require greater consideration. Specifically, I refer to:
  + your age, being ## years old;
  + your medical condition, namely ## and the existing support provisions provided by the school to help you to manage your behaviours;
  + your behaviour history; and
  + ##.
* I note the school implemented some support strategies to assist your learning needs. I am of the view however that further interventions specifically tailored to your needs could have been enacted.
* While your behaviour in relation to this incident was serious/unacceptable and the Principal’s decision to exclude you was appropriate, upon examination of all the material in this matter I am not satisfied that permanent exclusion/exclusion to date month year was the only consequence adequate to deal with your behaviour.
* However, given the serious/unacceptable nature of your behaviours, I am also not satisfied that suspension alone is an adequate response.
* I have decided, therefore, that exclusion for a period of ## months, specifically until day month year, is an appropriate consequence to deal with your behaviour, rather than permanent.

**Your future education**

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

**Questions about this decision**

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

I wish you every success with your future education endeavours.

Yours sincerely

**FULL NAME**

**Director-General or Delegate**

/ /

Ref: ##/######

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

Attachment 2: Individual circumstances and material facts

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

**Evidence or other material supporting the facts**

* Chapter 12, Part 3, Division 3 and Division 6 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* from School Namedated date in full to date in full.
* Notification of *Proposed exclusion from School Name* dated date in full.
* Notification of Decision – *Exclusion from School Name* dated date in full.
* Appeal submission from you/r mother/father/parents/guardian, Mr/Mrs/Ms/Miss Full Name, dated day month year and received by # Region **or** State Schools – Operations on date in full. The submission included the following documentation:
* ###
* Principal response to the submission made by you/r mother/father/parents/guardian in the Principal’s Report dated day month year and received by # Region **or** State Schools – Operations on date in full. The response included the following supporting documentation:
* 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.
* Email to you/r mother/father/parents/guardian dated date in full, providing the Principal’s response and materials for consideration.

This information was previously provided to you and you were also given the opportunity to provide any additional relevant information for my consideration. No response has been received. **OR**

* On date in full, # Region **or** State Schools – Operations received a further response from you/r mother/father/parents/guardian to the Principal’s Report. The response did not raise any new information for inclusion in the appeal OR list new information

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

**Your Individual Circumstances**

* You are age years old and in Year year at the time of your exclusion.
* You were enrolled at School Name from date in full to date in full.
* 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**

* On date in full school staff became aware of an incident because of reason.
* An investigation was conducted and you, # students and # staff members were spoken to about the incident and provided statements.
* Your signed statement dated date in full, states that you admit ###.
* The signed statement of Student A dated date in full, states that ###.
* The signed statement of Student B dated date in full, states that ###.
* I am of the view that the statements listed above, are compelling in that they are consistent in how they name you and describe your actions during the incident that took place on date in full.
* Footage from a CCTV/film footage at location, shows that ###.
* Based on the evidence outlined above, I am satisfied, on the balance of probabilities, that on date at time you:
  + Set out here the decision maker’s findings about the student’s behaviour – what did the student do from the decision maker’s perspective? This is the **decision maker’s version of events** based on the evidence. It will need to reconcile the evidence in statements and set out what the decision maker is satisfied happened.
* Your behaviour on date in full, namely ##, constitutes a breach of the School Name *Student Code of Conduct (SCOC)* because reasons.
* The School Name *SCOC* states that ## may be an outcome for ##.
* Your individual circumstances require significant consideration and reflection upon the level of support provided. Specifically, I have taken into consideration:
* Individual circumstances of the student from the OneSchool Student Profile front page (e.g. AIMS record, EAL/D etc.).
* Your *OneSchool Student Profile – Behaviour Record* records five previous suspensions while enrolled at School Name from date in full to date in full, as listed below:
* Student’s full behavioural history at this school. If applicable, highlight suspensions and particular behaviour of note (e.g. similar behaviours, sexualised behaviour/violent behaviour in the past) – particularised by date and location.
* Student’s disability diagnosis (if any) and the full supports the school has put in place to support the student – has the student had a FBA done? Are there individualised plans? Etc.
* Insert here information about the individual circumstances of the student that may explain or mitigate the student’s behaviour (e.g. relevant family issues, the student being in care etc.).
* Given the serious nature of your conduct on date I am not satisfied that suspension alone is adequate to deal with your disobedience, misbehaviour, conduct or risk.
* However, given reasons why permanent exclusion is not merited, I am not satisfied that permanent exclusion was the only consequence adequate to deal with your behaviour.
* I have therefore decided that exclusion for a period of ## months, specifically until day month year, is an appropriate consequence to deal with your behaviour.

**My response to the submission**

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

* *It is submitted that ###*

**Response**:

Mr/Mrs/Ms/Miss Parent Full Name

# Street

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss Parent Surname

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

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

I have decided to **amend** the Principal’s decision to exclude Student First Name permanently/until date in full. Student First Name is now excluded until day month year. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*.

The effect of this decision is that Student First Name may re-enrol at School Name immediately/from day month year, should they wish. The reasons for my decision are outlined in the letter to Student First Name.

I encourage you to contact the Guidance Officer at the school, along with the Principal if you believe Student First Name is having difficulty with other students this year. This should ensure they have the required level of support to successfully engage in learning and avoid future incidents.

I also encourage you to continue to engage with the school to develop individualised supports and strategies for Student First Name, to assist them to avoid a repeat of the behaviour incident at the heart of this appeal.

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 or re-engage into School Name. I encourage you to contact Mr/Mrs/Ms/Miss Regional Case Manager Surname on (07) #### ####.

Yours sincerely

**FULL NAME**

**Director-General or Delegate**

/ /

Ref: ##/######

Enc: Copy of notification letter sent to student

Mr/Mrs/Ms/Miss Principal Full Name

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Executive Principal/Principal

School name

PO BOX ####

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss Principal Surname

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

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

I have decided to **amend** your decision to exclude Student First Name permanently/until date in full from School Name. Student First Name is now excluded until day month year. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*.

The effect of this decision is that Student First Name may re-enrol at School Name immediately/from day month year, should they wish. The reasons for my decision are outlined in the letter to Student First Name.

I strongly encourage you to review the support plan that is in place for Student First Name and engage with external or regional stakeholders as necessary to ensure that there are specific strategies for Student First Name and their classroom teachers to address their behaviours and provide them with the best opportunities to experience success at School Name.

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 or re-engage into School Name. Mr/Mrs/Ms/Miss Regional Case Manager Surname can be contacted on (07) #### ####.

Student Full Name’s *OneSchool Student Profile* will be updated to reflect my decision as soon as possible.

Yours sincerely

**FULL NAME**

**Director-General or Delegate**

/ /

Ref: ##/######

Enc: Copy of notification letter sent to student

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Mr/Mrs/Ms/Miss Regional Director Full Name

Regional Director

# Region

Department of Education

PO BOX ####

SUBURB QLD 4###

Dear Regional Director Surname

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

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

I have decided to **amend** the Principal’s decision to exclude Student First Name permanently/ until date in full from School Name. Student First Name is now excluded until day month year. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*.

The effect of this decision is that Student First Name may re-enrol at School Name immediately/from day month year, should they wish. The reasons for my decision are outlined in the letter to Student First Name.

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 or re-engage into School Name. Mr/Mrs/Ms/Miss Regional Case Manager Surname can be contacted on (07) #### ####.

Yours sincerely

**FULL NAME**

**Director-General or Delegate**

/ /

Ref: ##/######

Enc: Copy of notification letter sent to student

Regional Case Manager Full Name

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Regional Case Manager Role Title

# Region

Department of Education

PO BOX ####

SUBURB QLD 4###

Dear Regional Case Manager Surname

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

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

I have decided to **amend** the Principal’s decision to exclude Student First Name permanently/ until date in full from School Name. Student First Name is now excluded until day month year, rather than permanently. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*.

The effect of this decision is that Student First Name may re-enrol at School Name immediately/from day month year, should they wish. The reasons for my decision are outlined in the letter to Student First Name.

I understand that Student First Name is now enrolled at New School Name. I thank you for your work in supporting Student First Name at this time to ensure the transition to their new school is successful and sustained.

**OR**

I understand that Student First Name is not currently enrolled at a Queensland state school. I thank you for your work in supporting Student First Name at this time to assist them to secure an enrolment at a Queensland state school or to transition to other suitable education, training or employment. I ask that you make contact with Student First Name and work with School Name to ensure a successful and sustained re-engagement into the school or alternatively explore suitable options to support the continuation of an education program.

Yours sincerely

**FULL NAME**

**Director-General or Delegate**

/ /

Ref: ##/######

Enc: Copy of notification letter sent to student