

## 4.7 Student Engagement Guidelines

The following section is based on the *Effective Schools are Engaging Schools: Student Engagement Policy Guidelines (2009)* incorporating *Ministerial Order No. 184, Procedures for Suspension and Expulsion*.

### 4.7.1 Developing the Student Engagement Policy

#### 4.7.1.1 Responsibility of school councils and principals

The principal will be responsible for leading the development and implementation of the policy.

The school council will be involved in the development of the Student Engagement Policy and be responsible for its approval, the monitoring of its effectiveness and evaluating its success. This is in line with their responsibilities under the *Education and Training Reform Act 2006*.

The Student Engagement Policy should be developed in consultation with representatives from all areas of the school community. The role of the principal and the school council is to ensure that the policy reflects the shared expectations of the whole school community and that all students and parents/carers are clear about these shared expectations.

The policy should be made available to all members of the school community. Parents/carers should be provided with a copy of the policy upon student enrolment and informed when the policy is updated.

#### 4.7.1.2 Guiding Principles

The guiding principles behind the Student Engagement Policy will support schools to impact positively on student engagement and wellbeing by:

- developing whole-school cultures that are safe and supportive
- valuing learning for all
- promoting respectful relationships
- ensuring appropriate curriculum and pedagogy
- providing organisational arrangements and resource use that enable and foster student learning and feedback
- promoting student decision-making and parent/carer involvement.

A Student Engagement Policy will be most effective when it focuses on:

- creating a positive school culture that is fair and respectful
- building a safe and supportive school environment
- expecting positive, supportive and respectful relationships that value diversity
- promoting pro-social values and behaviours
- encouraging student participation and student voice
- proactively engaging with parents/carers
- implementing preventative and early intervention approaches
- responding to individual students
- linking to the local community

### **4.7.1.3 Content of the Student Engagement Policy**

The Student Engagement Policy articulates the school community's shared expectations in the areas of student engagement, attendance and behaviour. The policy supports the rights and outlines the expectations of every member of the school community to engage in and promote a safe and inclusive educational environment. It must be concerned not only with student discipline but with the promotion and enhancement of positive student behaviour. It should be consistent with government priorities and community expectations in such areas as:

- encouragement of educational achievement and excellence
- maintenance of regular school attendance
- prevention of bullying and violence
- elimination of discrimination 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.

The format of the Student Engagement Policy should be determined by the school council and the principal, in consultation with the whole school community. There are, however, components that must be included to enable schools to develop practical and effective implementation strategies.

The policy should cover the following components:

- school profile statement
- whole-school prevention statement
- rights and responsibilities
- shared expectations
- school actions/consequences.

A Student Engagement Policy should relate to school policies and procedures that impact on student behaviour, attendance and engagement. The Student Engagement Policy should also incorporate procedures for expulsion reviews.

A Student Engagement Policy should encourage schools to anticipate possible difficulties before they become serious and to deal with behaviour or attendance issues at the school level with a minimum of formality and a maximum of cooperation and consultation between relevant students, parents/carers and teachers. Whole school approaches with a focus on prevention, early intervention and the development of pro-social behaviours, are the most effective way to support students and engage them in their learning.

### **4.7.1.4 School community participation**

The success of the Student Engagement Policy depends on the commitment of the whole school community. This can best be achieved by all groups, including students, teachers, welfare and support staff, parents/carers, principals and the wider community working together to ensure that all students are supported to behave and participate consistent with the Student Engagement Policy.

The establishment of working parties, discussion groups or in-school forums in which the views of students, parents/carers, teachers, welfare and support staff and community support organisations can be presented provides a practical means of achieving agreement and commitment.

#### **4.7.1.5 Parent/guardian and community access**

The Student Engagement Policy should be a succinct statement presented in a form that can be readily understood by parents/carers, students, school personnel and the local community.

The policy should be made available to all members of the school community. Parents/carers should be provided with a copy of the policy upon student enrolment and informed when the policy is updated.

#### **4.7.1.6 Reporting and accountability**

The school council will be engaged in the Student Engagement Policy's development and approval and will be responsible for monitoring its effectiveness and evaluating its success. The principal and teaching staff have responsibility for developing and implementing strategies which support the Student Engagement Policy.

While communication is generally important to the effective implementation of the policy, it should be noted that strict confidentiality relating to the details of suspensions and expulsions must be maintained.

#### **4.7.1.7 Cooperation with other schools and community support organisations**

School councils are encouraged to share and be informed about the Student Engagement Policies of neighbouring schools. This can lead to the development of understandings and cooperation between schools, and lead to more effective management of student behaviour. Schools should cooperate in sharing expertise and resources to assist students with extreme behavioural problems.

It is also valuable for schools to seek cooperation with other relevant departments and support organisations in their local community. Local branches of the Department of Human Services, the Department of Innovation, Industry and Regional Development, Victoria Police and municipal government and voluntary agencies can provide additional expertise and enable access to a broad range of resources.

### **4.7.2 Implementing the Student Engagement Policy**

Each teacher is responsible for developing classroom strategies consistent with the school's Student Engagement Policy. Students should be involved in the development of these strategies. Applying fair and consistent discipline and attendance policies that are collectively agreed on and fairly enforced increases the likelihood that student connection to school is maintained.

Equal emphasis should be placed on issuing positive reinforcement for meeting high expectations as there is on negative consequences. Actions and consequences should have an educational role and aim to foster

positive relationships and retain the dignity of the student. Actions and consequences that isolate a student from learning should be avoided.

It is important that students who are experiencing attendance or behaviour related issues are supported and encouraged to discuss these difficulties with their teacher or school welfare staff.

Where a student is experiencing or at risk of experiencing attendance or behaviour related issues, parents/carers should be contacted and a student support group set up in accordance with the Guidelines.

In the case of students with disabilities, schools should develop strategies to ensure that they reach their maximum potential. Many schools establish student support groups for this purpose.

*Under Ministerial Order No. 184, Procedures for Suspension and Expulsion*, principals have the power to:

- **suspend a student** - the grounds for suspension are applicable to students at all government schools.
- **expel a student in extreme circumstances** - the grounds for expulsion are applicable to students at all government schools.

If a principal considers that expulsion is justified, they must notify the appropriate regional director that a student support group meeting is being convened to discuss the expulsion.

Principals are required to maintain a register of all suspensions and expulsions. Records of an individual student relating to suspensions and expulsions must be kept for 12 months after they have left the school.

#### **4.7.2.1 A staged response**

Positive behaviours are most effectively supported through relationship-based whole-school and classroom practices. However, it is recognised that some individuals and groups of students require additional support in the development of pro-social, positive behaviours.

For most of these children and young people, the development of pro-social behaviour is achieved in stages, and requires reinforcement and acknowledgement to support each step towards positive improvement. Students with problem behaviours can be responded to through a staged response (see Element 5, Appendix 2 of *Effective Schools are Engaging Schools: Student Engagement Policy Guidelines*).

##### **4.7.2.1.1 Stage 1: Prevention and early intervention**

Implementing preventative and early intervention strategies to support positive behaviours is a key part of the Student Engagement Policy. Prevention and early intervention strategies should:

- define and teach school-wide and classroom expectations
- establish consistent school-wide and classroom consequences for problem behaviour
- establish school-wide and classroom processes for early identification of students experiencing academic and/or behaviour difficulty

- provide school-wide and classroom processes for ongoing collection and use of data for decision-making
- empower students by creating multiple opportunities for them to take responsibility and be involved in decision-making
- provide a physical environment conducive to positive behaviours and effective engagement in learning
- utilise evidence-based interventions, monitored regularly for those students who face difficulty with learning and/or behaviour.

*Calmer Classrooms: A Guide to Working with Traumatised Children*, developed by the Office of the Child Safety Commissioner, provides teachers and schools with effective relationship-based classroom and school-wide prevention and intervention practices for supporting the learning and wellbeing of children and young people.

For additional information on the Calmer Classrooms resource, see [http://www.ocsc.vic.gov.au/downloads/calmer\\_classrooms.pdf](http://www.ocsc.vic.gov.au/downloads/calmer_classrooms.pdf)

### ***Detention***

Teachers may require a student to finish school work that has not been completed in the regular classroom or to undertake additional or new work or duties at a reasonable time and place. No more than half the time allocated for any recess may be used for this work. The school's Student Engagement Policy should determine, in the light of local circumstances, what a reasonable time and place entails.

Where students are required to undertake school work after school, the time should not exceed forty-five minutes. The principal should ensure that parents/carers are informed at least the day before the detention. Where family circumstances are such that the completion of after-school work would create undue hardship (for example, where students regularly supervise younger siblings in the absence of parents/guardians), schools may choose to negotiate alternative disciplinary measures with parents/guardians.

Schools are permitted to detain students but are encouraged to take into account family circumstances and negotiate with parents/guardians as appropriate.

Any special conditions relating to the imposition of detention should be specified in the school's Student Engagement Policy.

#### **4.7.2.1.2 Stage 2: Intervention**

When concerns arise about a student's behaviour, or when a student is displaying chronic patterns of problem behaviour, a more targeted response may be required to support the child or young person. It is important that intervention strategies meet the following criteria.

- targeted interventions should be based on systemic collection and analysis of data.
- intervention strategies should include the teaching and/or building of pro-social replacement behaviours.
- progress should be measured and support reduced slowly and gradually.

- intervention practices should occur in the classroom as the first option and should always involve the classroom teacher/s.
- both academic and social strategies should be addressed.
- partnerships should involve and support parents/carers.
- the formation of a student support group is a critical element in the staged response.

#### **4.7.2.1.3 Student support group**

The student support group aims to:

- develop an understanding of the child or young person
- utilise data collection and monitoring systems that will inform decision-making
- identify the child or young person's learning, social, emotional, behavioural and environmental needs, and the support or resources the student requires for improvement
- involve key specialist learning and wellbeing support staff, for example the literacy coach, student welfare coordinator, primary welfare officer, reading recovery teacher and/or school psychologist
- develop an Individual Learning Plan with the student's classroom teacher/s and ensure support to implement the plan
- support referrals to community support agencies for specialist interventions delivered in partnership with the student support group school strategies.

Meetings of student support groups must involve:

- school principal (or delegate)
- student (as appropriate)
- student's main classroom teacher, the form/home-room teacher or the year level coordinator
- parents/carers
- professionals who have been supporting the student or their family, for example the student welfare coordinator, psychologist, youth worker etc

Parents/carers may be accompanied and supported by an advocate at a student support group meeting. Parents/carers are required to organise the attendance of this support person, who cannot act for a fee or reward. The role of the advocate is to provide emotional and moral support to the student and/or their parents/carers, and to act as a witness to the process of the student support group.

The support person should attend only as an observer, and should refrain from directing the process or answering questions on behalf of the student or their parents/carers. The only circumstances in which the advocate should speak on behalf of or participate in the student support group is when a language or communication barrier has been previously identified by the student, their parents/carers or the school.

If the student is in out-of-home care, the principal must ensure that the student's Department of Human Services (DHS) case manager attends any student support group meetings, as well as any adult who normally or

regularly resides with the student. Refer to the *Partnering Agreement for Students in Out-of-Home Care* at:

<http://www.education.vic.gov.au/healthwellbeing/wellbeing/oohc/default.htm>

The Department provides a range of wellbeing and learning resources for schools to assist in the development of a staged response to students who present with behaviour and learning difficulties. For additional information, see <http://www.education.vic.gov.au/healthwellbeing/>

### 4.7.3 Suspension

The principal is responsible for student suspensions. (A suspension flow chart is provided in Appendix 12 page 50 of the Guidelines see link under reference at the end of the section)

Students should only be excluded from school when all other measures have been implemented without success, or where an immediate suspension is the only appropriate course of action given the student's behaviour.

If a student is suspended it should be for the shortest time necessary. The period of suspension should be used by the school, the student and the student's parents/carers as an opportunity to reflect on the present difficulties and develop positive, student-focused re-engagement strategies.

If, in the principal's opinion, an in-school suspension is more appropriate to the student's educational needs, or if, in the principal's opinion, a safe environment cannot be provided for the duration of the suspension, the principal may specify that the suspension be completed on school premises. Wherever possible, out-of-school suspensions should be avoided.

Appropriate and meaningful school work must be provided to the suspended student. This work must be consistent with work provided in the student's classes. While completion of the work is not a requirement for re-entry to school, parents/carers can assist the process by ensuring that the work is completed.

The school principal is required to seek secondary consultation and/or direct intervention support from their regional office to address the behavioural concerns for a student who has been suspended for eight days in a school year or who reaches a total of four individual suspensions in a school year.

Any suspension must conclude at the end of the school term in which it was imposed and not continue into the following term

If a student reaches 15 days suspension, an expulsion is not the automatic consequence.

At any time during a suspension, parents/carers can request that a student support group meeting be convened

#### **4.7.3.1 Procedures before suspension**

Before a student is suspended, with the exception of situations that require an immediate response, principals should ensure that a range of options, consistent with the staged response, have been considered

#### **4.7.3.2 Procedures for suspension**

When a principal determines that a suspension is justified they must:

- (a) convene a meeting of the student support group to:
  - explain to the student and their parents/carers the reasons for the suspension, the school days on which the suspension shall occur and where the suspension will occur (for example, in-school suspension)
  - provide contact details for additional support services to the student and their parents/carers, as appropriate
  - develop a Student Absence Learning Plan that outlines the school work to be undertaken during the period of suspension
  - if the suspension is for five days, provide details of the post-suspension student support group meeting
  
- (b) ensure that:
  - a comprehensive range of strategies, including student support groups, have been considered and implemented by the school to meet the educational, social and emotional needs of the student
  - despite these strategies, the student's inappropriate behaviour persists
  
- (c) provide the student, their parents/carers and the school council president with a Notice of Suspension prior to the day on which the suspension commences which must include:
  - the summary of outcomes of previous actions that have been undertaken by the school to support the student (the staged response)
  - the reasons for the suspension
  - the school days on which the suspension shall occur
  - the details of the post-suspension student support group meeting, if the suspension is for five days
  - the Student Absence Learning Plan and Return to School Plan (as appropriate)
  
- (d) provide the student and their parents/carers with a copy of the information brochure Procedures for Suspension which outlines rights and responsibilities in terms of school exclusions.

### **4.7.3.3 Procedures for immediate suspension**

The principal may suspend a student immediately and prior to convening a student support group meeting if the student behaves in such a way that would provide the basis for a suspension ordinarily, and their behaviour is such that they are putting the health, safety and wellbeing of themselves, staff or other students at significant risk.

In such cases, principals must be aware that they have a duty of care to provide supervision of the student until they can be collected from school by a parent/carer. If the parent/carer is unable to collect their child, the student must stay on school premises and be adequately supervised by a member of staff until the end of the school day.

The principal must:

- give immediate verbal notification to the student and their parents/carers
- schedule a student support group meeting (this meeting must be held within 48 hours of the student being suspended)
- provide the student and their parents/carers with a Notice of Suspension and a copy of the information brochure Procedures for Suspension which outlines rights and responsibilities in terms of school exclusions at the student support group meeting
- develop a Student Absence Learning Plan and a Return to School Plan at the student support group meeting
- schedule a post-suspension student support group meeting if the suspension is for five days.

### **4.7.3.4 Grounds for suspension**

A principal may suspend a student if, while 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), the student:

- behaves in such a way as to threaten or constitute a danger to the health, safety or wellbeing of any person; or
- commits an act of significant violence against a person or causes significant damage to or destruction of property or is knowingly involved in the theft of property; or
- possesses, uses, or deliberately assists another person to use prohibited drugs or substances; or
- fails to comply with any reasonable and clearly communicated instruction of a principal, teacher or other staff member; or
- consistently behaves in a manner that interferes with the wellbeing, safety or educational opportunities of any other student; or
- consistently engages 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 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.

In determining whether to suspend a student, the principal must ensure that this response is appropriate to:

- the behaviour for which the student is being suspended
- the educational needs of the student
- any disability or additional learning needs of the student
- the age of the student
- the residential and social circumstances of the student.

#### **4.7.4 Expulsion**

The principal is responsible for student expulsions. This responsibility cannot be delegated to any other person at the school. (An expulsion flow chart is provided in Appendix 14 page 53 of the Guidelines see link under reference at the end of the section)

Expulsion from a school is the most extreme consequence open to the principal. When expulsion is unavoidable, principals have a responsibility to demonstrate that expulsion is the only appropriate measure and that all other measures consistent with a staged response and the Student Engagement Policy have been implemented in good faith by the school without success.

##### **4.7.4.1 Grounds for expulsion**

A principal may expel a student if, while 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):

- (a) the student does anything for which they could be suspended (see 4.7.3.4) and
- (b) the student's behaviour is of such magnitude that, having regard to the need of the student to receive an education compared to the need to maintain the health, safety and wellbeing of other staff and students at the school and the need to maintain the effectiveness of the school's educational programs, an expulsion is the only available mechanism.

In determining whether to expel a student the principal must determine that expulsion of the student is appropriate to:

- (a) the behaviour for which the student is being expelled
- (b) the educational needs of the student
- (c) any disability or additional learning needs of the student
- (d) the age of the student
- (e) the residential and social circumstances of the student.

##### **4.7.4.2 Procedures prior to expulsion**

Before a principal can expel a student, the principal must be able to ensure that:

- (a) a comprehensive range of strategies, consistent with the staged response, to meet the educational, social and emotional needs of the student has been considered and implemented by the school
- (b) despite these strategies, the student's inappropriate behaviour persists.

The student and parents/carers must be informed that expulsion is being considered and must be given the opportunity to be heard. This should be undertaken through the student support group process.

The principal may implement an immediate suspension pending expulsion, prior to a student support group meeting being convened, only when the principal considers that the severity of the situation and the possibility of immediate physical threat to another person warrants such action.

#### **4.7.4.3 Procedures for expulsion**

If a principal considers that expulsion is justified, they must notify the regional director that a student support group meeting is being convened to discuss the expulsion.

When a regional director has been informed that a principal is convening such a meeting, they must nominate a member of their staff to:

- attend the meeting
- ensure that the appropriate education, training and employment options are considered for the student
- assist in implementing the course of action agreed to at the meeting.

The role of the regional staff member in the student support group meeting is to enable the school to provide relevant support to the student and their parents/carers, and to facilitate referrals to and partnerships with external support organisations when more targeted interventions are required.

The principal must convene a student support group meeting to:

- provide the student and their parents/carers with a Notice of Expulsion (see Element 5, Appendix 15) before the day on which the expulsion commences. The Notice of Expulsion must state the reason/s for the expulsion and state the date of the commencement of the expulsion
- provide a copy of the Expulsion Appeal proforma to the student and their parents/carers. The information brochure Procedures for Expulsion, which outlines details of the appeal process, should accompany the proforma
- ensure that the student and their parents/carers have the opportunity to be heard
- identify the future educational, training and/or employment options most suited to the student's needs.

Every reasonable step must be taken to ensure that all relevant professional staff who have been working with the student can attend the meeting with the permission of the parents/carers and the student. In exceptional circumstances a student support group meeting may occur outside the required timelines.

If the student is in out-of-home care, the principal must ensure that the student's DHS case manager attends any student support group meeting, as well as any adult with whom the student normally or regularly resides. For additional information, see:

<http://www.education.vic.gov.au/healthwellbeing/wellbeing/oohc/default.htm>

The school council president must be provided with a copy of the Notice of Expulsion and relevant attachments.

If the student support group agrees that enrolment at another school and/or registered training organisation is the most appropriate option for that student, all members of the student support group must work to facilitate that enrolment.

It is the responsibility of the principal of the expelling school with support from the regional director (or nominee) to ensure that the student is enrolled at another school or registered training organisation if the student is of compulsory school age.

#### **4.7.4.4 Procedures following expulsion**

A principal who has expelled a student must, within 24 hours of the commencement of the expulsion, forward a copy of the Notice of Expulsion to the regional director, with a written expulsion report which must contain:

- (a) a short statement of the history of the student's time at the school, the grounds for the expulsion, any considerations in support of the expulsion and any representations made by the student or their parents/carers
- (b) a summary of the options considered by all the student support group meetings and why expulsion is considered necessary
- (c) details of the arrangements that have been made for the continuing education and/or employment of the student
- (d) recommendations on whether any further action either at the school, local, community, regional or system level is required, including strategies at the school level to prevent the repeat of similar circumstances.

The regional director (or nominee) should work with the school to ensure the student is supported and the outcomes of the Expulsion Report are achieved.

#### **4.7.4.5 Transition arrangements**

If a school expels a student, the school must schedule a meeting with the destination school or registered training organisation of the expelled student.

The principal of the enrolling school may be called on by the regional director at any time over a period of 12 months to provide a formal report of the status of the student's transition.

It is the responsibility of the principal of the expelling school to ensure that information relevant to the needs of the student is passed to the enrolling school or registered training organisation in accordance with the *Information Privacy Act 2000*.

#### **4.7.4.6 Expulsion appeal procedures**

A principal's decision to expel a student can be appealed by the student or the student's parents/carers on the grounds:

- that the expulsion process was not followed by the school
- reasons for which the student was expelled are considered unfair
- other extenuating circumstances.

The principal must provide the student and parents/carers with an Expulsion Appeal proforma at the final student support group meeting.

The expulsion appeal must be lodged with the principal within 10 school days of the parents/carers receiving the Notice of Expulsion. The principal must then provide the regional director with a copy of the Expulsion Appeal within 24 hours.

#### **4.7.4.7 Reports to the Secretary and exclusion from more than one school**

The following outlines the authority for expulsion and the powers of the Secretary of the Department of Education and Early Childhood Development:

- authority for expulsion: Only the principal has the authority to expel a student from the school in respect of which they are the principal. Any extension of the exclusion to other schools is the responsibility of the Secretary, on the advice of the school principal
- powers of the Secretary of the Department of Education and Early Childhood Development: The principal, who has expelled a student, must after an expulsion within 24 hours forward a written report to the regional director as outlined in 4.7.4.4

The regional director must consider the report and have regard to:

- the need of the student to receive an education
- the severity of the problem and its likely implications for the education of the student in any other schools
- the welfare and safety of other students
- the need to maintain order and discipline in government schools.

If the circumstances of the expulsion are considered to be particularly severe, the regional director may, after giving the parent/guardian of the student an opportunity to be heard on the matter, exclude the student from one or more specified schools.

In exceptional or extreme circumstances where an expelled student represents a serious threat to the welfare or safety of other students or persons, or to the maintenance of the general order or discipline in government schools, the Secretary of the Department may, irrespective of the age of the student, exclude the student from attendance at any government school. In this situation, the Secretary must provide or assist the student, or the student's parent/guardian, with alternative arrangements for the continued education of the student.

## **4.7.5 Appeal process**

### **4.7.5.1 Expulsion review panel**

This panel must consist of:

- regional director's nominee
- school council president (or nominee)
- principal of another school.

A person who is both a departmental employee and a school council member is not eligible to participate in the expulsion review panel. No member of the expulsion review panel can have direct interest in the case.

The regional director's nominee is responsible for ensuring that they liaise with the panel members to schedule a time for the panel to meet. The person who filed the Expulsion Appeal (the student or their parents/carers) must be present at the expulsion review panel and have an opportunity to put their case to the panel.

The regional director's nominee is responsible for notifying the student and their parents/carers of the date, time and location of this panel meeting. The regional director (or nominee) must take every reasonable step to ensure that the scheduled date for the panel is suitable for all members and that panel members are fully informed of their role.

### **4.7.5.2 Role of the expulsion review panel**

The role of the expulsion review panel is to:

- provide an opportunity for a student and parents/carers to be heard
- review the decision to expel a student.

The panel must make a written recommendation to the principal, who must except and act on the recommendation immediately.

### **4.7.5.3 Procedures for expulsion review panels**

The review must be held as early as possible within 10 school days of the regional director receiving the Expulsion Appeal. In exceptional

circumstances this time limit may be extended for an additional five school days following approval from the Deputy Secretary, Office for Government School Education.

The attendance of qualified legal practitioners or other agents acting for fee or reward on behalf of any member of or participant in the appeal process is not permitted.

The principal must provide the following documents to the expulsion review panel:

- a copy of the Notice of Expulsion
- a copy of the Expulsion Report
- a copy of the Expulsion Appeal from the student or their Parents/carers

The expelled student or the student's parents/carers must be given the opportunity to be heard and articulate their case.

The expulsion review panel must complete a report, which must be forwarded to the regional director within 24 hours of the conclusion of the meeting. Copies of this report must be provided to the regional director, the person who submitted the Expulsion Appeal, the school council and the principal.

The decision of the panel must be unanimous.

If the panel is unable to reach a unanimous decision, the regional director must be notified within 24 hours of the conclusion of the meeting. The regional director must make a decision regarding the appeal based on the Expulsion Review Panel Report and all other documents before the expulsion review panel. The regional director must make this decision within 48 hours of being notified of the outcome of the expulsion review panel's deliberations.

The regional director (or nominee) must verbally notify the person who has brought the appeal of the outcome of the appeal within 24 hours of the decision being made. This verbal communication must be followed up by written communication notifying the student or their parents/carers of the panel's decision and must include a copy of the expulsion review panel report within five school days of the decision. This written communication must be provided to the person who submitted the Expulsion Appeal, the principal and the school council.

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.

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. This process should be monitored by the regional director.

#### 4.7.5.4 Further appeal process

##### Right of appeal

Parents/carers of an expelled student can appeal against the act of expulsion when it has been endorsed by the expulsion review panel.

The appeal is made to the Deputy Secretary, Office for Government School Education within 10 school days of being informed of the outcome of the expulsion review panel, on the grounds of the process followed by the expulsion review panel or the expulsion imposed by the principal. The Deputy Secretary must then appoint an independent officer to investigate the appeal in accordance with the grounds of the appeal.

The Deputy Secretary, after considering the advice of the investigation officer, may confirm the decision of the expulsion review panel, uphold the appeal or vary any of the decisions.

The right of appeal is vested in the parents/carers of the expelled student alone, except where a student is living independently from their parents/carers. In that case a student also has the right to appeal.

#### 4.7.6 Staged response checklist

<b>Stage 1: Prevention and early intervention</b>	
<i>Creating a positive school culture</i>	
<b>Suggested strategies</b>	<b>School actions</b>
Define and teach school-wide expectations for all.	
Define and communicate consistent classroom and school-wide actions/consequences.	
Establish relevant school-wide prevention programs.	
Establish consistent school-wide processes to identify students at risk of disengagement from learning.	
Establish consistent school-wide processes and programs for early intervention.	

**Stage 2: Intervention: a targeted response for individual students**

<b>Suggested strategies</b>	<b>School actions</b>
Establish an understanding of the life circumstances of the child/young person and how they feel.	
Establish data collection strategies.	
Develop the plan for improvement based on data and review regularly.	
Explicitly teach and/or build replacement behaviours.	
Determine strategies for the monitoring and measurement of student progress.	
Establish inclusive and consistent classroom strategies.	
Establish out-of-class support strategies.	
Establish a student support group.	

*Effective Schools are Engaging Schools: Student Engagement Policy Guidelines*  
Appendix 2

**Resources**

*Effective Schools are Engaging Schools: Student Engagement Policy Guidelines*

*Ministerial Order No.184*

**Reference**

<http://www.education.vic.gov.au/healthwellbeing/wellbeing/engagement/default.htm>