

PROCEDURES FOR EXPULSION

INFORMATION FOR PARENTS* FOLLOWING YOUR CHILD'S EXPULSION

This brochure must be given to the student's relevant person at the Behaviour Review Conference.

This brochure provides the following information for students and their relevant person:

- What to do if you have any concerns about your child's expulsion
- What will happen after the expulsion takes effect
- Where to go for further information and support.

For additional information on the expulsion process, including roles and responsibilities, and what you can expect to have occurred prior to expulsion, see

www.education.vic.gov.au/school/parents/behaviour/Pages/faqs.aspx

MY CHILD HAS BEEN EXPELLED, WHAT DOES THIS MEAN?

Expulsion is the process of permanently excluding the student from the school in which he or she is currently enrolled.

Permanent expulsion from the student's current school is the most extreme measure available to a principal and should only be used after other forms of behaviour management has occurred. The student's behaviour must also be of such magnitude that expulsion is the only available mechanism.

In some circumstances expulsion may be an appropriate course of action where a student poses a significant and real threat to the ongoing safety of other students and staff and/or compromises the effectiveness of the school's education programs.

Expulsion should not be used as a consequence for events of a novel nature, such as a one-off prank, that do not cause any harm to other students or members of the school community.

WHAT WILL THE PRINCIPAL HAVE CONSIDERED BEFORE DETERMINING THAT MY CHILD WILL BE EXPELLED?

Before a student can be expelled, the principal must ensure that:

- The student has had the opportunity to be heard
- Any information or documentation provided by the student or their relevant person (including through the Behaviour Review Conference) has been taken into account in making the decision regarding expulsion

- Other forms of action to address the behaviour for which the student is being expelled have been considered.

WHAT ARE THE GROUNDS FOR EXPULSION? WHAT CAN I DO IF I THINK THAT MY CHILD'S BEHAVIOUR DID NOT WARRANT EXPULSION?

Expulsion is a consequence that is reserved for serious behavioural issues. Your child can be expelled, if whilst attending school or travelling to or from school or engaged in any school activity away from the school (including travel to or from that activity), they –

COMMIT ANY OF THE FOLLOWING BEHAVIOURS:

- Behave in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- Cause significant damage to or destruction of property;
- Commit or attempts to commit or is knowingly involved in the theft of property;
- Possess, use or sell or deliberately assist another person to possess, use or sell illicit substances or weapons;
- Fail to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- Consistently engage in behaviour that vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender; identity;

impairment; industrial activity; lawful sexual activity; marital status; parental status; physical features; political belief or activity; pregnancy; race; religious belief or activity; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes;

- Consistently behave in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

AND

Your child's behaviour is of such a magnitude, that having regard to the need for your child to receive an education compared to the need to maintain the health, safety and wellbeing of other students and staff at the school and the need to maintain the effectiveness of the school's educational programs, expulsion is considered the only available mechanism.

Every school is required to have a *Student Engagement Policy* which sets out the school community's shared expectation in the areas of student engagement, respectful behaviour, attendance and acts as a reference point for how your school will respond to individual student circumstances.

You may also like to ask your school for a copy of their *Student Engagement Policy* or you can check their website to access it. This policy will set out the behavioural expectations within your school and will be a useful reference point in determining whether these expectations have been breached. www.education.vic.gov.au/school/principals/participation/Pages/engagepol.aspx

It is important to remember that you can request a meeting with the principal at any point during an expulsion process, even if the expulsion has already been implemented. If you do not feel your concerns have been addressed, you can contact the Community Liaison Officer in your closest departmental regional office or one of the other support services listed at the end of this document.

WHAT DOCUMENTATION MUST THE SCHOOL PROVIDE ME WITH?

The principal must notify you and your child of their decision within 48 hours of the conclusion of the Behaviour Review Conference.

If the principal decides to expel your child, you should be provided with the following documentation:

- *Notice of Expulsion*.
- A copy of the *Expulsion Appeal Form*.
- This brochure.

WHAT HAPPENS AFTER AN EXPULSION? WHERE WILL MY CHILD GO TO SCHOOL?

In the case of a student of compulsory school age, the principal, in consultation with the regional office, must ensure that your child is enrolled at another registered school; enrolled at a registered training organisation; or engaged in employment as soon as practicable. This plan of action should be discussed and agreed to at the Behaviour Review Conference.

In the case of a student who is not of compulsory school age, the principal, in consultation with the regional office, can provide you and your child with information about other schools, registered training organisations and employment agencies that provide suitable opportunities for your child.

If there is going to be a delay in transitioning your child into a new education or training setting, the school must provide them with meaningful work to complete until the transition has been implemented.

CAN I APPEAL MY CHILD'S EXPULSION?

Ministerial Order 625 which governs expulsions empowers students to appeal their expulsion.

You may also appeal on your child's behalf as long as you take your child's views into account and ensure that you are acting in their best interests.

An appeal can be lodged on the following grounds:

- The school did not follow the expulsion process
- Grounds for expulsion are considered unfair
- Where the student has a history of behavioural issues, there were insufficient interventions and strategies used
- Other extenuating circumstances.

You should be provided with an appeal form when you receive formal notification of your child's expulsion. This form needs to be completed and sent to your child's school within 10 school days if you wish to appeal. It is recommended that you follow up with your child's school to ensure that it is received.

WHAT HAPPENS DURING AN EXPULSION APPEAL?

Once the *Expulsion Appeal Form* is received by the school, it will be forwarded to the Department's regional office for further action.

The Area Executive Director will consider your appeal and determine whether to uphold or overturn the decision to expel your child.

In considering your appeal, the Area Executive Director may appoint an Expulsion Review Panel (ERP) to review your child's particular case.

If an ERP has been appointed, its role is to:

- Provide an opportunity for you and your child to be heard; and
- Prepare a report for the Area Executive Director to assist him or her determining whether to uphold or overturn the decision to expel your child.

For more information on this process you can visit the Disciplinary Measures section:

www.education.vic.gov.au/school/principals/participation/Pages/studengage.aspx

IF AN APPEAL IS LODGED, WHAT WILL MY CHILD DO WHILE WE WAIT FOR A FINAL DECISION?

Your child's school should continue to implement the transition plan that was determined in the Behaviour Review Conference. For information on the Behaviour Review Conference see:

www.education.vic.gov.au/school/parents/behaviour/Pages/faqs.aspx

In the case of a student of compulsory school age, this will include the school giving your child on-going appropriate work until a transition to another educational, training or employment opportunity is implemented, or until the expulsion appeal has been determined (whichever occurs sooner).

In the case of a student who is not of compulsory school age, the principal will provide you and your child with information about other schools, registered training organisations and employment agencies that provide suitable opportunities for your child.

If you have concerns about the course of action being implemented or the work being provided to your child, you should discuss this further with your child's school principal or the regional office.

WHAT WILL HAPPEN WHEN A DECISION IS MADE?

If the decision is made to uphold your child's expulsion you will be notified verbally within 24 hours of the decision being made.

If the Area Executive Director decides to uphold the principal's decision to expel your child, the principal must take the following action:

IN THE CASE OF A STUDENT OF COMPULSORY SCHOOL AGE

- Continue to implement the action plan to transition the student to another school, registered training organisation, or employment
- Continue to provide the student with appropriate work until the transition to another school, registered training organisation, or employment has been finalised.

IN THE CASE OF A STUDENT WHO IS BEYOND COMPULSORY SCHOOL AGE

The principal should ensure that the student and the relevant person have been provided with information about other schools, registered training organisations or employment that may provide suitable opportunities for the student.

If the Area Executive Director decides to overturn the principal's decision to expel your child the principal must take the following action as soon as possible:

- The student must be re-enrolled in the school
- The principal must develop a *Return to School Plan* for the student in collaboration with the student, the relevant person, and their teachers
- The record of the expulsion must be removed from the student's permanent record and CASES21
- The student and the relevant person must be notified in writing that the expulsion has been removed from the student's record.

WHERE CAN I GO FOR FURTHER INFORMATION OR SUPPORT?

The *Student Engagement and Inclusion Guidance* outlines the process that principals must follow when implementing an expulsion. You can find the guidance here:

www.education.vic.gov.au/school/principals/participation/Pages/studengage.aspx

FAQs for parents regarding suspension and expulsion are available at:

www.education.vic.gov.au/school/parents/behaviour/Pages/faqs.aspx

In the first instance you should contact the Community Liaison Officer at your closest regional office (contact details below).

DEPARTMENT OF EDUCATION AND TRAINING REGIONAL OFFICES

NORTH EASTERN VICTORIA REGION

Email: nevr@edumail.vic.gov.au

Benalla

Post: PO Box 403, Benalla, Victoria 3672

Location: 150 Bridge Street East, Benalla, Victoria 3672

Phone: (03) 5761 2100

Fax: (03) 5762 5039

Glen Waverley

Location: Level 3, 295 Springvale Road, Glen Waverley 3150, Victoria

Phone: (03) 9265 2400

Fax: (03) 9265 2444

NORTH WESTERN VICTORIA REGION

Email: nwvr@edumail.vic.gov.au

Bendigo

Post: PO Box 442, Bendigo, Victoria 3552

Location: 7-15 McLaren Street, Bendigo, Victoria 3550

Phone: (03) 5440 3111

Fax: (03) 5442 5321

Coburg

Post: Locked Bag 2001, Coburg, VIC 3058

Location: Level 2, 189 Urquhart Street, Coburg, VIC 3058

Phone: (03) 9488 9488

Fax: (03) 9488 9400

SOUTH EASTERN VICTORIA REGION

Email: sevr@edumail.vic.gov.au

Dandenong

Post: PO Box 5, Dandenong 3175

Location: 165-169 Thomas Street, Dandenong 3175

Phone: (03) 8765 5600

Fax: (03) 8765 5666

Moe

Post: PO Box 381, Moe, Victoria 3825

Location: Corner Kirk and Haigh Streets, Moe, Victoria 3825

Phone: (03) 5127 0400

Fax: (03) 5126 1933

SOUTHWESTERN VICTORIA REGION

Email: swvr@edumail.vic.gov.au

Ballarat

Location: 109 Armstrong Street North, Ballarat, 3350

Phone: (03) 5337 8444

Fax: (03) 5333 2135

West Footscray

Location: Level 3, Whitten Oval, 417 Barkly Street, West Footscray, 3012

(entry via glass sliding doors)

Phone: (03) 9291 6500

Fax: (03) 9291 6565

Geelong

Post: PO Box 2086, Geelong, Victoria 3220

Location: 5A Little Ryrie Street, Geelong, Victoria 3220

Phone: (03) 5225 1000

Fax: (03) 5225 1099

ADDITIONAL AVAILABLE SUPPORT

Parentline Victoria

Phone: 13 22 89 – 8am to midnight 7 days a week

Parentline provides a statewide telephone counselling service to parents and carers of children aged from birth to eighteen years.

Parents Victoria

Phone: (03) 9380 2158 or 1800 032 023 (rural callers only)

Website: www.parentsvictoria.asn.au

Victorian Aboriginal Education Association Inc.

Phone: (03) 9416 3833

Website: www.vaeai.org.au

Child and Adolescent Mental Health Services

Phone: 1300 767 299

Website: www.health.vic.gov.au/mentalhealth/services/child/

Children's Protection Society

Phone: (03) 9450 0900

Website: www.cps.org.au

Australian Childhood Foundation

Phone: (03) 9874 3922

Website: www.childhood.org.au/website/default.asp

Association of School Councils in Victoria

Phone: (03) 9808 2499

Website: www.asciv.org.au/ASCIV/Welcome.html

Victorian Council of School Organisations

Phone: (03) 9429 5900

Website: www.viccco.org.au/

Victorian Multicultural Commission

Phone: (03) 9208 3184

Website: www.multicultural.vic.gov.au/