



SCOIL MUIRE CARLANSTOWN

ROLL NO. 18132Q

CODE OF BEHAVIOUR

EXPULSION PROCEDURES

The Board of Management has the authority to expel a pupil. This authority is a reserved function of the Board of Management and is not delegated to the Principal. Before expelling a pupil, the school will have taken significant steps to address the misbehaviour and to avoid expulsion of a pupil including, as appropriate:

- 1. Meeting with parents and the student to try to find ways of helping the student to change their behaviour.*
- 2. Making sure that the student understands the possible consequences of the behaviour, if it should persist.*
- 3. Ensuring that all other possible options have been tried.*
- 4. Seeking the assistance of support agencies, if appropriate*

A proposal by the Board of Management to expel a student requires serious grounds, such that:

- 1. The student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process.*
- 2. The student's continued presence in the school constitutes a real and significant threat to safety.*
- 3. The student is responsible for serious damage to property*
- 4. While the grounds for expulsion may be similar to those of suspension, where expulsion is considered, the school authorities are satisfied that they have tried a series of other interventions and are satisfied that they have exhausted all possibilities for changing the students behaviour.*

Expulsion for a First offence

The Board of Management reserves the right to expel pupils for a first offence for the following behaviours:

- 1. A serious threat of violence against another pupil or member of staff.*
- 2. Actual violence or physical assault.*
- 3. The supply of illegal drugs to other students in the school.*
- 4. Sexual assault.*

Expulsion

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the following procedural steps will apply:



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ROLL No. 18132Q

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1. *A detailed investigation carried out under the direction of the Principal.*
2. *A recommendation to the Board of Management by the Principal.*
3. *Consideration by the Board of Management of the Principal's recommendation and the holding of a hearing.*
4. *Board of Management deliberations and actions following the hearing*
5. *Consultations arranged by an Education Welfare Officer of the National Educational Welfare Board*
6. *Confirmation of the decision to expel.*

Step 1: A detailed investigation carried out under the direction of the Principal

In investigating an allegation the principal will:

- *Inform the student and parents about the details of the alleged misbehaviour, how it will be investigated and that it could lead to expulsion.*
- *Give the parents and student every opportunity to respond to the complaint before a decision is made and a sanction imposed.*
- *Parents will be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know.*

Step 2: A recommendation to the Board by the Principal

Where the principal forms the view, based on the investigation that expulsion may be warranted, the principal makes a recommendation to the Board of management to consider expulsion. The principal will

- *inform the parents and the student that the Board of Management is being asked to consider expulsion*
- *ensure that parents have records of: the allegations against the student; the investigation; and written notice of the grounds on which the Board of Management is being asked to consider expulsion*
- *provide the Board of Management with the same comprehensive records as are given to parents*
- *notify the parents of the date of the hearing by the Board of Management and invite them to that hearing*
- *advise the parents that they can make a written and oral submission to the Board of Management*
- *ensure that parents have enough notice to allow them to prepare for the hearing.*

Step 3: Consideration by the Board and the holding of a hearing

The Board will review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. It will ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations.



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ROLL No. 18132Q
CODE OF BEHAVIOUR

Where a Board of Management decides to consider expelling a student, it will hold a hearing. At the hearing:

- *The Principal and the parents will put their case to the Board in each other's presence.*
- *Each party will be allowed to question the evidence of the other party directly.*
- *The meeting may also be an opportunity for parents to make their case for lessening the sanction.*
- *Parents may wish to be accompanied at hearings and the Board will facilitate this.*
- *After both sides have been heard, the Board will ensure that the Principal and parents are not present for the Board's deliberations.*

Step 4: Board of Management deliberations and actions following the hearing

Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board will notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (Education (Welfare) Act 2000, s24(1)). The student will not be expelled before the passage of twenty school days from the date on which the EWO receives this written notification (Education (Welfare) Act 2000, s24(1)). The Board will inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents will be told that the Board of Management will now inform the Educational Welfare Officer.

Step 5: Consultations arranged by the Educational Welfare Officer

To ensure that arrangements are made for the student to continue in education the Educational Welfare Officer will:

- *make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance.*
- *convene a meeting of those parties who agree to attend (Education (Welfare) Act 2000, section 24).*

Pending these consultations, the Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (Education (Welfare) Act 2000, s24(5)). The Board may consider it appropriate to suspend a student during this time. Suspension will be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others, or represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel

Where the twenty-day period following notification to the Educational Welfare Officer has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management will



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ROLL No. 18132Q

CODE OF BEHAVIOUR

formally confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parents will be notified immediately that the expulsion will now proceed. Parents and the student will be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record will be made of the decision to expel the student.

Review of use of expulsion

The Board of Management will review the use of expulsion in the school at regular intervals to ensure that its use is consistent with school policies and to ensure that expulsion is used appropriately.

Reviewed and revised as part of the Code of Behaviour Review by Board of Management on 24th June 2019.

Signed: *Jim Doyle*

Chairperson, Board of Management

Date: *24/6/2019*

Signed: *Sarah Connors*

Principal

Date: *24/6/2019*