



**St. Flannan's College,
Ennis,
Co. Clare.**

Expulsion of Students

1. Introduction

The expulsion of a student (i.e. the permanent exclusion of the student from the school, having complied with the provisions of section 24 of the Education (Welfare) Act 2000) is the ultimate sanction within the overall Code of Behaviour of the School.

2. Grounds for Expulsion

The expulsion of a student is a most serious step, one that should be an appropriate and proportionate response to the student's behaviour and one that will only be taken by the Board of Management in the most serious cases of unacceptable behaviour.

Before the Board of Management will consider expulsion, the school will normally have taken significant interventions to address the unacceptable behaviour of the student.

Such interventions include:

- meeting with parents and the student to try to find ways to help the student to change his/her behaviour;
- making sure that the student understands the possible consequences of his/ her behaviour, if it should persist;
- trying other possible options;
- seeking the assistance of support agencies.

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

- 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 grounds for expulsion may be similar to those for suspension. Among the factors that may be considered are:

- the nature and seriousness of the behaviour;
- the context of the behaviour;
- the impact of the behaviour;
- the interventions tried to date;
- the appropriateness of expulsion as a response;
- the possible impact of the expulsion.

However, key differences include:

- the degree of seriousness of the behaviour;
- the persistence of the behaviour;
- the failure of the student to respond to other interventions;
- the belief of school management that they have exhausted all possibilities for changing the student's behaviour.

While expulsion will normally be considered only after a series of interventions, exceptional circumstances may arise where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in the Board considering a proposal to expel for a single breach of the Code of Behaviour 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;

- defamatory use of social media.

Where allegations of criminal behaviour are made about a student, these will usually be referred to the Gardai and to the HSE where appropriate. The Juvenile Liaison Officer may be contacted for support and advice.

3. Authority to Expel

The Board of Management has the authority to expel a student and reserves this right to itself.

Given the seriousness of expulsion as a sanction the Board of Management will undertake a detailed review of a range of factors in reaching its decision.

4. Procedures in respect of expulsion

School authorities are required by law to follow the principles of fair procedures and natural justice, as well as procedures prescribed under the Education (Welfare) Act 2000, when proposing to expel a student.

Where a preliminary assessment confirms serious misbehaviour that may warrant expulsion, the following procedural steps will be followed.

Step 1: A detailed investigation will be carried out by the Principal.

- 1.1 Parents and student will be informed about the details of the alleged serious misbehaviour, how it will be investigated and that it could result in expulsion.

This contact may initially take place orally. However, the parents will also be informed in writing at the earliest possible date.

- 1.2 Parents and students will be given every opportunity to respond to the complaint before a decision is made and before a sanction is imposed.

In this context, a meeting between the Principal and parents and student will be arranged as soon as possible. This provides the parents and student with an opportunity to put their side of the case and to ask questions about the alleged misbehaviour.

If the parents and student fail to attend a meeting, the Principal will write advising of the gravity of the matter, the importance of attending a rescheduled meeting and, failing that, the duty of the school authorities to make a decision in response to the inappropriate behaviour.

Following the detailed investigation the Principal may decide that the inappropriate behaviour may be dealt with through a sanction other than expulsion.

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

When the Principal makes a recommendation to the Board to consider expulsion, the Principal will:

- inform the parents and student that the Board of Management is being asked to consider expulsion;
- ensure that the parents have a record 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 the parents;
- notify the parents of the date of the hearing by the Board of Management and invite them (and the student, if the parents wish him/her to attend) to the hearing;
- advise the parents that they can make a written and oral submission to the Board of Management;
- ensure that the parents have enough notice to allow them to prepare for the hearing.

Step 3: Consideration by the Board of Management of the Principal's recommendations 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 of Management will:

- review all documentation and the circumstances of the case;
- ensure that no party, who has had any involvement with the circumstances of the case, is part of the Board's deliberations.

When the Board decides to consider expelling a student the Board will hold a hearing. A special meeting of the Board will be convened to consider the matter. The meeting will be conducted in accordance with Board procedures and the Board will take care to ensure that they are, and are seen to be, impartial.

The Principal will present the case outlining why this disciplinary matter is before the Board and set out the full details of the investigation.

The parents will be given an opportunity to respond, to seek clarification or to present a case for a lesser sanction.

Each party will have the opportunity to question the evidence of the other party directly. Board members may also question both parties or may seek clarification on any issue.

Following the presentations and questioning, the Principal and parents and student will leave the meeting and will not be present for any part of the Board's deliberations. The Board will take account of all the facts presented to it and may reach its decision at that meeting or adjourn to a subsequent meeting within a few days.

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

All of the Board's deliberations will be in the absence of the Principal and parents. The Board will decide whether or not the allegations are substantiated and, if so, whether or not expulsion is the appropriate sanction.

Where the Board of Management, after due consideration of all the facts, 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;
- inform the parents in writing about its conclusions and the next steps in the process;
- inform the parents that the Board will notify the Educational Welfare Officer, if expulsion is being proposed.

The student will not be expelled before the passage of twenty school days from the date on which the Educational Welfare Officer receives the written notification from the Board.

Step 5: Consultations arranged by the Educational Welfare Officer.

Within twenty days of receipt of a notification from the Board of Management of its opinions that a student should be expelled, the Education Welfare Officer is required to:

- make all reasonable effort to hold individual consultations with the Principal, parents and student, and any other person who may be of assistance;
- convene a meeting of those parties who agree to attend.

The purpose of these consultations is:

- to ensure that arrangements are made for the student to continue in education;
- to consider if an agreement about an alternative intervention that would avoid expulsion is possible;
- to focus on alternative educational possibilities where it is not an option for the student to continue in the school.

The school authorities will cooperate fully with the Education Welfare Officer in this process.

If the Board considers that there is a likelihood that the continued presence of the student in the school during this period will:

- seriously disrupt the learning and teaching of other students or;
- represent a threat to the safety of other students or staff;

the Board may suspend the student during this time.

Step 6: Confirmation of the decision to expel.

When the twenty day period following notification to the Education Welfare Officer has elapsed, and where the Board of Management remains of the view that the student should be expelled:

- the Board (or the Chairperson and Principal, with the prior consent of the Board) will formally confirm the decision to expel;
- the parents will be notified immediately that the expulsion will now proceed;
- the parents and student will be told of their 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.

5. Appeals

A parent, or a student aged over 18 years, may appeal a decision to expel to the Secretary General of the Department of Education and Skills under section 29 of the Education Act 1998.

The National Education Welfare Board may also bring an appeal on behalf of the student.

6. Review of School Policy and its use

The Board of Management will review the school's policy on expulsion and its use in the school at the final meeting of the Board in each school year. The review will address such issues as

- patterns of use;
- appropriateness of use;
- effectiveness of the policy;
- consistency with school policy.

7. Approval of the Policy

This policy was approved by the Board of Management on November 12, 2025.

This policy will be reviewed in 2026

Signed: *Mr Leonard Cleary*
Chairperson, Board of Management

Signed: *Mr. Donal Cahir*
Principal

Date: *November 12, 2025*

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