

## **EXPULSION POLICY**

The Board of Management of Pobalscoil Chorca Dhuibhne has agreed the following in relation to the expulsion of a student.

1. Only the Board of Management has the authority to expel a student. This authority will not be delegated.
2. Expulsion of a student is a very serious step and will only be taken by the Board in extreme cases of unacceptable behaviour. Such behaviour may include:
  - Significant disruption to the learning of others or to the teaching process.
  - A serious threat of violence against other students or members of staff.
  - Actual violence or physical assault.
  - Supplying illegal drugs.
  - Sexual assault.
  - Deliberate serious damage to property.
  - Serious misuse of technology.
3. In most cases before considering expulsion the school will have taken significant steps to address the student's behaviour. These steps may include:
  - Meeting with parents/guardians and the student to try and find ways of helping the student to change their behaviour.
  - Making sure that the student understands the possible consequences of their behaviour, if it should persist.
  - Ensure that all other possible options have been tried
  - Seeking the assistance of support agencies (e.g. National Educational Psychological Service, Health Service Executive Community Services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education).
4. However there may be exceptional circumstance where the Board of Management forms the opinion that a student should be expelled for a first offence. Due process and fair procedures will be followed in all cases and the principles of natural justice will apply.
5. The following are the procedures for the investigation of misbehaviour which may lead to expulsion:
  - The Principal will ensure that there is a thorough investigation of the incident. The student may be suspended from school while this investigation is taking place.
  - The Principal will inform the student and the parents/guardians, in writing, of the details of the alleged misbehaviour and the possibility that it could result in expulsion.
  - The student and parents will be given every opportunity to respond to the complaint before a final decision is made. If the final decision is that the Principal intends to recommend expulsion to the Board of Management

then the parents will be invited to a meeting with the Principal before the recommendation is taken to the Board.

- The Principal will provide the parents/guardians and the Board of Management with records of the allegations, the investigation and also the grounds on which the Board is being asked to consider expulsion.
- The parents will be notified of the date of the Board of Management hearing and will be invited to attend. They will be given adequate notice of the meeting and will be informed that they may make a written and oral submission to the Board. The written submission may be made in advance.

6. The Board of Management Hearing:

- The Board will ensure impartiality and a Board member who has had any involvement in the circumstances of the case will not take part in the hearing.
- At the hearing the Principal and the parents/guardians, or a student who is eighteen years or over, will put their case to the Board in each others presence.
- Parents/guardians may wish to be accompanied at such hearings and the Board will facilitate this; legal accompaniment is not acceptable at this stage.
- Neither Principal nor parents/guardians will be present when the Board is making its decision.

7. Following the Board Decision:

- If the Board decides that the student should be expelled, the Board must notify the parents and the Education Welfare Officer, in writing, of its decision and the reasons for its decision.
- The expulsion will not be implemented until twenty days from the date on which the Education Welfare Officer receives written notification of the expulsion.

8. Involvement of the Education Welfare Officer:

- Within this twenty day period, the Education Welfare Officer will convene meetings with relevant parties to ensure that arrangements are made for the student to continue in education.
- While these negotiations are taking place, and before the expulsion is finalised, the Board may consider it necessary to continue the student's suspension from school.
- After the twenty days has elapsed, where the Board remains of the view that the student should be expelled, the decision will be formally confirmed to the parents/guardians and the student in a registered letter signed by the Chairperson and the Principal.
- The parents/guardians will be told about the right to appeal and supplied with the appropriate form. This appeal is made to the Secretary General of the Department of Education and Science.

This policy was ratified by the Board of Management on the (date) and will be reviewed in the academic year beginning Sept. 1<sup>st</sup> 2013.

This policy is informed by and compliant with the following legislation:

Education Act 1998

Education Welfare Act 2000

Education (Miscellaneous) Provisions Act 2007

Equal Status Act 2000

Education for Persons with Special Education Needs 2004

It is also guided by the NEWB Developing a Code of Behaviour: Guidelines for Schools.