

How can I appeal an expulsion?

Decision to expel can only be appealed by the student or their parents/carers on the following grounds:

- the school did not follow the expulsion process
- grounds for expulsion are considered unfair
- other extenuating circumstances

The appeal must be lodged in writing with the principal within 10 school days of receiving the Notice of Expulsion.

Regional director (or nominee) forms expulsion review panel and nominates panel members.

Regional director's nominee liaises with panel members and takes every reasonable step to schedule the meeting at the most suitable time for all panel members. The person who filed the appeal attends the meeting to present their case.

Principal provides a copy of the Notice of Expulsion, a copy of the Expulsion Report and a copy of the Expulsion Appeal from the student or their parents/carers to panel members.

Expulsion review panel completes panel report and forwards it to regional director within 24 hours of the meeting's conclusion. Copies sent to the regional director, the person who submitted the Expulsion Appeal, the school council and the principal.

Regional director (or nominee) must verbally notify the person who lodged the appeal of its outcome within 24 hours of the decision. The outcome must also be provided in writing, including a copy of the Expulsion Review Panel Report within five school days of the decision.

If the expulsion appeal panel overturns the principal's decision to expel the student, the student must be readmitted to school immediately. The principal must work with the student, their parents/carers and the student's teacher/s to develop a Return to School Plan for the student. The principal must also ensure that the record of expulsion is removed from the student's permanent record. Once this has occurred, the principal must notify the student and their parents/carers of this in writing.

During the appeal process, the expelling school remains responsible for the student's educational provision, and must provide the student with appropriate school work for the duration of the appeal. This must be monitored by the regional director's student support group nominee. The school should develop a Student Absence Learning Plan for the student to support the student's ongoing engagement with learning.

Student Engagement Policy Guidelines

Procedures for Expulsion

This brochure addresses issues around expulsion from school and is for parents/carers of expelled students. It covers:

- the Student Engagement Policy
- shared expectations for student engagement, attendance and behaviour
- how schools can support students before and after an expulsion

It also lists contacts for further advice and support.

Student Engagement Policy

The Student Engagement Policy aims to ensure a safe and inclusive school environment for everyone. It also outlines your school community's expectations for student engagement, attendance and behaviour.

Your school's Student Engagement Policy should:

- create a positive, fair and respectful culture
- build a safe and supportive environment
- encourage positive and respectful relationships that value diversity
- encourage student participation and student voice
- proactively engage parents/carers.

Shared expectations

The whole school community must be involved in developing shared expectations for the participation and behaviour of staff, students and their parents/carers. Part of this is ensuring students respect themselves, their peers and their teachers and are well behaved. When this does not happen, a staged response will be used by the school to support improved behaviour.

A staged response

The student support group is an important part of prevention and early intervention strategies for students with learning and behaviour issues. It should involve you, your child (if appropriate), the school principal (or their delegate), your child's main classroom teacher or year level coordinator and any professionals who have been supporting you or your child. You can also bring along a friend or family member, as long as they are not acting for a fee or reward.

The student support group works out what your child's learning, social, emotional, behavioural and environmental needs are to ensure they get the best support and resources available. If required, the student support group can refer you or your child to community support agencies for specialist interventions in partnership with the student support group.

What has to happen before expulsion?

In order to expel a student, a principal must ensure that a range of strategies have been implemented to meet the educational, social and emotional needs of your child and that these strategies have not helped your child demonstrate more positive behaviour.

A student support group is then set up to explain to you and your child that an expulsion is being considered. All participants in the meeting should try and to begin a process of effective communication and identify issues that are of concern to you, your child or the school.

When can expulsion occur?

Students can be expelled if, while at school, travelling to or from school or during an out-of-school activity (including travel there and back), they:

- (a) threaten or constitute a danger to the health, safety or wellbeing of any person
- (b) commit an act of significant violence against a person or cause significant damage to or destruction of property; are knowingly involved in the theft of property
- (c) possess, use, or deliberately assist another person to use prohibited drugs or substances
- (d) fail to comply with any reasonable and clearly communicated instruction of a principal, teacher or other staff member
- (e) consistently interfere with the wellbeing, safety or educational opportunities of any other student
- (f) consistently vilify, defame, degrade or humiliate another person based on age; breastfeeding; gender identity; impairment; industrial activity; lawful sexual activity; marital status; parental status or status as a carer; 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.

AND

The student's behaviour is of such magnitude that it is the only option left after balancing the need for the student's continued education against the health, safety and wellbeing of other students and staff.

Expulsion procedures

Prior to expulsion, a student support group is convened to discuss the expulsion and allow you and your child an opportunity to be heard. At this meeting a Notice of Expulsion is given to you and your child, along with this brochure and a copy of the Expulsion Appeal proforma. The Department of Education and Early Childhood Development's regional director (or nominee) will also attend the student support group.

For students in Out of Home Care, the principal must ensure the meeting is attended by the DHS case manager and the student's primary carer or person the student normally lives with.

Pathways and transitions

The student support group must identify your child's most suitable future educational, training and/or employment options and work together to ensure that there are good transition arrangements in place.

Following the student support group, if the principal determines that enrolment at another school or a registered training organisation is the best option for your child then the whole student support group must work towards this.

What happens after an expulsion?

The principal and regional director (or nominee) are responsible for making sure that your child is enrolled in another school or registered training organisation or that an appropriate employment opportunity is identified. The principal and the regional director (or nominee) must then schedule a meeting with any new school or registered training organisation, and ensure all information relevant to your child is forwarded in accordance with the *Information Privacy Act 2000*.

If you would like to appeal your child's expulsion, you must do so within 10 school days from the start of the expulsion.

Contacts for information and support

Department of Education and Early Childhood Development Regional Offices. A full list of regional office phone numbers can be found at: www.education.vic.gov.au/schoolsonline/Regions.asp

Parents Victoria

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

Website: www.parentsvictoria.asn.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: 9450 0900

Website: www.cps.org.au/

Australian Childhood Foundation

Phone: 9874 3922

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

Association of School Councils in Victoria

Phone: 9808 2499

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

Victorian Council of School Organisations

Phone: 9429 5900

Website: www.viccco.org.au/

Victorian Multicultural Commission

Phone: 9208 3184

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

Victorian Aboriginal Education Association Inc.

Phone: 9416 3833

Website: www.vaeai.org.au/news/newsletter/2001dec/index.htm