

# Fact sheet

## Exclusion



A principal of a state school at which a student is enrolled may exclude the student from the school for a period of not more than one year, or permanently, if the principal is reasonably satisfied a ground exists for the exclusion.

Exclusion is the most serious disciplinary action that any school principal can take against a student, and must only be used if other disciplinary consequences are demonstrably inadequate to deal with the student's behaviour.

### Grounds for exclusion

As per the *Education (General Provisions) Act 2006*, each of the following is a ground for exclusion:

- persistent disobedience;
- misbehaviour;
- conduct that adversely affects, or is likely to adversely affect, other students;
- conduct that adversely affects, or is likely to adversely affect, the good order and management of the school;
- the student's attendance at the school poses an unacceptable risk to the safety or wellbeing of other students or of staff;

if suspension of the student is inadequate to deal with the disobedience, misbehaviour, conduct or risk.

It is also ground for exclusion if:

- the student has been convicted of an offence and the principal is reasonably satisfied it would not be in the best interests of other students or of staff for the student to be enrolled at the school.

### Key information

- Principals are the only staff members with the [power](#) to make a decision about the use of exclusion for an enrolled student.
- Principals may [authorise](#) a deputy principal, head of school or head of campus to tell a student and parent of their decision to exclude.
- Conduct that adversely affects, or is likely to adversely affect, other students, or the good order and management of the school may be [ground/s](#) for exclusion even if the conduct does not happen on school premises or during school hours.
- Exclusions do not need to be completed in the current school year — the 20 school day suspension continues into the next school period until the principal has made their final decision about exclusion.
- The suspension takes effect from the time the principal or authorised officer tells the student and their parent about it.
- Failure to make the exclusion decision within the legislated 20 school days will result in the final decision being that the student is not excluded and can return to school.

### Principals

- ✓ Considers use of the [Risk assessment — behaviour, safety and wellbeing](#) prior to identifying an appropriate disciplinary response or intervention and retain a copy in the student's OneSchool record.
- ✓ Must be able to justify the ground for exclusion with comprehensive explanation and evidence, explaining how the student's behaviour specifically meets the identified ground/s.

- ✓ Ensure the student and parent are offered the opportunity to discuss the allegations and respond if they choose prior to the principal making a disciplinary decision.
- ✓ Ensure a **regional case manager** is appointed as the contact for the student and parent while the proposed exclusion decision is in effect and communicate this information to the student and parent.
- ✓ Take reasonable steps to arrange for the student's access to an educational program that allows the student to continue the student's education during the suspension.
- ✓ Consider any relevant additional information that is provided by the student or parent within the five-school-day period of receiving the written notice of the proposed exclusion.
- ✓ Finalise the decision within 20 school days of providing the student and parent the proposed exclusion notice.
- ✓ Use only the letters and approved forms available in OneSchool.
- ✓ Provide details about making a submission against the exclusion decision to the Director-General or delegate with the written notice and include information on making a periodic review submission for permanent exclusion decisions.
- ✓ Ensure signed copies of the decision notice (approved forms) and supporting materials relating to the school disciplinary absence decision are uploaded in OneSchool.
- ✗ Should refer the exclusion decision to the Director-General or delegate where it is appropriate.
- ✗ If the parent advises that they are ending the enrolment of their child at the school, they must be advised that the suspension pending exclusion decision (and therefore the enrolment) will remain in effect until the exclusion decision has been finalised.

### Students

- ✓ Can make an **appeal submission to the Director-General or delegate** against exclusion decisions.
- ✓ Can make a **periodic review submission** against permanent exclusion decisions in each calendar year after being excluded (until the end of the year in which turning 24 years of age).
- ✓ Who have been excluded from a Queensland state school, are entitled to enrol as if in-catchment at a different state school, subject to the approval of the regional director. For more information see the [Enrolment Management Plan](#) (EMP).
- ✗ May not attend any state school or any school activity while suspended. Parents are responsible for their children during the period of suspension.
- ✗ While on suspension (pending final decision about exclusion), must maintain their enrolment at the school until the exclusion decision has been finalised.

### Resources

- [Code of Conduct for the Queensland Public Service](#)
- [Department of Education standard of practice](#)
- [Enrolment in state primary, secondary and special schools](#)
- [Ombudsman Good Decision-Making Guide](#)
- [Student discipline procedure](#)
- [Fact sheet – Student Code of Conduct](#)
- [Principal guidelines – student discipline](#)

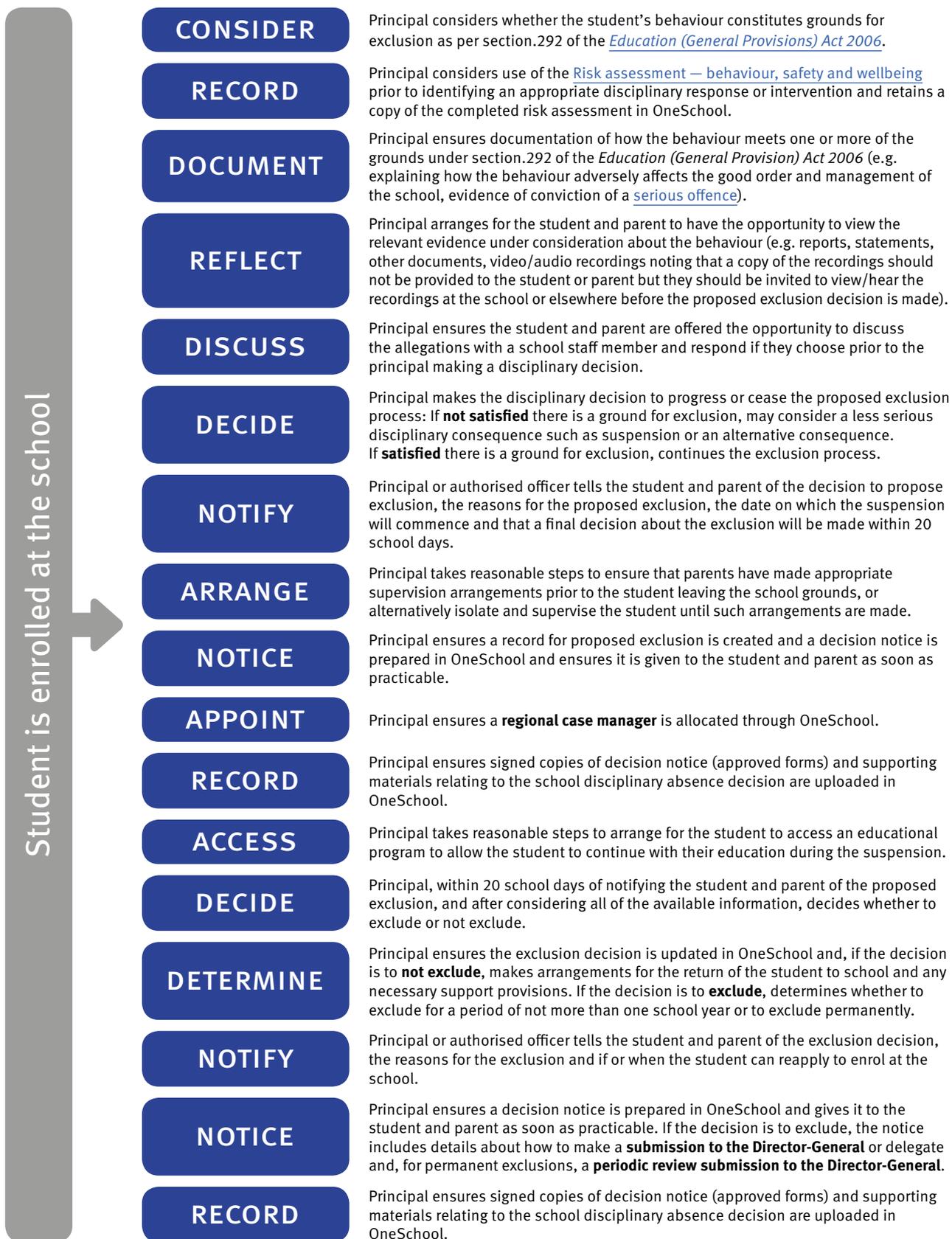
**Uncontrolled copy.** Refer to the Department of Education Policy and Procedure Register at <https://ppr.qed.qld.gov.au/pp/student-discipline-procedure> to ensure you have the most current version of this document.

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## Flowchart: Exclusions



\* Failure to make the exclusion decision within the legislated 20 school days will result in the final decision being that the student is not excluded and can return to school.