

BLACKROCK COLLEGE PROTOCOL FOR DEALING WITH SERIOUS MISCONDUCT, INSIDE AND OUTSIDE SCHOOL HOURS

In the event of serious misconduct by a pupil, inside or outside of school, which may warrant external suspension or expulsion, the following protocol will be followed.

1. A person making a complaint regarding a pupil should do so in writing, where practicable, to the Dean of the Year, Deputy Principal or Principal.
2. Reports made by staff members and parents should be in writing. Reports from members of the public and pupils may be taken orally and transcribed.
3. The Dean/Deputy Principal/Principal should meet with the pupil to discuss the complaint. Meetings should also be held with witnesses.
4. If the Dean/Deputy Principal decide that the complaint involves serious misconduct the pupil may be internally suspended pending a meeting with the Principal. The pupil will be asked to write out his account of the incident, having had a preliminary meeting with Dean, Deputy Principal or Principal.
5. The pupil, at the discretion of the Principal, may return to class until the complaint is further investigated. If the complaint has been made by a teacher, the pupil may not return to his/her class until the matter has been resolved. The pupil should be assigned work and sent to the study hall at this period.
6. It is the responsibility of the Principal to establish whether the pupil has a case to answer.
7. The Principal should invite the pupil concerned to a meeting, attended by the Dean and/or the Deputy Principal at which the pupil shall present his view. There may be the need to have more than one meeting.
8. Having considered the facts, the Principal shall decide whether the complaint is upheld or not. If the complaint is upheld, the Principal shall decide on the relevant sanction.
9. The Principal may suspend a pupil from school for a period of not more than 5 school days. If a longer suspension or expulsion is deemed appropriate, the Principal should consult with the Chairman of the Board of Management. Suspension longer than 5 school days can only be imposed by the B.O.M..
10. For any suspension of 6 days or more, the Education Welfare Officer should be informed. In the event that the total number of days of suspension in one school year reaches 20, the Parents or a student aged over 18 years may appeal the suspension under Section 29 of the Education Act 1998 as amended by the Education Act 2007.

BLACKROCK COLLEGE PROTOCOL FOR DEALING WITH SERIOUS MISCONDUCT, INSIDE AND OUTSIDE SCHOOL HOURS

11. The Principal shall communicate the sanction to the parents in writing and inform them of the time from which the sanction shall take effect. The Dean/Deputy Principal/Principal should orally inform the parents of the sanction.
12. If the parents/guardians are unhappy with the sanction, a meeting should be arranged for them with the Principal and/or Deputy Principal.
13. After this meeting, if the parents are still unhappy with the sanction they are entitled to make an appeal to the College Board of Management as to why the sanction should not be imposed or, alternatively, should not be of the duration indicated.
14. While the Appeal is pending, the suspension should commence. Successful appeal will result in the suspension being expunged from the pupil's record.
15. Having listened to such representations and to the views of the Principal of the College, the Board of Management shall either uphold or quash the original decision. In this case the Chairman shall inform the Principal of the reasons for quashing the original decision and discuss an alternative sanction, if appropriate.
16.
 - (a) If a pupil is suspended for more than 3 days, his teachers should provide him with relevant work.
 - (b) On the pupil's return, his teachers should assist him in catching up on work missed.
17.
 - (a) On return from suspension, a pupil should meet with the Principal and/or Deputy Principal before his return to class. The purpose of this meeting is to welcome the pupil back to school.
 - (b) The Year Counsellor should meet with a pupil on his return, to review the incident with him and encourage him to put it behind him and assist with his re-integration.

A follow-up meeting may be necessary.

18. If a pupil, facing a suspension has been previously suspended twice from the College, the Board of Management reserves the right to initiate procedures that may lead to the resign of the charge of the pupil. Should the Board of Management not exercise this right an appropriate sanction should then be imposed.
19. If the Principal intends to recommend the expulsion of a pupil to the Board, s/he should first meet with the parents/guardians and inform them of his/her intention.

BLACKROCK COLLEGE PROTOCOL FOR DEALING WITH SERIOUS MISCONDUCT, INSIDE AND OUTSIDE SCHOOL HOURS

20. The College Board of Management may initiate procedures to resign the charge of a pupil on the recommendation of the Principal. In the event that the Board of Management initiates such action the Parents/Guardians will be invited to meet with the Board of Management in the presence of the Principal to hear the reasons for the Principal's recommendation and make representations on behalf of the pupil. The parents will be informed in writing of the concerns. A summary of the evidence will also be provided.
21. After hearing such representations the Board of Management shall consider the matter and reach a decision in a timely manner. This decision will be communicated both orally and in writing to the Parents/Guardians.
22. If the Board of Management, having considered all the facts of the case, is of the opinion that a pupil should be expelled, the Board must notify the Educational Welfare Office (EWO) in writing of its opinion and the reasons for the opinion. The pupil cannot be expelled before the passage of 20 school days from the date on which the EWO receives the written notification. A student may be suspended during this period if there is a likelihood that the continued presence of the pupil during this time will seriously disrupt the learning of others or represent a threat to the safety of other pupils or staff.
23. Parents/Guardians and students over 18 years should be informed of their right to appeal under Section 29 of the Education Act 1998.
24. The names of suspended or expelled pupils shall not be displayed in public areas including pupil and staff notice boards. The Principal will post a Notice on the Staff Notice Board referencing the incident without naming the individuals involved. Names will be available, at the Principal's Office, to staff.

Serious misconduct includes:

- (a) threatening or intimidating or harassing staff, pupils or other persons
- (b) malicious damage to the property of the school, staff, pupils or other persons
- (c) theft of property belonging to the school, staff, pupils or other persons
- (d) assault of staff, pupils or other persons
- (e) possession, consumption or sale of illegal or dangerous substances
- (f) possession, consumption or sale of alcohol
- (g) conduct which deliberately compromises the health or safety of staff, pupils or other persons
- (h) riotous assembly intended to disrupt school activity
- (i) repeated refusal, by word or deed, to co-operate with the school's code of conduct
- (j) any conduct which damages the reputation of the College

THIS LIST IS NOT EXHAUSTIVE.