Student Full Name

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

Address Line 1

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 **confirm** the Principal’s decision made on date month year, to exclude you permanently/until date in full from School Name. 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 (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 at the school, I am not satisfied that suspension alone is adequate to deal with your disobedience, misbehaviour, conduct or risk.
* Accordingly, I consider the Principal’s decision to exclude you permanently/until date in full to be appropriate.

**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. I encourage you to contact your regional case manager to explore suitable options to support the continuation of your educational program. Mr/Mrs/Ms/Miss Regional Case Manager Surname can be contacted on (07) #### ####.

**Making a submission**

You are allowed to make one submission to the Director-General of the Department of Education (or their delegate) in each calendar year after you have been excluded until the end of the 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 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 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 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. Their 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 your 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 camera/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.) and how these circumstances have been considered.
* 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 or risk.
* Accordingly, I consider the Principal’s decision to exclude you permanently/until date in full from School Name to be appropriate.

**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:

Submission 1

* *It is submitted that ###*

**Response 1**:

**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)

|  |
| --- |
| **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: 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 **confirm** the Principal’s decision to exclude Student First Name permanently/ until date in full. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*. 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. I encourage you to contact the regional case manager to explore suitable options to support the continuation of Student First Name’s educational program. Mr/Mrs/Ms/Miss Regional Case Manager Surname can be contacted on (07) #### ####.

I wish Student First Name every success in their education endeavours.

Yours sincerely

**FULL NAME**

**Director-General or Delegate**

 / /

Ref: ##/######

Enc: Copy of notification letter sent to student

Mr/Mrs/Ms/Miss Principal Full Name

# [Type sidebar title]

 [Type the sidebar content. A sidebar is a standalone supplement to the main document. It is often aligned on the left or right of the page, or located at the top or bottom. Use the Drawing Tools tab to change the formatting of the sidebar te#t bo#.]

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 **confirm** your decision to exclude Student First Name permanently/until date in full from School Name. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*. 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. 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

Mr/Mrs/Ms/Miss Regional Director Full Name

# [Type sidebar title]

 [Type the sidebar content. A sidebar is a standalone supplement to the main document. It is often aligned on the left or right of the page, or located at the top or bottom. Use the Drawing Tools tab to change the formatting of the sidebar te#t bo#.]

Regional Director

# Region

Department of Education

PO BOX ####

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss 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 **confirm** the Principal’s decision to exclude Student First Name permanently/ until date in full. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*. 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. 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

# [Type sidebar title]

 [Type the sidebar content. A sidebar is a standalone supplement to the main document. It is often aligned on the left or right of the page, or located at the top or bottom. Use the Drawing Tools tab to change the formatting of the sidebar te#t bo#.]

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

Regional Case Manager Position Title

# Region

Department of Education

PO BOX ####

SUBURB QLD 4###

Dear Mr/Mrs/Ms/Miss 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 **confirm** the Principal’s decision to exclude Student First Name permanently/ until date in full. I have made this decision in accordance with section 313 of the *Education (General Provisions) Act 2006*. 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