{Insert name of prospective student}

c/- {Insert name of parent **if prospective student is a child**}

{Insert address}

{Insert date of notice}

Dear {insert name of prospective student}

**RE: APPLICATION TO ENROL AT {INSERT NAME OF SCHOOL} – SHOW CAUSE NOTICE**

I refer to your application to enrol at {insert name of school}.

In their letter to you, dated {insert date}, {insert title and name of Principal}, Principal of {insert name of school}, advised you that your application to enrol had been referred to the Director-General for a decision.

You were also informed that the Director-General, or their delegate, has the power to exclude you from certain state schools or all state schools in Queensland if you are considered to be an unacceptable risk to the safety or wellbeing of members of school communities.

I have considered your application and I believe that you would, if enrolled at {insert name of school}, pose an unacceptable risk to the safety or wellbeing of the school community. I therefore propose to make the decision to refuse your enrolment at {insert name of school}.

I have not made my final decision and, by means of this show cause notice, I invite you to make a written submission to me showing why your enrolment at {insert name of school}should not be refused.

I have made the decision to issue you with this show cause notice in accordance with section 159 of the *Education (General Provisions) Act 2006* (Qld).

In making this decision I have given proper consideration to relevant human rights, including your right to education, and consider that my decision is compatible with human rights.

**Material facts and evidence**

The material facts and evidence I used to make my decision that you should be issued this show cause notice for the proposed refusal of enrolment at {insert name of school}are providedin **Attachment 1**. Some parts of the documents may be redacted to protect the privacy of others.

**Reasons for my preliminary decision**

My reasons for proposing to refuse your enrolment at {insert name of school}are:

* {Set out your reasoning based on the information outlined above}

**Making a submission**

You can write to me to tell me why you should not be refused enrolment at {insert name of school}. This is called making a submission. A submission needs to be made to me within **15 school days** after you are given this show cause notice. More information about how to do this is in **Attachment 2**.

I will consider any information you provide to me before making a final decision and communicating that decision to you and the Principal of {insert name of school}.

If you, or someone representing you, do not make a submission under the *Education (General Provisions) Act 2006* (Qld)*,* I must refuse your enrolment.

If you need help to understand the reasons for the decision, please ask your Regional Case Manager to discuss this with you. Your Regional Case Manager, {insert title and name of Regional Case Manager}, {insert position of Regional Case Manager}, {insert name of region} Region, will contact you to discuss your education options. {Insert name of Regional Case Manager} can be contacted on telephone (07) {insert Regional Case Manager’s phone number}.

**Questions about this decision**

If you want to discuss my decision, or your further education, you may like to contact {insert title and name of Regional Case Manager}, by telephone on {insert Regional Case Manager’s phone number}.

Yours sincerely

{INSERT FULL NAME}

**Director-General or delegate**

**Department of Education**

 / /

Ref: ##/######

Enc: Attachment 1: Material facts and evidence supporting the decision

 Attachment 2: Guide to making a submission about the show cause notice to the Director-General

**Attachment 1: Material facts and evidence**

**Evidence or other materials considered:**

In arriving at my preliminary decision I considered the following information:

* Chapter 8 of the *Education (General Provisions) Act 2006* (Qld).
* *Human Rights Act 2019* (Qld).
* Departmental procedure: *Refusal to Enrol – Risk to safety or wellbeing.*
* {Set out all evidence or materials considered when making this decision}

**Material facts relied on to make my decision:**

* {Set out all material facts relied on to make this decision}

**Attachment 2: Guide to making a submission about the show cause notice to the Director-General (or delegate)**

***When should I use this guide?***

You should use this guide when you want to make a submission to the Director-General (or delegate) against a proposed refusal of enrolment decision. It is important to note that if no submission is received, under the *Education (General Provisions) Act 2006* (Qld)*,* the Director-General (or delegate) must refuse your enrolment.

***Where should I send my submission?***

The Director-General or their delegate will make a decision on your submission. Your submission can be sent via post or email to the below addresses. If you have any questions about the show cause process, please contact your Regional Case Manager.

**Postal address:** **Email address (for submissions only)**:

School Discipline Appeals Behaviour.Central@qed.qld.gov.au
State Schools - Operations

Department of Education
PO Box 15033
CITY EAST QLD 4002

***When do I need to lodge my submission?***

The submission must be received by the Director-General (or delegate) **within 15 school days** from when you are given this notice. If you require more time to prepare your submission, you must contact the Director-General (or delegate) in writing to request more time.

***Who can make a submission?***

* Students or their parents.
* Other persons (e.g. solicitor, social worker) can help you make the submission or can prepare it on your behalf, however you must give them permission to do so and provide written authorisation with your appeal.
* If you need assistance with the submission process or would like to make an oral appeal, you can contact your Regional Case Manager whose details are in the decision notice provided by the original decision maker.
* If you wish to obtain further details about the basis for the original decision, please contact your Regional Case Manager.

***What should I include in my submission?***

In your submission, you should state the reasons why you think the decision is unfair, outlining the facts that support your case as to why your enrolment at the school would not be a risk to others at school. Reasons for your submission may cover aspects such as:

1. objections to the processes undertaken (how the decision was made, investigation process etc.)
2. objections to the fact or reasons as given by the Director-General in the notification letter
3. objections to the perceived severity or fairness of the decision and/or
4. any new information that is relevant to the matter about the incident, or any outcomes of programs undertaken, court hearings etc.

An example of a submission is shown on the next page. This is just a guide and yours may look different.

***What happens with the information I provide?***

Any information you provide within your submission will be collated by appropriate central office staff for the Director-General’s (or delegate’s) consideration and final decision.

**Refusal to Enrol - Submission to show cause**

**TO:** School Discipline Appeals

 State Schools - Operations

Department of Education

**ADDRESS: Postal:** PO Box 15033

 CITY EAST 4002

 **Email:** Behaviour.Central@qed.qld.gov.au

**FROM: Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Relationship to Student\*:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Phone Contact:**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Email:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 *(\*If not a parent, written authorisation must be provided by parent and/or student.)*

**SUBJECT: Refusal to Enrol - Submission to show cause**

|  |
| --- |
| **STUDENT DETAILS:****Full name of prospective student:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**School name where enrolment refused:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date of show cause notification from Director-General:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Reasons for your submission (must be relevant to the current matter):**

**Other information and facts in support of the submission about the matter:**

**Signature of person making the submission**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date**: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

{Insert name of Principal}

{Insert address}

{Insert date of notice}

Dear {insert name of Principal}

**Re: application to enrol {insert NAME OF prospective student} at {insert name of school} – SHOW CAUSE NOTICE**

Please find attached a copy of the show cause notice sent to {insert name of prospective student}, care of {insert name of applicant}.

I have invited them to make a submission showing why {insert name of prospective student’s} enrolment should not be refused, in accordance with section 159 of the *Education (General Provisions) Act 2006*.

The reasons for my preliminary decision are outlined in the letter to {insert name of prospective student} and their parent/s.

Yours sincerely

{INSERT FULL NAME}

**Director-General or delegate**

**Department of Education**

 **/ /**

# Ref:

# Enc: Copy of show cause notification letter sent to student

{Insert name of Regional Case Manager}

{Insert address}

{Insert date of notice}

Dear {insert name of Regional Case Manager}

**Re: application to enrol {insert NAME OF prospective student} at {insert name of school} – SHOW CAUSE NOTICE**

Please find attached a copy of the show cause notice sent to {insert name of prospective student}, care of {insert name of applicant}.

I have invited them to make a submission showing why {insert name of prospective student’s} enrolment should not be refused, in accordance with section 159 of the *Education (General Provisions) Act 2006*.

The reasons for my preliminary decision are outlined in the letter to {insert name of prospective student} and their parent/s.

Please continue to work with {insert name of prospective student} and their parent/s to ensure they are able to access an educational program during the progress of this matter.

Yours sincerely

{INSERT FULL NAME}

**Director-General or delegate**

**Department of Education**

 **/ /**

# Ref:

# Enc: Copy of show cause notification letter sent to student

{Insert name of Regional Director}

{Insert address}

{Insert date of notice}

Dear {insert name of Regional Director}

**Re: application to enrol {insert NAME OF prospective student} at {insert name of school} – SHOW CAUSE NOTICE**

Please find attached a copy of the show cause notice sent to {insert name of prospective student}, care of {insert name of applicant}.

I have invited them to make a submission showing why {insert name of prospective student’s} enrolment should not be refused, in accordance with section 159 of the *Education (General Provisions) Act 2006*.

The reasons for my preliminary decision are outlined in the letter to {insert name of prospective student} and their parent/s.

Please ensure that {insert name of prospective student} and their parent/s have been informed, by telephone, of my decision and their opportunity to provide a submission within **15 school days** of receiving the show cause notice.

Yours sincerely

{INSERT FULL NAME}

**Director-General or delegate**

**Department of Education**

 **/ /**

# Ref:

# Enc: Copy of show cause notification letter sent to student

 Copy of notification letter sent to Principal

 Copy of notification letter sent to Regional Case Manager