

SUPPORT PERSON GUIDE

This information and checklist is to guide a support person in their role supporting students during an expulsion process.

A support person can be anyone a family trusts to act in the child or young person's best interests and who may speak on their behalf. They can be involved in supporting the student and family before, during and after the expulsion process to aid the student's positive engagement at school.

A support person cannot act for fee or reward.

A support person can also be accessed through the Department of Education and Training or from a community organisation.

ROLE OF THE SUPPORT PERSON

This person can provide a range of support or advocate for the student and/or their parent/carer, including:

- attending the behaviour support and intervention meeting
- explaining the expulsion process and helping to ensure student and parent/carer understand
- informing the student about their rights
- ensuring the school follows the legislated process and gives proper consideration to the *Charter of Human Rights and Responsibilities Act 2006*
- listening to concerns and questions; offering support
- explaining the outcome preferred by the student
- ensuring an opportunity to be heard
- helping to consider the next steps if a decision is made to expel the student
- ensuring the right paperwork is received (e.g. a Notice of Expulsion or a Student Absence Learning Plan)
- supporting the student through any subsequent appeals process
- supporting the student's transition to a new setting if required.

A SUPPORT PERSON IS NOT THERE TO

- make a decision for the child or young person
- act on behalf of the school or the Department.

EXPULSION PROCESS

Processes for expulsions in Victorian government schools are enshrined in *Ministerial Order 1125 – Procedures for Suspension and Expulsion of Students in Government Schools*, and set out within the Department's [Expulsion Policy](#).

Expulsion is only used as a last resort. On rare occasions, a student's behaviour may compromise the health, safety and wellbeing of other students and staff at the school. Where a behavioural

incident is of such magnitude that an expulsion is considered by the school principal, a transparent, fair and supportive process must be in place. Appropriate checks and balances at each stage is essential.

Students and their parent/carer can appeal an expulsion on a number of grounds. This right is reflected in Ministerial Order 1125.

BEHAVIOUR SUPPORT AND INTERVENTION MEETING

If a principal is considering expulsion, they must contact the student's parent/carer¹ and invite them and their child to a behaviour support and intervention meeting. Expulsion is not a pre-determined outcome of this meeting. This meeting provides the parent/carer and student with an opportunity to:

- hear grounds on which an expulsion is being considered and to respond and be heard
- provide any further context to the behaviour/s
- discuss next steps and supports

This meeting will also be attended by the:

- Principal and member/s of staff who have worked with the child or young person
- Regional Approved Support Person (an employee of the Department of Education and Training who can provide advice on supports).

SUPPORT PERSON CHECKLIST

During the Behaviour Support and Intervention Meeting

- Be familiar with the expulsion process so you can explain how it works and what support is available to the parent/carer and student
- Be familiar with grounds for expulsion outlined in Ministerial Order 1125
- Understand the reason(s) for why the Behaviour Support and Intervention Meeting has been called
- Gather any relevant information about the student that needs to be shared and/or discussed at the Behaviour Support and Intervention Meeting
- Listen to the student's and parent/carer's concerns and offer support
- Explain the purpose of the Behaviour Support and Intervention Meeting, who will be there and why they will be attending
- Help the student and parent/carer consider and outline the outcome they want

¹ Where a parent/carer is unable or unwilling to participate in the expulsion process, another relevant person may be selected. Details on who can act as a relevant person are set out in the Ministerial Order 1125 – also see [Identifying a Relevant Person](#). Where a student is over the age of 18 or considered a [mature minor](#), they may decide to represent themselves throughout the expulsion process and/or may directly engage with an advocate.

After the Behaviour Support and Intervention Meeting

- Discuss the meeting and help the student and parent/carer consider the next steps
- Check that the student and parent/carer are provided with the right paperwork and factsheets
- Explain the role and supports offered by the Regional Engagement Coordinator and other departmental supports such as local Area teams
- Provide support at any subsequent meetings, including those at a new setting
- Provide support at any subsequent appeal of an expulsion decision
- Follow up with the student and parent/carer at the new setting, if the student is expelled

How should schools keep a student engaged in education

- Encourage the student to attend school regularly
- Build a positive relationship with the student, and their parent/carer
- Engage relevant wellbeing professionals and supports in close consultation with the Department's local Area team
- Explore any underlying factors influencing student behaviour/s and the triggers for them (including conducting a Functional Behaviour Assessment)
- Establish a Student Support Group comprising the student, parent/carer, relevant school staff and engaged wellbeing professionals
- Utilise the Student Support Group to develop and implement a Behaviour Support Plan (and/or other appropriate plans that respond to their needs)
- Seek out community supports as appropriate
- Provide an opportunity for the student to be heard and to participate in decision making that affects them
- Encourage the student and their parent/carer to participate in the Behaviour Support and Intervention Meeting
- Follow the expulsion process outlined in Ministerial Order 1125 when considering expulsion
- Provide the parent/carer and student with *Information for Parents and Carers About School Expulsions* (factsheet) prior to the Behaviour Support and Intervention Meeting
- Propose a new educational setting that is appropriate for the student's skills and interests and is accessible and supportive, if required.