

Negotiated Transfer of Students Checklist



Melbourne Archdiocese
Catholic Schools

Schools may use this checklist to support procedural fairness and compliant record keeping. It does not replace the Student Behaviour Support Procedures or the Suspension, Negotiated Transfer and Expulsion of Students Procedures. A completed copy should be provided to the MACS Senior Manager, School Leadership (SMSL) in the relevant regional office.

School name	
Student name	
Student year level	
Student age	
Date	

	ACTIONS	CHECK
PRE-CHECK	This checklist is being completed by the principal (or delegate).	☐
	The Student Behaviour Support Policy, Student Behaviour Support Procedures and Suspension, Negotiated Transfer and Expulsion of Students Procedures have been reviewed.	☐
AUTHORITY	The negotiated transfer has been authorised by the principal (or delegate).	☐
	The negotiated transfer has been made in agreement with the parents and carers.	☐
CONTEXT	The negotiated transfer has been considered because either:	
	(a) unacceptable behaviour has occurred or has risen to a level where continued enrolment of the student at the school is not in their educational interests or the interests of others in the school community	☐
	(b) the interventions or reasonable adjustments put in place to support the student at the school have not resulted in a positive change in behaviour.	☐
	Prior to initiating the negotiated transfer, the principal has considered the circumstances in which a negotiated transfer of enrolment will not be appropriate, where student behaviour is serious or repeated, or the student is considered to be a risk to the safety of other students, staff or the school community.	☐
GROUNDS	The student has met the following grounds for negotiated transfer:	
	(a) has breached the school's enrolment agreement, including but not limited to the MACS Student Code of Conduct, Student Behaviour Support Policy, Student Bullying Prevention and Response Policy, and ICT Acceptable Usage Policy – Students, which is determined to be sufficiently serious	☐



	ACTIONS	CHECK
	(b) behaves in a way that poses a serious risk to the health, wellbeing or safety of any person	☐
	(c) verbally or physically abuses another student, staff member or member of the community	☐
	(d) engages in behaviour that vilifies, defames or humiliates another person who is identified or perceived by reference to any characteristics protected under the Equal Opportunity Act	☐
	(e) does not comply with a clear and reasonable instruction from a staff member which disrupts class activities or places a person at risk	☐
	(f) causes significant damage or destruction to property	☐
	(g) brings an item to be used as a weapon onto school property	☐
	(h) commits, attempts to commit or is knowingly involved in the theft of property	☐
	(i) possesses, uses or sells, or deliberately assists another person to possess, use or sell, illicit substances or weapons	☐
	(j) commits a serious offence which jeopardises the safety or security of other members of the school community, or which has the potential to seriously harm individuals and/or the reputation of the school	☐
	(k) engages in cyberbullying, exchanges violent imagery or text, and/or inappropriately uses artificially generated materials and/or deepfakes within online environments against others regardless of where the content was created	☐
	(l) engages in inappropriate conduct with, or in relation to, staff online or on social media platforms	☐
	(m) is alleged to have broken the law	☐
	(n) engages in behaviour that consistently disrupts the learning environment or impacts the safety and wellbeing of others, despite existing supports and reasonable adjustments.	☐
	Other exceptional circumstances requiring approval from the MACS General Manager (Region).	☐
PROCEDURAL FAIRNESS	Policy and procedures have been applied in a fair, reasonable and consistent manner, ensuring procedural fairness and non-discriminatory practices.	☐
	Any information provided to the student and parents and carers is accessible, age-appropriate and available in multiple languages and formats as required.	☐
	The student and parents and carers have been given meaningful opportunity to be heard throughout the negotiated transfer process.	☐
	Information about the behaviour gathered from students, staff and/or parents and carers has been carefully reviewed and considered.	☐



	ACTIONS	CHECK
SUPPORT/ CONSIDERATIONS	In accordance with Child Safe Standard 5, the additional circumstances of students who may experience vulnerability have been carefully considered, and direction and support have been sought from the MACS Student Engagement unit and SMSL, prior to any negotiated transfer being issued.	☐
	Alternative behavioural interventions and reasonable adjustments have been considered as opposed to negotiated transfer.	☐
	Sufficient interventions and support strategies have been implemented prior to the negotiated transfer decision, with documented evidence available.	☐
INITIAL RESPONSE	The MACS SMSL in the relevant regional office has been consulted.	☐
	The student/s, parents and carers have been notified that a behaviour incident has occurred.	☐
	If appropriate, the suspension process has been initiated.	☐
	A letter has been prepared with the MACS SMSL to the parents and carers which: - clearly states the allegations and the proposed grounds for a negotiated transfer - includes an invitation to meet with the principal (online option available) and, where appropriate, regional office leaders.	☐
CONSULTATION	A meeting has been held with the student, parents and carers to: - outline the allegations and the proposed negotiated transfer - provide all parties with an opportunity to respond to the allegations and to be heard.	☐
	The meeting has been conducted in a way that: - ensures it is accessible and culturally safe - enables meaningful participation and, if appropriate, allows for a support person to attend.	☐
AGREEMENT	At the meeting, agreement to the proposed negotiated transfer has been either: reached not reached, and the student, parents and carers have been provided with seven working days to consider the agreement.	☐
	If agreement was reached - The principal has liaised with up to three alternative education settings following the order of priority for a new education setting: - a MACS school - a Catholic school - any other appropriate education setting.	☐
	The principal has consulted with the alternative education settings to see whether the student meets the enrolment requirements of those education settings.	☐

	ACTIONS	CHECK
	The principal has communicated the alternative education settings to parents and carers. (Note: If the parents and carers do not agree to the proposed alternative education settings, the principal may support them with enquiries at other settings. However, enrolment cannot be guaranteed and the student must meet the new education setting's enrolment requirements. It remains the responsibility of parents and carers to make enquiries at new education settings and determine if those settings are suitable for the student to enrol.)	☐
	The parents and carers have been allowed 14 days (or longer if deemed necessary) from the date the agreement was reached to nominate and confirm enrolment at an alternative education setting.	☐
	The principal has provided written confirmation to the student and parents and carers when the transfer of enrolment has been finalised.	☐
	If agreement was not reached The parents and carers have notified the principal in writing within seven working days of the date of the meeting with the school. The principal may then initiate the expulsion process.	☐
CONTINUATION OF LEARNING	In accordance with the Student Absence Guidelines for MACS Schools , appropriate learning arrangements have been made for the duration of the student's suspension. Suspensions involving a recommendation for negotiated transfer: The principal arranges for the student to participate in a learning program that enables them to maintain progress in their education during the suspension.	☐
REPORTING	Where there is reasonable suspicion that a criminal offence may have occurred, the matter has been referred to Victoria Police.	☐
	Any incident resulting in injury has been reported via MACS Guard .	☐
DUTY OF CARE	Suspension procedures have been followed if it is not safe for the student to remain on school grounds during the negotiated transfer process.	☐
	The student has remained enrolled at the school until the negotiated transfer process has been completed.	☐
STUDENT SUPPORT	Wellbeing and pastoral support has been provided to the student.	☐
EXIT/TRANSITION	The principal has supported the transfer by providing relevant documentation to the new school, including the student's learning plan. (Note: The sharing of information with the new school must follow the MACS Privacy Policy.)	☐
RECORDING AND DOCUMENTATION	An accurate record of the negotiated transfer is maintained in a register and kept on the student's file.	☐
	Any suspension during the negotiated transfer process has been recorded as an approved absence in the school's learning management system.	☐

