

NOTICE OF EXPULSION

This template will assist you to meet your legal obligations and duty of care, and ensure parent/carers are aware of critical supports and their right to appeal. The information in this template is required under Ministerial Order 1125 and **all fields are mandatory**.

Principals of Victorian government schools **must** use this template if a decision is made to expel a student.

Principals **must** provide this notice to the student and their parent/carer within:

- **2 business days** of the Behaviour Support and Intervention Meeting for students aged 9 and above
- **10 business days** of the Behaviour Support and Intervention Meeting for students aged 8 or less, and only once the Department Secretary has approved a principal's decision.

Within **1 business day** of the expulsion taking effect, a copy of the *Notice of Expulsion* and the *Expulsion Report* must be provided to the Regional Director.

[DELETE THIS TEXT BEFORE SENDING]

[INSERT DATE]

Dear **[INSERT PARENT/CARER NAME]**,

This letter is confirmation of my decision to expel **[INSERT STUDENT NAME]**.

I have taken into account our discussion at the Behaviour Support and Intervention Meeting on **[INSERT DATE]** and considered all the information that was provided. I have also considered the interventions and supports the school has put in place to support **[INSERT STUDENT NAME]**'s engagement at school to date. **[DELETE this sentence if, prior to the decision to expel the student, the incident was not preceded by any other behaviours of concern]**.

Given the magnitude of **[INSERT STUDENT NAME]**'s behaviour, and their need to receive an education as well as the need to maintain the health, safety and wellbeing of the whole school community, and the need to maintain the effectiveness of the school's educational programs, I consider expulsion is the only option.

The decision to expel a student is always a last resort and I have not come to the decision lightly.

As discussed at the Behaviour Support and Intervention Meeting on **[INSERT DATE]** your child is being expelled on the following ground/s: **[DELETE irrelevant grounds]**

- behaved in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- caused significant damage to or destruction of property;
- committed or attempted to commit or is knowingly involved in the theft of property;

- possessed, used or sold or deliberately assisted another person to possess, use or sell illicit substances or weapons;
- failed 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 engaged 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 behaved in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

The reason for your child’s expulsion is because they **[Under Ministerial Order 1125 principals must provide a detailed outline of the reason the student is being expelled]**.

[INSERT STUDENT NAME]’s expulsion will commence on **[INSERT DATE]**.

SUPPORTED TRANSITION

It is very important that your child stays engaged in education. To ensure this occurs, I will oversee **[INSERT STUDENT NAME]**’s transition to a new setting, in collaboration with the Department’s relevant local Area team and Regional Engagement Coordinator.

The proposed approach is reflected in the supported transition plan for your child which has been developed/is in the process of being developed **[DELETE as appropriate]**. In developing this document care has been taken to ensure your child’s preferences, interests and skills have been taken into consideration.

I will be working with the Department local Area team to engage with the new setting, facilitate the transfer of relevant information and ensure appropriate supports are being put in place. Additionally the Regional Engagement Coordinator will follow up with **[INSERT STUDENT NAME]**’s new setting at the one and six month points following their transition and engage the local Area team if additional support is required.

Regional Engagement Coordinator	
Name	
Email	
Telephone	

Regional Engagement Coordinator

Date of one month follow-up

[INSERT SCHOOL CONTACT] will be in contact to work with you to establish a **Student Absence Learning Plan** for your child.

[DELETE this paragraph if the child is beyond compulsory school age or is already attending a new setting].

If your child is beyond compulsory school age, the relevant regional office, in collaboration with myself, must provide you and your child with information about other schools, registered training organisations, employment agencies or other organisations that may provide suitable opportunities that support the future employment of **[INSERT STUDENT NAME]**. **[DELETE paragraph if not required]**.

APPEALS PROCESS

You and your child have the right to appeal this decision. Information on your right to appeal is contained in the *Expulsion Appeal Form* (attached). If you wish to proceed with this option, I need to receive the Expulsion Appeal Form within **10 business** days of receiving this *Notice of Expulsion*.

PRIVACY

Personal and sensitive information recorded throughout the expulsion and (if applicable) appeal processes will be treated in accordance with the *Privacy and Data Protection Act 2014* (Vic) and *Health Records Act 2001* (Vic) (collectively the Victorian privacy law) and the Schools' Privacy Policy. Expulsion Review Panel members are employees of the Department of Education and Training or the Department of Health and Human Services and as such must abide by the *Victorian privacy law* and the Schools' Privacy Policy. For further information, see [Schools' Privacy Policy](#).

SUPPORT AND FURTHER INFORMATION

I encourage you to seek support for yourself and your child if needed. A range of supports are listed in the *Information for Parents and Carers about School Expulsions* brochure I provided at the Behaviour Support and Intervention Meeting.

For further support and advice from the Department you can also contact your local regional office:

- North Western Victoria Region: 9488 9488
- North Eastern Victoria Region: 1300 333 231
- South Eastern Victoria Region: 8765 5600
- South Western Victoria Region: 1300 333 232

Yours sincerely,

[INSERT SIGNATURE BLOCK]

EXPULSION APPEAL INFORMATION

A student (with support from their parent/carer) can appeal the decision to expel a student from a Victorian government school. This document outlines the expulsion appeals process and includes the required *Expulsion Appeal Form*.

GROUNDINGS FOR AN EXPULSION APPEAL

You can lodge an appeal if you believe:

- there have not been sufficient prior interventions and strategies used before a decision to expel where the student has a history of behavioural issues
- the grounds on which the student was expelled are unfair
- the expulsion process was not followed by the principal
- other extenuating circumstances.

HOW TO APPEAL AN EXPULSION

If you choose to appeal, you need to complete the *Expulsion Appeal Form* and provide it (and any other relevant documentation) to the school principal within **10 business days** of receiving the *Notice of Expulsion*.

EXPULSION APPEAL PROCESS

The Department Secretary or their delegate (usually the Regional Director or Area Executive Director) will consider your appeal. They may appoint an Expulsion Review Panel to review the principal's decision to expel your child.

EXPULSION REVIEW PANEL

An Expulsion Review Panel will:

- provide an opportunity for you and your child to be heard
- provide an opportunity for the principal to be heard
- consider the safety and wellbeing of affected parties, including where an expulsion decision may be overturned

- prepare a report for the Secretary or their delegate to assist them in deciding whether to uphold or overturn the expulsion.

The Panel members will include:

- a departmental representative selected by the Secretary (or delegate)
- an independent member from the Department of Health and Human Services
- a Regional Approved Support Person selected by the principal.

The panel will not include anyone who attended the Behaviour Support and Intervention Meeting.

EXPULSION REVIEW PANEL MEETING

You and your child are encouraged to attend the Expulsion Review Panel meeting and outline your reasons for the appeal. If you are unable to attend, the meeting may still proceed.

Your child can bring another nominated adult if you are unable to attend. You can also bring an independent support person (who is not acting for fee or reward) to the meeting.

If required, an interpreter of any language including Auslan, can also attend.

TIMELINES FOR DECISION

An Expulsion Review Panel will provide a report to the Secretary or their delegate within **1 business day** of its meeting. They must consider the *Expulsion Review Panel Report* prior to making a decision but are not bound to follow the panel's recommendation.

The Secretary or their delegate will endeavour to make a decision within **15 business days** of receiving the *Expulsion Appeal Form*.

They will notify you within **2 business days** of reaching their decision.

DURING THE APPEAL PROCESS

While your appeal is in process, the school will provide you/your child with appropriate schoolwork

WHEN AN EXPULSION IS OVERTURNED

The principal must take the following actions as soon as possible:

- re-enrol your child in the school
- develop a *Return to School Plan* with you and your child to assist your child's reintegration into the school
- remove the record of expulsion and notify you in writing that this has occurred.

If an expulsion is overturned, the principal may refer the decision to an independent Student Safety and Wellbeing Expert Panel if they hold significant concerns for the safety of your child or other students at the school. You will be notified about a referral when you are informed of the outcome of the appeal. A panel will consider the impact of the decision to overturn an expulsion on the safety of students at the school, and make recommendations to the Secretary of the Department about your child's future at the school.

If a decision is referred, you can choose to speak to the Expert Panel. You will be given information to help you do this and can have a support person help you. You will be kept informed of the progress of the panel. The Department will continue to support you and your child throughout this process. It is important that your child continues to be supported to remain engaged in learning and complete meaningful work provided by the school.

WHEN AN EXPULSION IS UPHELD

If it is decided to uphold the expulsion, a Regional Engagement Coordinator with the Department's local Area team will work with you to put in place a supported transition plan as soon as possible.

Your child will be enrolled in an appropriate setting as soon as possible. There is an underlying principle that no child of compulsory school age will be excluded from the Victorian government education system.

If you/your child is post-compulsory school age, the Regional Engagement Coordinator with the

via a Student Absence Learning Plan until the appeal has been determined.

INFORMATION AND SUPPORT

If you are concerned about your child or yourself, there are a range of departmental and community supports you or child can contact.

REGIONAL ENGAGEMENT COORDINATOR

For queries about the status of your appeal or the process, please contact the Regional Engagement Coordinator. The Regional Engagement Coordinator will also assist in coordinating supports for students during an expulsion process.

North Western Victoria Region: 9488 9488

North Eastern Victoria Region: 1300 333 231

South Eastern Victoria Region: 8765 5600

South Western Victoria Region: 1300 333 232

SUPPORT PERSON

You can ask someone you trust to support you and your child during an appeal process. This person cannot be paid or rewarded by you for their time.

The Regional Engagement Coordinator can also link you with a support person from the Department who has no affiliation with the school and has received special training.

You can also seek support from a trusted organisation, e.g. support is available for Koorie families through the [Victorian Aboriginal Education Association Incorporated](#) (VAEAI) and for children with additional needs, through the [Disability Resource Advocacy Unit](#).

ADDITIONAL SUPPORTS

You and your child can also contact:

- your GP who can assist with a referral to mental health professional such as psychologists, and arrange for Medicare rebates
- Parentline on 13 22 89 (8am to midnight, every day of the year, including public holidays)
- your local council and ask for a list of local service providers (most councils offer youth counselling and pathways support)
- Kids Helpline on 1800 55 1800 (24 hours a day, 7 days a week or [web counselling](#))
- eheadspace on 1800 650 890 or via [eheadspace.org.au](#)

EXPULSION APPEAL FORM

This *Expulsion Appeal Form* must be completed when a parent/carer and/or student chooses to appeal a student's expulsion from a Victorian government school.

- This form must be completed and sent to the principal via email or mail.
- The completed form must be received by the principal within **10 business days** of you receiving the *Notice of Expulsion*. Keep a copy of the form for your own records.
- Contact the school to ensure they have received a copy of this form.
- Information about the government school expulsion process can be found in *the Information for Parents and Carers about School Expulsions*.

By submitting this form, you consent to the information contained within the form and other information relevant to the expulsion being shared with relevant Department of Education and Training and Department of Health and Human Services employees for the purpose of consideration of the appeal and, if applicable, further decision making. Information about the student's expulsion will be treated in accordance with the *Privacy and Data Protection Act 2014 (Vic)* and *Health Records Act 2001 (Vic)* (collectively the Victorian privacy law) and the Department's Schools' Privacy Policy. For further information, see [Schools' Privacy Policy](#).

If an expulsion is overturned, the principal may refer the decision to an independent Student Safety and Wellbeing Expert Panel if they hold significant concerns for the safety of your child or other students at the school. The Expert Panel will be given the relevant expulsion and appeal documentation and may contact your family to understand your specific educational engagement needs. You can choose not to speak to the Expert Panel.

SCHOOL INFORMATION

School name	
Principal	
Phone number	

STUDENT INFORMATION

Name			
Date of birth		Year Level	
Gender	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> (Please specify)		
Phone number		VSN	
Email			

PARENT/CARER DETAILS

Name			
Address			
Phone number		Email	

Interpreter required

Y N Language:

EXPULSION DETAILS

Date of expulsion commencement

BACKGROUND INFORMATION

Please provide a brief history of the circumstances leading to the expulsion.

REASON(S) FOR THE APPEAL

There have not been sufficient prior interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues

YES NO Provide reasons for your answer.

The grounds on which the student was expelled were unfair.

YES NO Provide reasons for your answer.

The expulsion process was not followed by the principal.

Information on the process that principals are required to undertake can be found at [Student Engagement and Inclusion Guidelines](#). Please note that under *Ministerial Order 1125*, principals are required to undertake tasks in the Guidance that say 'must'. If a principal has not completed a task that says 'should' this is not grounds for an appeal.

YES NO Which part of the required process do you believe was not followed?

Other extenuating circumstances.

YES NO Provide reasons for your answer

REASON(S) FOR THE APPEAL

--

OTHER RELEVANT INFORMATION

Do you have other relevant information and/or documentation that you believe should have been considered prior to the decision to expel? Please provide the additional information here.

--

Student name	
Signature	
Date	

Parent Name	
Signature	
Date	