



SUSPENSIONS AND EXPULSIONS POLICY

INTRODUCTION

This document outlines the school's approach to suspension and expulsion and has been formulated taking due consideration of the rights and responsibilities inherent in the Education Act 1998, Education Welfare Act 2000, Equal Status Act 2000 and the principles of Fairness and Natural Justice (Appendix A).

GENERAL PRINCIPLES

1. Students have a statutory obligation to attend school up to 16. Accordingly students have a right to attend school up to that age.
2. Having been admitted to a school, all students have the right to learn in an orderly and caring environment. All schools need to establish and maintain high expectations of student behaviour. All members of the school community should be aware of these expectations, and participate in their development.
3. All students and teachers have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination.
4. There will be cases of unacceptable behaviour where it will be in the best interests of the school community and/or the student involved, for the student to be removed from the school for a period of time or completely. Suspension or Expulsion are the options available to the Principal and/or Board of Management in these situations. [Examples of "unacceptable behaviour" are contained in the Code of Behaviour document].
5. Collaboration between Board of Management, school staff, students and parents is an important feature of Behaviour Management in schools. All should be fully aware of the suspension and expulsion procedures and their place in the context of the school's Code of Behaviour.
6. Suspension is only one strategy within a school's Code of Behaviour. It is most effective when it highlights the parents'/guardians' responsibility for taking an active role, in partnership with the school, to work with their child to enable the child's behaviour to change. The school will work with parents/ guardians with a view to assisting a suspended student to re-join the school community as quickly as possible.
7. Suspension allows students time to reflect on their behaviour, to acknowledge and accept responsibility for the behaviour which led to the suspension and to accept responsibility for changing their behaviour to meet the school's expectations in the future. It also allows time for school personnel to plan appropriate support for the student to assist with successful re-entry
8. The Principal has authority, under the Articles of Management for Secondary Schools, to suspend "any pupil for a limited period and shall report any such suspension to the Board of Management at its next meeting". [Article 19(b)].
9. If, in the judgement of the Principal, a pupil should be expelled, the Principal shall refer the matter to the Board of Management for decision. [19(c)]
10. The Board of Management and the Principal will exercise this authority having regard to their responsibilities to the whole school community and to the Principles of Natural Justice (Appendix A).
11. In implementing these procedures, the Principal and Board will ensure that no student is discriminated against on any of the following grounds:
 - Gender
 - Civil status
 - Family status
 - Sexual orientation
 - Religion

- Age
 - Disability
 - Race (colour, nationality/citizenship, ethnic/national origin, membership of ethnic/racial groups)
12. The Board of Management will also ensure that the implementation of these procedures will take into account such factors as:
- (a) The age and state of health of the pupil
 - (b) The pupil's previous record at the school
 - (c) Any particular circumstances unique to the pupil which might sensibly be taken into account in the connection with the behaviour, e.g. strained or traumatic domestic situations
 - (d) The extent to which parental, peer or other pressure may have contributed to the behaviour
 - (e) The degree of the severity of the behaviour, the frequency of its occurrence and the likelihood of its recurring.
 - (f) Whether or not the behaviour impaired or will impair the normal functioning of the pupil or other pupils in the school
 - (g) Whether or not the behaviour occurred on school premises or when the pupil was otherwise in the charge of the school staff or when he/she was on the way to or from school. An important consideration in cases of doubt is the extent to which behaviour away from the school had a serious impact on the life of the school
 - (h) The degree to which behaviour was a violation of one or more rules contained in the school's Code of Behaviour and the relative importance of the rule(s).
 - (i) Whether the incident was perpetrated by the pupil on his or her own or as part of a group
- 13 Depending on the nature and extent of the misbehaviour the support of other agencies such as the National Education Welfare Board (NEWB) or the National Educational Psychological Service (NEPS) may be sought by the Board of Management

The Principles of Natural Justice (Appendix A) are fundamental to the implementation of these procedures.

SUSPENSION

Reasons for the suspension of a pupil must be linked with the Code of Behaviour, of which the student and parents/guardians must have received copies, be familiar with its contents, and preferably have signed that they have read and understood the Code.

In general, there are two sets of circumstances under which suspension will be imposed:

- a) Serious breaches of the Code of Behaviour that indicate that the student should be removed from the school. In serious cases, particularly where Health and Safety is an issue, it may be necessary to suspend a student with immediate effect pending an investigation.
- b) Repeated less serious breaches of the Code of Behaviour that have not been rectified by disciplinary measures short of suspension.

Examples of serious and repeated less serious breaches of the Code of Behaviour are listed in the Code of Behaviour of the school.

Suspension Procedure

In the event that the Principal exercises his authority to suspend a student for a fixed duration, the following procedure will be used.

1. The Principal will consider the factors outlined in Appendix B.
2. The incident will be investigated and the student and parent will be given an opportunity to respond before a suspension decision is formalised.
3. The parents/guardians of the student will be contacted by telephone and informed of the situation. A written notification of the suspension decision will be posted to the parents/guardians. The parents/guardians will be offered the opportunity to visit the school to discuss the suspension.
4. In cases where the suspension is to take effect immediately, such as in the interests of Health and Safety, parents/guardians will be informed by telephone and will be required to come to the school for a meeting and to collect their child. The child will be supervised up to the time of collection. There will also be written notification posted to the parent following the meeting
5. Students will not be sent home during a school day unless collected by a parent/guardian or some other suitable arrangement is made.

All suspension decisions will include a formal letter of notification that will include, at least:

- Notice of the suspension.
- Effective date of the suspension.
- Duration of the suspension.
- Reason(s) for the suspension.

Where appropriate, this letter may also include some or all of the following:

- Expectations of the student while on suspension.
- Reference to the importance of parental assistance in trying to resolve the matter causing suspension.
- A statement that the student is under the care and responsibility of parents/guardians while suspended.
- A statement that the National Educational Welfare Board has been informed of the suspension (where the suspension is for 6 days or more or where the student has been suspended for 20 cumulative days or more in the current academic year).
- Information of the appeal rights and procedures regarding the suspension.
- Requirements to be met for the student's return to school.
- If consideration is being given to the process of expulsion, the letter will make this clear.

Appeals & Suspension Removal

Section 23 (2) d of the Education Welfare Act 2000 requires the school to publish the grounds for removing a suspension. This implies that a system is in place for review/appeal of a suspension.

The Principles of Natural Justice (Appendix A) demand that there should be available a right of appeal to a higher authority and as a result a student or his parents/guardians may appeal the Principal's decision to suspend to the Board of Management. Such an appeal must be made in writing, within 5 working days of the date of the notice of the suspension to the Secretary of the Board and must state the grounds on which the appeal is being made. However, the school may insist that the student remain at home while the appeal proceeds. The appeal will be considered in the first instance by the Chairperson of the Board of Management and the Principal. Any such appeal will consider procedural fairness and the

right of a student to an impartial judgement. In the event that an appeal is successful, the suspension will be lifted and if the suspension has already been served it will be expunged from the student's record. An appeal of a suspension decision may also be made under Section 29 of the Education Act, where a student has been suspended for 20 days or more. Information regarding this right of appeal will be provided with formal notification of the suspension, if applicable. Beyond success in such appeals, a suspension may be rescinded in the following circumstances (grounds for suspension removal):

- The Principal may agree that an alternative sanction be applied following discussion with the student's parents/guardians. The Principal will where appropriate also consult with any relevant school personnel regarding an alternative sanction.
- New circumstances come to light after the suspension has been applied that would have mitigated the sanction had they been known beforehand.
- Other mitigating factors consistent with the application of the Principles of Natural Justice (Appendix A).

In the event of the cumulative period of suspension being 20 days or more, appeals (External Section 29 Appeal) must be made to The Secretary General of the Department of Education and Science. This must be done within 42 days of the notification of suspension. (Appendix D Circular M48/01).

Suspension Completion

Upon completion of a suspension, the following procedures may apply for the formal reintroduction of the student into the school.

- Parents may be requested to attend with the student upon his/her return to school.
- A written or verbal apology may be required of the student for his/her misbehaviour.
- A student's return to school may be conditional or the student may be required to enter into a Contract of Behaviour before being allowed return to school. Other agreed conditions may include counselling, referral to NEPS and/or other pastoral supports.

Suspension during State Examinations

Suspension during State Examinations must be approved by the Board of Management and will only be used where there is a threat to:

- good order in the conduct of the examination
- the safety of other students and personnel
- the right of other students to do their examination in a calm atmosphere.

This sanction will be treated like any other suspension and the Principles of Natural Justice will be applied (Appendix A)

Suspension Reporting

Each suspension (reason and duration) will be reported to the Board of Management at the next available meeting.

Where appropriate, suspension will be reported to the NEWB/Tusla and in particular, if a student is suspended for a period of 6 cumulative days or more, the Principal must inform the Educational Welfare Officer. If a student is suspended for a cumulative total of 20 days or more in one school year, the Principal must inform the Educational Welfare Officer.

EXPULSION

Expulsion is the ultimate sanction imposed by the school on a student and, as such, will only be exercised by the Board of Management in relation to cases of extreme indiscipline. In cases where the Principal judges that a student's actions are such that expulsion should be considered, the Principal will refer the matter to the Board of Management. Given the severity of the potential sanction, the school, in accordance with the Principles of Natural Justice (Appendix A), will investigate extreme indiscipline cases thoroughly in advance of any hearing that could result in an expulsion. In general, there are two sets of circumstances in which expulsion may be considered to be appropriate by the school.

- a) Cases where the in-discipline of a student is so pervasive that teaching and learning become extremely difficult. Such cases include but are not limited to:
 - The student being so disruptive that he/she is seriously preventing other students from learning.
 - The student being uncontrollable or not amenable to discipline or authority.
 - Parents/Guardians being unable or refusing to exercise their responsibility for the student.
 - The student being a danger to him/herself or to others.
 - When guarantees of reasonable behaviour following repeated suspensions are not forthcoming or not being met.
 - The student's conduct is a source of serious bad example and is having an adverse influence on other students in the school.

- b) First time offences of a very serious nature. Such cases include but are not limited to:
 - Serious assault.
 - Trafficking in drugs.
 - Arriving in school under the influence of alcohol or drugs.
 - Serious burglary or theft.
 - Causing major damage to school property.
 - Gross insubordination to the Principal or other staff members.
 - Brandishing of an offensive weapon

In the interest of ensuring a fair and even-handed system for the imposition of suspension, the Board of Management will, among other things, take account of the following factors in determining an expulsion:

- The age and state of health of the student.
- The student's previous record of behaviour at the school.
- Any mitigating circumstances unique to the student that might reasonably be taken into account in connection with the behaviour leading to the suspension.
- The degree to which parental, peer, or other pressure might have contributed to the behaviour.
- The severity of the behaviour, its frequency, and the likelihood of recurrence.
- The extent to which the behaviour impaired or will impair the normal functioning of the student and others in the school community.
- The degree to which the behaviour was a breach of the Code of Behaviour.
- Whether the incident was the result of the student acting alone or as part of a group.
- The degree to which the student recognises and accepts that his behaviour was unacceptable and is prepared to exhibit genuine contrition.

Expulsion Procedure

Except in exceptional circumstances, expulsion will only be resorted to after the Principal has:

1. Considered the factors outlined in Appendix C.
2. Ensured that all discipline options under the Code of Behaviour have been applied and documented.
3. Ensured that all appropriate support personnel, both internal and external, have been involved.
4. Ensured all other procedures, referrals, supports have been exhausted.
5. Ensured that discussion has occurred with the student and parents/guardians regarding specific misbehaviour that the school considers unacceptable and that may lead to permanent exclusion.
6. Provided formal verbal and written warnings at appropriate times dealing with such behaviours and provided clear expectations of what was required of the student in the future.
7. Recorded all action taken and copied all correspondence.
8. Informed the parents/guardians of his/her intention to recommend expulsion to the Board of Management.
9. Invited the parents/guardians to the Board of Management hearing.
10. Invited the parents/guardians to make a written submission in advance of the Board meeting.
11. Provided in advance the parents/guardians with a full, written description of the allegations against the student and the case being made at the Board, together with copies of all documentation, statements, and other materials supporting that case.
12. Made a formal recommendation to the Board with full supporting documentation.

Following these actions by the Principal, expulsion will still only occur after the Board of Management has:

1. Heard the Principal's case against the student – made in the presence of the parents/guardians.
2. Heard the response of the parents/guardians.
3. Examined all the documentation.
4. Considered the student's record in the school.
5. Ensured that the Principal is not present for the Board's decision on the matter.
6. Discussed the case in detail.
7. Considered all the commitments made in the Code of Behaviour.
8. Made a final decision to expel.
9. Communicated the decision to expel to the parents/guardians formally by registered letter.
10. Informed the National Educational Welfare Board (under Section 24 (1) of the Education Welfare Act 2000) of its decision and the reasons why in writing. A student shall not be expelled from the school “before the passing of 20 school days following the receipt of a notification to expel” by the National Educational Welfare Board. This is “without prejudice to the right of the Board of Management to take such reasonable measures as it considers appropriate to ensure that good order and discipline are maintained in the school and that the safety of students is secured”

The formal letter of notification will include:

- Notice of the expulsion.
- Effective date of the expulsion.
- Reasons for the expulsion.

- A statement that the National Educational Welfare Board has been informed of the expulsion.
- A statement that the student is under the care and responsibility of the parents/guardians for the period of 20 days required by the National Education Welfare Board to examine alternate provisions for the education of the student.
- Information and documentation on Appeal rights.

Within 20 days of receipt of notification from the Board of Management, the Educational Welfare Officer must ensure that arrangements are made for the student to continue in education.

Where the 20 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 will:

- formally confirm the decision to expel
- notify parents immediately and in writing that the expulsion will now proceed
- inform parents of the right to appeal and supply parents with the standard form for lodging an appeal
- keep a formal record of the decision to expel.

Expulsion Appeals

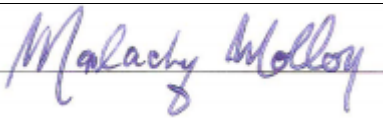
Parents/guardians have the right to appeal a decision of the Board of Management to expel a student to the Minister for Education or to an authority delegated for such appeals by the Minister under Section 29 of the Education Act 1998. Permanent expulsion may be appealed by a parent/guardian, by a student (over 18 years), or by the National Education Welfare Board. Any such appeal must be lodged within 42 calendar days of the decision of the Board of Management.

RATIFICATION AND COMMUNICATION

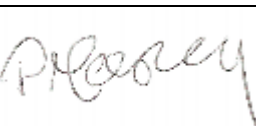
This policy was reviewed in March 2019 and ratified by the Board of Management on 14th March 2019. A copy of the policy is stored electronically in the school plan which is available to all staff. A copy of the policy is also published on the school website.

REVIEW

The effectiveness of this policy will be monitored on an ongoing basis by management and staff. The policy will be reviewed along with the child protection policy by the Board of Management in March of each school year. It may be reviewed at other times of the school-year if a review is requested by one of the school stakeholders.

Signed		Date 14/03/2019
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Chairperson, Board of Management

Signed		Date 14/03/2019
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Principal/Secretary to the Board of Management

APPENDIX A - PRINCIPLES OF NATURAL JUSTICE

Schools are required by law to follow fair procedures when proposing to suspend or expel a student. The requirement for fair procedures derives from the Constitution of Ireland, international Conventions and case law.

Fair procedures have two essential parts:

1. the right to be heard
2. the right to impartiality.

The right to be heard means:

- the right to know that the alleged misbehaviour is being investigated
- the right to know the details of the allegations being made and any other information that will be taken into account
- the right to know how the issue will be decided
- the right to respond to the allegations
- where the possible sanction is of a serious nature, the right to be heard by the decision-making body
- where the possible sanction is of a serious nature, the right to ask questions of the other party or witnesses where there is a dispute about the facts.

The right to impartiality means:

- the right to an absence of bias in the decision-maker
- the right to impartiality in the investigation and the decision-making.

Freedom from bias entails ensuring that a person with an interest in the matter is not involved in the investigation or decision-making. If a person has pre-conceived opinions, a vested interest or personal involvement in the matter, they should not attempt to settle that matter. An impartial process is one that allows a decision to be made based on an unbiased evaluation of information and evidence. Generally, impartiality requires that the investigation is separated from the process of making a decision so that the decision-maker comes to the task with an open mind.

Applying fair procedures in school

In a school, fair procedures apply to:

- the investigation of alleged misbehaviour that may lead to suspension or expulsion and
- the process of decision-making as to
 - (a) whether the student did engage in the misbehaviour and
 - (b) what sanction to impose.

The way in which fair procedures are applied will take account of the seriousness of the alleged misbehaviour and will have regard to what is reasonable in the context of a particular school. The principles of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible sanction. The level of formality required, for example for a suspension of fewer than three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

Even informal processes, however, must be fair and be seen to be fair. The principles of ensuring the right to be heard and the right to impartiality apply in all cases.

The right to be heard means that a student and their parents are fully informed about an allegation and the processes that will be used to investigate and decide the matter; and that they must be given an opportunity to respond to an allegation before a decision is made and before a serious sanction is imposed.

Absence of bias in the decision-maker would mean, for example that if the child of the Principal was accused of misconduct that might warrant suspension or expulsion, the Principal would not be involved in the decision. Similarly, if the child of a member of the Board of Management was accused of misconduct, that parent would absent themselves from the Board for any consideration of the matter by the Board.

The principle of impartiality in decision-making means it is preferable that, where possible, the Principal arranges for another member or members of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view about whether the student did engage in the behaviour and about the sanction, based on the report of the investigation.

Where circumstances require the Principal to conduct the investigation as well as making a finding and proposing the sanction, he or she must not only act fairly but be seen to act fairly. It is incumbent upon the Principal to review the investigation to ensure that it has been fully and fairly conducted. It should be evident to the student, parents, staff and other students that the Principal, as decision-maker, is basing their decision, in an objective way, on the findings of the investigation.

The person alleging the misbehaviour, or who is a victim, or a witness should not usually conduct the investigation. Thoughtful application of professional judgement and knowledge of the requirements of fair procedures will generally guide decision-making about suspension and expulsion. However, in circumstances of particular complexity, school authorities may need to seek legal advice to support their decision-making.

As part of ensuring the right to be heard, Principals should establish if parents/guardians require an interpreter and, if so, make arrangements for one to be available.

Principals should also ensure that students and parents/guardians have access to policies and procedures under which action is been taken.

To ensure the elements of procedural fairness are met, it is appropriate to provide the student and their parents/guardians with details of all allegations relating to the incident. This usually will involve providing copies of any relevant statements. Should Principals be of the view that it is not appropriate to provide copies of statement(s), for example, because of fear that witnesses may be intimidated, full details of allegations outlined in the statements should be provided.

APPENDIX B

FACTORS TO CONSIDER BEFORE SUSPENDING 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 incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- What is the age, stage of development and cognitive ability of the student?
- 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?
- Does the behaviour have a particular or greater impact on some students or teachers?
- Does the student understand the impact of their behaviour on others?

The interventions 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 those 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?
- Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- 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)?

Whether suspension is a proportionate response

- Does the student's behaviour warrant suspension?
- 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 suspension

- Will suspension allow additional or alternative interventions to be made?
- Will suspension help the student to change the inappropriate behaviour?
- How will suspension help teachers or other students affected by the behaviour?
- Will suspension exacerbate any educational vulnerability of the student?

APPENDIX C

FACTORS TO CONSIDER 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 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 interventions tried to date

- 14 What interventions have been tried? Over what period?
- 15 How have the interventions been recorded and monitored?
- 16 What has been the result of those interventions?
- 17 Have the parents been involved in finding a solution to the problem behaviour?
- 18 Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- 19 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?
- 20 Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health Services)?
- 21 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?



Colaiste Muire

Ballymote, Co Sligo

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Email: office@cmbm.ie

Fax: 071 9189210

Website: www.cmbm.ie

Principal: Mr. Peter Mahoney

Deputy Principal: Ms. Michelle McDermott

NOTICE OF SUSPENSION

NAME

REASON FOR SUSPENSION

DATE OF SUSPENSION

DURATION

(If suspension is longer than 6 days, or if the student has been suspended for more than 20 days during the school year to date, the Education Welfare Board will be informed).

TYPE

In-house suspension

Home suspension

(If suspension is to be carried out at home, please note that this student is under the care and responsibility of parents/guardians while on suspension).

WORK TO BE COMPLETED WHILE ON SUSPENSION

REQUIREMENTS WHICH NEED TO BE IN PLACE WHEN STUDENT RETURNS TO SCHOOL ON -

Report to Principal's or Deputy Principal's office at 9.10am



Read Code of Behaviour (available on www.cmbm.ie)



Sign contract to abide by Code of Behaviour (enclosed)



Written apology to be handed in to the Deputy Principal/
Principal



SIGNED

DATE OF ISSUE

Parent/Guardian should acknowledge receipt of notice of suspension by return of post or phone call to the Principal or Deputy Principal before date(s) of suspension.

Is expulsion being considered?

Yes

No



APPEALS

A formal appeal system may be initiated for suspensions (i.e. an Internal School Appeal). The school may insist that the student remain at home while any appeal is in process.

It is possible that a suspension may already be served before the appeal is actually heard. If the appeal is successful, the only remedy may then be to have the suspension removed from the student's file/record.

A request for such an appeal should be made in writing within 5 working days of the date of the notice of suspension to The Secretary, Board of Management, Coláiste Muire, Ballymote, Co. Sligo. Such an appeal will be considered, in the first instance by the Chairperson of the Board of Management and the Principal.

Any such appeal will consider procedural fairness and the right of a student to an impartial judgement (Appendix A).

In the event of the cumulative period of suspension being 20 days or more, appeals (External Appeal - Section 29 Appeal) must be made to The Secretary General of the Department of Education and Science under the terms of Section 29 of the Education (Welfare) Act. This must be done within 42 days of the notification of suspension. cf Circular M48/01. Further information is available on request.

The signatures below certify that all conditions of the suspension have been adhered to and completed to allow for the re-introduction of the student to school.

(Signature of Parent)

(Signature of Student)

(Signature of Principal / Deputy Principal)



Colaiste Muire

Ballymote, Co Sligo

Telephone: 071 9183086

Email: office@cmbm.ie

Fax: 071 9189210

Website: www.cmbm.ie

Principal: Mr. Peter Mahoney

Deputy Principal: Ms. Michelle McDermott

CONTRACT OF AGREEMENT FOLLOWING SUSPENSION

Date:

I have read the code of behaviour and agree to abide by it. I have completed all work assigned and submitted it to the Deputy Principal.

I completed my ___ day suspension on _____. I have fulfilled any other requests made of me under the terms of my suspension.

I acknowledge that my behaviour was unacceptable and I undertake to abide by the school rules.

Signature of student: _____

Signature of Principal/Deputy Principal: _____

Date: _____



Colaiste Muire

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Telephone: 071 9183086

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Fax: 071 9189210

Website: www.cmbm.ie

Principal: Mr. Peter Mahoney

Deputy Principal: Ms. Michelle McDermott

NOTICE OF EXPULSION

Date:

Dear _____ (Parent/Guardian),

This is to notify you that _____ (Name of Student) of _____ (Name of Year Group of Student) has been expelled from Colaiste Muire, Ballymote, Co. Sligo for the reasons explained to you in a meeting with the Principal and Deputy Principal at the school on _____ (Date) which are briefly outlined below.

Reason(s) for exclusion include:

This decision has been notified to the Board of Management and will be notified to the Education Welfare Board. Your son/daughter is under your care and responsibility for the period of 20 days required by the Education Welfare Office to examine alternative provisions for the education of _____ (Name of student).

You may appeal this decision to the Board of Management or to the Secretary General of the Department of Education and Science within 42 days of this notification under the terms of Section 29 of the Education Act 1998, if you wish. I enclose documentation on appeals for your information.

Yours sincerely,

Principal and Secretary to the Board of Management



Circular letter M48/01

To Management Authorities of Second Level schools

Appeal Procedures Under Section 29 of the Education Act, 1998

- 1) Section 29 of the Education Act, 1998 gives parents (and students who have reached the age of 18) the right to appeal certain decisions made by a school board of management, or a person acting on behalf of a board, to the Secretary General of this Department.
- 2) The following decisions may be appealed viz.
 - i) Permanent exclusion from a school,
 - ii) Suspension for a period which would bring the cumulative period of suspension to 20 school days in any one school year, or
 - iii) Refusal to enrol.
- 3) Appeals must generally be made within **42** calendar days from the date the decision of the school was notified to the parent or student. Accordingly, schools should advise parents of this right of appeal and associated timeframe when informing them of any of the above categories of decisions.
- 4) The detailed procedures are outlined in the appendix to this Circular. In brief, there are three layers to these procedures viz.
 - a) Both parties will be asked in the first instance to see if an accommodation can be reached at local level;
 - b) Should that fail, and where the Appeals Committee considers that it may be possible to facilitate agreement between the appellant and school, a facilitator will be appointed to contact the parties at the earliest opportunity;
 - c) Finally, an appeal may be referred for hearing by an Appeals Committee established by the Minister for Education and Science.
- 5) This appeal mechanism became effective from 23 December 2000. To date, seven appeals have been processed by the Department, all of which, apart from one, have been successfully resolved at local or facilitation level without referral to an appeals hearing.
- 6) Please provide a copy of this circular to the appropriate representatives of parents and teachers for transmission to individual parents and teachers.

John Dennehy,
Secretary General.
August, 2001.

[Section 29 Appeals Application Form English](#)