Prospective Student Full Name

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

Address Line 1

SUBURB QLD 4XXX

Dear Prospective Student First Name

**RE: DECISION – EXCLUSION FROM ALL QUEENSLAND STATE SCHOOLS EXCEPT SCHOOLS OF DISTANCE EDUCATION**

I refer to my show cause notice dated date in full proposing your exclusion from all Queensland state schools except schools of distance education. This written notice was given to you under section 306 of the *Education (General Provisions) Act 2006* (the Act).

I have **not** received any submissions from you regarding the proposed exclusion. Accordingly, I have now made my final decision.

**My decision**

I considered your behaviour and I have decided to **exclude** youpermanently/until date in full from all Queensland state schools except schools of distance education.

I have made this decision in accordance with section 309 of the Act. The effect of this decision is that you must not enrol at or attend a Queensland state school other than a school of distance education.

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.

**Reasons for my decision**

* Under section 306 of the Act, I gave you a show cause notice dated date in full.
* No submissions were made by you or on your behalf in response to my show cause notice. There is no new information before me that would alter my preliminary view and I believe, on the information before me, that your attendance at all Queensland state schools except schools of distance education would pose an unacceptable risk to the safety or wellbeing of other students or staff of the schools.
* Under section 309 of the Act, I must decide to exclude you if no submissions (accepted representations) are made in response to the show cause notice given to you under section 306 of the Act.
* Accordingly, I have decided to exclude you permanently/until date in full from certain Queensland state schools.

**Your future education**

Mr/Mrs/Ms/Miss Regional Case Manager Full name #, will continue to be your 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 submission**

If you believe that you should not be excluded, you, your parent or someone else with your permission, can write to me within **30 school days** of being given the notice, to explain why I should not have excluded you and I will review my decision. This is called making a submission. For information about how to make a submission, refer to the *Guide to making a submission* (**Attachment 1**).

**Questions about this decision**

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

Yours sincerely

**MR/MRS/MS/MISS FULL NAME**

**Director-General**

 / /

Ref: ##/######

Enc: Attachment 1: Guide to making a submission

**Attachment 1: Guide to making a submission**

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

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

* Long term (11-20 days) suspension (Chapter 12 Division 2 of the *Education (General Provisions) Act 2006* (the Act)
* Charge-related suspension (Chapter 12 Division 2 of the Act)
* 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)
* Cancellation of enrolment (Chapter 12 Division 8 of the Act).

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

The Director-General or their delegate will make a decision on your appeal submission. Your submission can 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?***

Appeals against long suspensions and charge-related suspensions must be lodged within **five school days** of being notified in writing of the suspension decision. Appeals against exclusions and cancellation of enrolments must be lodged within **30 school days** of being notified in writing of the decision. If you require more time to prepare an appeal, you must contact the person to whom you are sending your appeal to request more time and the Director-General will consider your request.

***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?***

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 to the matter.

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 regional and/or central office staff for the Director-General’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.

**SAMPLE 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:**

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

 🞏 Charge-related suspension (Chapter 12 Division 2 of the Act)

🞏 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)

🞏 Cancellation of Enrolment (Chapter 12 Division 8 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: DECISION – EXCLUSION OF PROSPECTIVE STUDENT FULL NAME FROM ALL queensland STATE SCHOOLS EXCEPT SCHOOLS OF DISTANCE EDUCATION**

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

I have decided to **exclude** Prospective Student First Name permanently/until date in full from all Queensland state schools except schools of distance education.

I have made this decision in accordance with section 309 of the *Education (General Provisions) Act 2006*. The reasons for my decision are outlined in the attached letter to Prospective Student First Name, including information about how to make a submission against this decision and details about how Prospective 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 Prospective 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 wish to discuss my decision you may like to contact Mr/Mrs/Ms/Miss Regional Director Full Name, Regional Director, # Region on (07) #### ####.

Yours sincerely

**MR/MRS/MS/MISS FULL NAME**

**Director-General**

 / /

Ref: ##/#####

Enc: Copy of notification letter sent to student

Mr/Mrs/Ms/Miss Regional Director Full Name

EdEdcation House

30 Mary Street Brisbane 4000

PO Box 15033 City East

Queensland 4002 Australia

**Website**: www.dete.qld.gov.au

Regional Director

Region Name

Department of Education

# Street

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss Regional Director Surname

**RE: DECISION – EXCLUSION OF Prospective Student FULL NAME FROM ALL QuEENSLAND STATE SCHOOLS EXCEPT SCHOOLS OF DISTANCE EDUCATION**

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

I have decided to **exclude** Prospective Student First Name permanently/until date in full from all Queensland state schools except schools of distance education.

I have made this decision in accordance with section 309 of the *Education (General Provisions) Act 2006*. The reasons for my decision are outlined in the attached letter to Prospective Student First Name.

Mr/Mrs/Ms/Miss Regional Case Manager Full Name # Region has been assigned as regional case manager to assist and support Prospective Student First Name to access an educational program. Mr/Mrs/Ms/Miss Regional Case Manager Surname can be contacted on (07) #### ####.

Yours sincerely

**MR/MRS/MS/MISS FULL NAME**

**Director-General**

 / /

Ref: ##/#####

Enc: Copy of notification letter sent to student

Mr/Mrs/Ms/Miss Regional Case Manager Full Name

Region

Department of Education

# Street

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss Regional Case Manager Surname

**RE: DECISION – EXCLUSION OF PROSPECTIVE STUDENT FULL NAME FROM ALL queensland STATE SCHOOLS EXCEPT SCHOOLS OF DISTANCE EDUCATION**

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

I have decided to **exclude** Prospective Student First Name permanently/until date in full from all Queensland state schools except schools of distance education.

I have made this decision in accordance with section 309 of the *Education (General Provisions) Act 2006*. The reasons for my decision are outlined in the attached letter to Prospective Student First Name.

I thank you for your work in supporting Prospective Student First Name at this time. I ask that you make contact with Prospective Student First Name to explore suitable options to support their transition to other suitable education, training or employment.

Yours sincerely

**MR/MRS/MS/MISS FULL NAME**

**Director-General**

 / /

Ref: ##/######

Enc: Copy of notification letter sent to student.

EdEdcation House

30 Mary Street Brisbane 4000

PO Box 15033 City East

Queensland 4002 Australia

**Website**: www.dete.qld.gov.au