

Pobalscoil Neasáin



Expulsion Policy

The Board of Management of Pobalscoil Neasáin has the authority to expel a student, having complied with the provisions of section 24 of the Education (Welfare) Act 2000. Expulsion is the most severe sanction available to the school and will only be imposed for very serious breaches of school rules or where the rights of a greater number of students are being denied because of the continual disruptive behaviour of an individual.

Expulsion will only be considered as a proportionate response to the student's behaviour and after significant steps have been taken to address the misbehaviour, in an attempt to avoid expulsion of the student.

Interventions may include, as appropriate:

- involving parents and the student in finding strategies to alter the behaviour.
- promoting and developing student responsibility to ensure that the student understands the possible consequences of their behaviour.
- ensuring that all other options have been tried.
- seeking the assistance of support agencies

A proposal to expel a student requires serious grounds. Examples of such behaviours but not limited to are:

- the student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process.
- the student's continued presence in the school constitutes a real, significant threat to safety.
- the student is responsible for serious damage to property.
- bullying that is unresolved despite appropriate interventions.

Expulsion for a first offence

There may be exceptional circumstances where an expulsion may be proposed for a first offence. Such behaviours may include:

- actual violence or physical assault
- possession or supply of illegal drugs
- sexual assault

Factors to be considered before proposing to expel a student.

The nature and seriousness of the behaviour

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been and over what period of time?
- Has the problem behaviour escalated, in spite of the interventions tried?

The context of the behaviour

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

The impact of the behaviour

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?

The intervention tried to date

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of these interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health services)?
- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?

Whether expulsion is a proportionate response

- Is the student's behaviour sufficiently serious to warrant expulsion?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

The possible impact of expulsion

- To what extent may expulsion exacerbate any social or educational vulnerability of the student?
- Will the student be able to take part in, and benefit from, education with their peers?
- In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?

Procedures in respect of expulsion

Pobalscoil Neasáin will follow fair procedures as prescribed under the Education (Welfare) Act 2000, and under Section 10.3 and 10.4 of the NEWB “Developing a Code of Behaviour: Guidelines for School” publication when proposing to expel a student.

1. Detailed investigation:

A detailed investigation will be carried out under the direction of the Principal. The Principal will produce a report and consult with the student and parents giving them an opportunity to respond.

2. Recommendation to the Board of Management by the Principal

Where the Principal forms the opinion, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal will make a recommendation to the Board of Management to consider expulsion.

The Principal will inform the student’s parents in writing of the decision, the reason/s for it and of their right to make representations to the Board of Management on behalf of the student. The Principal will notify the parents of the date of the hearing by the Board of Management and ensure that the parents have records of the allegations against the student; the investigation; and written notice of the grounds on which the Board of Management will be asked to consider expulsion. The parents will be advised that that they can make a written and/or oral submission. The parents will be advised that they may be accompanied to the Board of Management meeting by a representative, if requested.

3. Consideration by the Board of Management

At the hearing the Principal and the parents, or a student aged eighteen years or over, will put their case to the Board in each other’s presence. The Board will ensure that the Principal and parents are not present for the Board’s deliberations.

4. Board of Management deliberations and actions following the hearing

If the Board of Management forms the opinion that the student is to be expelled, the Secretary of the Board will inform the parents and the Educational Welfare Officer in writing of the Board’s decision. Parents will be informed of their right to appeal under Section 29 of the Education Act 1998. A student will not be considered expelled before the passing of twenty school days from the receipt of notification to expel by the Education Welfare Officer.

5. Consultation with the Education Welfare Officer

Within twenty days a meeting will be convened by the Education Welfare Officer under Section 24 of the Education (Welfare) Act 2000 between the Education Welfare Officer, parents, and the Principal.

6. Confirmation of the decision to expel.

When the twenty-day period has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management will confirm the expulsion. The Board of Management reserve the right to delegate this task to the Chairperson and Principal. The parents of the student will be notified that the expulsion will proceed and advise of the right to appeal the expulsion under Section 29 of the Education Act 1998.

Review:

The Board of Management of Pobalscoil Neasáin will review this policy in the light of legislation or developments or upon request by the partners.

Adopted by Board of Management 25th May 2010

Reviewed and amended by the Board of Management on 3/12/2019.