

## **VICTORIAN INSTITUTE OF TEACHING REGISTRATION SUSPENSION POLICY APPLYING TO REGISTERED TEACHERS WHO HAVE NOT PAID THE ANNUAL REGISTRATION FEE OR FEE FOR NCHRC**

Sections 2.6.21, 2.6.22A, 2.6.28, 2.6.56 and 77 of the *Education and Training Reform Act 2006* (the Act) outline the requirements and penalties relating to the suspension of a teacher's registration. Under the Act, suspension of registration means that a teacher is not registered and therefore cannot teach in any Victorian school for the duration of their suspension.

The Institute will administer the requirements of the Act in the following manner.

Suspension of a teacher's registration is initiated by the Institute once the teacher fails to respond by the advised due date, to a final notice requiring action to resolve their registration status.

Upon a decision by the Institute to suspend a teacher's registration, the teacher will be advised by letter which will provide at least one week's notice of the effective date of the registration suspension. At the same time, the Institute will advise the school principal of the suspension of the teacher's registration where the teacher's school is known to the Institute. For teachers employed in government schools, the Institute will advise the Department of Education & Early Childhood Development (DEECD). The teacher's suspended registration status will be displayed on the Institute's secure *Online Teacher Registration Status Report*, available to all school principals.

To avoid the registration suspension coming into force, the teacher must resolve their registration status in one of the ways indicated below, prior to the effective date of registration suspension. (Thus payment, for example, would have to have been recorded in the Institute's 'recall file' from the bank prior to the effective date of suspension.)

### **Failure to pay the Annual Fee**

Prior to the suspension date, a teacher's registration status is resolved by one of three possible actions: payment of the invoiced registration fee, submitting a successful application for an approved waiver of the fee, or formally advising the Institute that they no longer want to be registered. The last of these will require the teacher to submit a full registration application and meet the registration criteria applicable at the time, should they subsequently wish to re-enter the profession.

Once the registration suspension comes into force, (i.e. after the effective date of registration suspension) the registration suspension may be revoked only if the teacher sets out in writing a reasonable excuse for the failure to pay the fee **and** pays the fee or submits a successful application for a waiver of the fee.

The Institute will consider the following matters in relation to whether the excuse provided by the teacher is determined to be reasonable:

- previous correspondence forwarded by the Institute and any reply received;
- the period of time elapsed since the teacher was registered;
- whether the teacher has worked in a Victorian school in the preceding years;

- whether the teacher has been on leave from their employer and the nature of that leave;
- any circumstances that meant the teacher was unlikely to be aware of their registration requirements.

The teacher's suspension may be revoked from the day the Institute determines that the teacher's excuse is reasonable and confirms that the fee has been received. The Institute will advise the teacher and the school principal of the revocation of the suspension. For teachers in government schools, the Institute will also advise the DEECD.

### **Failure to pay a fee for conduct of a National Criminal History Check (NCHRC)**

A teacher's registration status is resolved by one of the following: payment of the invoiced NCHRC fee or formally advising the Institute that they no longer want to be registered.

The suspension will be lifted once the outstanding NCHRC fee is paid. It is not necessary in this case to provide a written reason for non payment.

### **Period of suspension of registration**

If the teacher's suspension is not successfully revoked, the suspension remains in force until the teacher's registration would otherwise expire (eg at the conclusion of the designated period of provisional registration or Permission to Teach, or when full registration is due to be renewed). At that time, the registration will expire, in which this case the teacher foregoes all previously granted registration entitlements and is required to go through the applicable processes and criteria for registration as a new applicant.