

## Estimates Committee 2007 Questions Taken On Notice

( 20/06/2006 to 31/08/2006 )

Date: 28/06/2007 Output: 1  
Sub Output: 1.2  
Subject: Review of Expulsion of Student

**From:** Mr Terrance Kennedy MILLS to Honourable Paul HENDERSON

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**Question:** 4-2  
If a student is expelled from the system, can that same student reapply for re-entry into it?

**Answer:**  
Answered On: 27/06/2007  
Answer: The minister can expel a student from a government school if he or she considers it necessary in the interests of other children attending the school – refer to section 28(1) of the Education Act. This is contrast to a suspension, which is a maximum period of four weeks, which can be effected by a head teacher/principal if they form the view that the student's continued attendance would be injurious to the health or moral welfare of other persons enrolled at the school by reason of the student's insolence, repeated disobedience, immoral conduct or serious breach of discipline – refer section 27(1) of the Act.

An expulsion can be reviewed at any time by the minister who may terminate the expulsion if he or she forms the view the student should no longer be expelled – refer section 28(2) of the Act. When a student is expelled, they cannot be enrolled at another government school without the permission of the minister. In effect, if the minister gave such permission, it would arguably amount to a review and termination of the expulsion. However, when a student is expelled, he or she may be enrolled at the NTOEC or School of the Air without having to obtain the minister's permission – refer section 29(a) of the Act, expulsion by the minister. The minister may at any time review an expulsion made under subsection (1) and where he is of the opinion that the child should be no longer expelled from the school referred to in that sub section, he or she may terminate the expulsion.