



Glanmire Community College Policy and Procedure for Expulsion

The procedures to be followed regarding expulsion are set out in this document. Students and parents are informed about the policy through the student journal and the school website. This policy should be read in conjunction with the Glanmire Community College (GCC) **Code of Behaviour**.

The objective of our Code of Behaviour in Glanmire Community College is to create a respectful, cooperative and positive learning environment, in which every individual is given the best possible opportunity to grow and develop academically, socially and personally. Students, teachers and parents have a role and responsibility in co-operating with each other to uphold the code, if this objective is to be achieved.

Traditionally, the behaviour of students in our school has been exemplary. On very limited occasions, an expulsion can be used as a sanction for persistent serious misbehaviour or in extreme cases of unacceptable behaviour. Where possible the school will have taken significant steps to address the misbehaviour and to avoid expulsion including as appropriate:

- Meeting with parents and the student to try to 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.

- Use the system of First Formal warning, Second Formal Warning and Final Warning to ensure parents and student are aware of the consequences of persistent serious misbehaviour
- Ensuring the school has tried a series of other interventions
- Seeking the assistance, where appropriate, of support agencies such as NEPS, CAMHS and the NCSE.

Principles underpinning the process of Expulsion

- Fair procedures will be used. All staff members are informed of these procedures.
- There will be no undue delays in an investigation and in making decisions about the imposition of an expulsion where required.
- Care will be taken to ensure that all matters to do with an investigation of alleged misbehaviour are dealt with in confidence.
- The principles of ensuring the right to be heard and the right to impartiality apply in all cases.
- If a student aged 18 years or more does not wish for his/her personal data to be shared with a third-party, the process will take place directly between the student and the school.
- Formal records of the investigation and decision making are kept.
- Where allegations of criminal behaviour are made about a student, these will usually be referred to the Gardai, who have responsibility for investigating criminal matters.

Procedures in respect of Expulsion

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

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

- Student and parents are informed in writing about the details of the alleged misbehaviour, how it will be investigated, and that it could result in expulsion.
- Parents and the student are given an opportunity at a meeting to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.
- This may be an opportunity for parents to make a case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour.
- As the student's primary carers, parents must demonstrate how they have been proactive in addressing the student's behaviour.

2: A recommendation to the Board of Management by the Principal

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal should:

- 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.

3: Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing

- It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures.
- The Board should undertake its own review of all documentation and the circumstances of the case.
- It should ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).
- Where a Board of Management decides to consider expelling a student, it must hold a hearing. The Board meeting for the purpose of the hearing should be properly conducted in accordance with Board procedures.
- At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence.

- Each party should 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.
- In the conduct of the hearing, the Board must take care to ensure that they are, and are seen to be, impartial as between the Principal and the student.
- Parents may wish to be accompanied at hearings and the Board should facilitate this, in line with good practice and Board procedures.
- After both sides have been heard, the Board should ensure that the Principal and parents are not present for the Board's deliberations.

4: Board of Management deliberations and actions following the hearing

- Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.
- 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 must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (Education (Welfare) Act 2000, s24(1)). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions.
- The student cannot 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 should inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents should be told that the Board of Management will now inform the Educational Welfare Officer.

5: Consultations arranged by the Educational Welfare Officer

Within twenty days of receipt of a notification from a Board of Management of its opinion that a student should be expelled, the Educational Welfare Officer must:

- 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). The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement about an alternative intervention that would avoid expulsion. However, where the possibility of continuing in the school is not an option, at least in the short term, the consultation should focus on alternative educational possibilities. In the interests of the educational welfare of the student, those concerned should come together with the Educational Welfare Officer to plan for the student's future education.
- Pending these consultations about the student's continued education, a 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)).

- A Board may consider it appropriate to suspend a student during this time. Suspension should only 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.

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

Reasons leading to Expulsion

A proposal to expel a student requires serious grounds such as:

- 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 and significant threat to safety.
- The student is responsible for serious damage to property.

The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include:

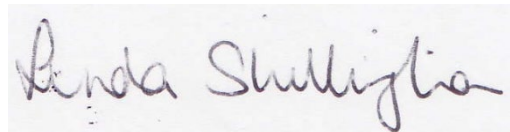
- A serious threat of violence against another student or member of staff.
- Actual violence or physical assault.
- Supplying illegal drugs to other students in the school
- Sexual assault.

Right to Appeal an Expulsion

A parent, or a student aged over eighteen years, may appeal a decision to expel to the CE of Cork ETB. Where an appeal to the Cork ETB has been concluded, parents, or a student aged over eighteen years, may go on to appeal to the Secretary General of the Department of Education and Science.

Policy Ratification

Ratified by the Board of Management on:

A handwritten signature in dark ink, appearing to read "Linda Shulligta", is centered on a light-colored rectangular background.

Signed:

(Chairperson, Board of Management)

Date: 8 June 2020

Review Year: June 2022