Date (Chief Executive or delegate to enter this date following Chief Executive’s or delegate’s consideration of the matter).

### Name

Address

Dear Name

I refer to allegations that you behaved inappropriately while on the premises of school name on date. In respect of this matter, I have been asked to make a direction pursuant to s.340 of the *Education (General Provisions) Act 2006* (the Act) prohibiting you from entering the premises of the school for 60 days.

**My decision**

[insert if decision by delegate] For the purposes of s.340 of the Act I am the Chief Executive’s delegate. I have decided to issue a direction prohibiting you from entering the premises of school name. This direction remains in force for 60 days after the date on which it is given to you.

The date of my decision is date [Chief Executive or delegate to enter this date following Chief Executive’s or delegate’s consideration of the matter. It would be the date the Chief Executive or delegate approved the recommendation on the associated General Briefing Note].

If you breach this direction your breach will be reported to the police and you may be subject to prosecution and a fine of no more than 30 penalty units. Information about penalty units is available from <https://www.qld.gov.au/law/crime-and-police/types-of-crime/sentencing-fines-and-penalties-for-offences/>.

**Material relied upon**

In respect of my decision I have considered the following material:

* Sections 340 and 340A of the Act
* Departmental procedure *Hostile People on School Premises, Wilful Disturbance and Trespass*
* A request from the principal of school, principal name pursuant to s.340A of the Act to issue you with a s.340 direction
* A copy of number of witness statements from school staff concerning your behaviour at the school on date of incident
* [List any other materials related to the incident that occurred on that particular date e.g. OneSchool record of any action/s taken by QPS]
* [List any other previous direction issued to the person] A copy of a direction given to you pursuant to s.337 of the *Education (General Provisions) Act 2006* dated date.

I have attached a redacted copy of this material for your consideration.

**Findings of fact**

On the basis of the information supplied to me I am satisfied on the balance of probabilities that:

*(example, from a real matter, of how this section should be completed)*

* *on 25 August 2014, at approximately 5.00pm, you attended at XXX State School in order to collect your son from the After School Care facility. At approximately 5.00pm you approached the administration block;*
* *you met me at the rear door of the block. I had just closed the rear door to leave the building for the day and turned to find myself standing face to face with you;*
* *I was accompanied by the deputy principal.*
* *you began swearing - calling me a “little fuck” and a “fucking bitch”. Your demeanour was aggressive; the volume of your voice was loud;*
* *I felt very intimidated by your actions;*
* *you moved forward in an aggressive stance continuing to yell insults and threats at me;*
* *your aggression escalated and you punched the wall of the building, directly in front of my face, with force; the force was sufficient to break the wall cladding of the exterior wall;*
* *I directed you to leave the school grounds three times. You did not comply;*
* *you continued to swear at and verbally abuse me and the Deputy Principal as you left the grounds after the third direction to leave the school;*
* *I re-entered the Administration building and called the police;*
* *you re-entered the grounds approximately 15 minutes later despite previously being directed to leave;*
* *The deputy principal and I locked ourselves in the Administration building and called 000 for assistance;*
* *you started to bang hard on windows and doors, yelling out to staff inside the building. You continued to bash the windows and the doors;*
* *I instigated a school lockdown because cleaners and after school care were on site;*
* *you left the grounds before police attended;*
* *I understand that police have subsequently spoken to you about this matter and that they have pressed charges against you, namely 1 x Wilful disturbance (s.33, Education (General Provisions) Act 2006).*
* *I understand that you have been granted bail in respect of this offence on the condition that you do not approach myself or the deputy Principal or attend the premises of the school;*
* *Your actions were witnessed by other staff and students;*
* *I am satisfied, pursuant to s.340A of the Act, that it is appropriate for me tio issue this direction rather than the school Principal, because…………[insert reasoning that supports decision iunder s.340A]*
* *This is not the first occasion on which you have engaged in inappropriate behaviour on school premises / against school staff / school visitors. On XX August you were served with a direction Under Section 337 of the Education (General Provisions) Act 2006.*

**Reasons for my decision**

Pursuant to s.340A of the Act I am satisfied that it is appropriate for me as the Chief Executive [or delegate of the Chief Executive] to issue this direction.

I am issuing this direction under s.340 of the Act because I am reasonably satisfied based on the material in my possession (outlined above) and the findings of fact (set out above), that unless a direction is given you are likely to: [of the following 3 delete points not applicable]

* enter the school and cause physical harm to, or apprehension of fear of physical harm in other persons,
* damage the premises or property at the premises, and
* disrupt the good order or management of the institution.

**Application for review**

You may apply to the Chief Executive for a review of this decision under s.390 of the *Education (General Provisions) Act 2006*.

Your application must be made in writing and be made within 30 school days after you have been given this information notice. If you require more time to make your application you may apply to the Chief Executive (or delegate) for an extension of time.

Your application must explain why you disagree with this information notice and must also be supported by enough information to enable the Chief Executive to decide the application.

Your application should be addressed to:

Yours sincerely

**Director-General’s name [OR name of Director-General’s delegate]**

**Director-General [OR position of Director-General’s delegate]**

**Department of Education, Training and Employment**

Ref:

Enc