

Step 6: Making an appeal

You can appeal if you are a parent or guardian of the child or a student who is 18 or older.

For the appeal you will be asked to explain the grounds (reasons) for the appeal and include a copy of the letter from the BOM explaining the expulsion

How to make an Appeal

You must fill out and send a **Section 29** Appeals Application Form to the Department's Secretary General. You can find this form with instructions on the education.ie website.

The Department must receive your appeal within **42 calendar days** from the date you were notified. The Department will contact you with a date for the hearing and the appeal will normally be held within **21 days** from the date the **Section 29** appeal form was received by them.

Step 7: Hearing for Section 29 appeals

At the hearing you can present your case to the appeals committee which is made up of three people. The EWO may be present. A representative of the school will also be there to ask and answer questions.

When the appeal committee has decided on the outcome, they will let you know. This is called a preliminary decision. If you have any observations on this preliminary decision, you may submit these in writing **within 7 calendar days** of this decision. The appeal committee will then let you know of their final decision

Who can I ask for help?

The local Educational Welfare Officer (EWO) can answer any questions you have about information in this leaflet.

We hope you find this information helpful.

Educational Welfare Service, regional offices contact details

Southern Area: Cork, Kerry, Limerick, Clare, Tipperary. **Ph:021 2428610**

South County Dublin, Kildare, Wicklow, Waterford, Wexford, Carlow, Kilkenny. **Ph:01 5252166**

North Dublin, Dublin City, Clondalkin, Lucan. **Ph:01 7718815**

West/North-West: Galway, Mayo, Sligo, Donegal, Leitrim, Roscommon, Longford, Offaly, Laois, Westmeath. **Ph:091 385 302**

North East: Fingal, Louth, Meath, Cavan, Monaghan. **Ph:042 9419017**

tess

Seirbhís Tacaíochta
Oideachais Tusla
Tusla Education Support Service

www.tusla.ie/tess



Plain
English
Approved by NALA

tess

Seirbhís Tacaíochta
Oideachais Tusla
Tusla Education Support Service

Information for parents and guardians about their child's possible expulsion from school



"Every School Day Counts."

About this leaflet

This leaflet explains what happens when your child's school notifies you that they intend to expel your child. It outlines the possible steps involved and where you can get help.

What is expulsion?

Expulsion is when a school's Board of Management (BOM) takes legal steps to remove a child in cases of repeated unacceptable behaviour, or a serious one-off incident. If your child is expelled, they will no longer have a place in that school for your child and you will have to find another school for them.

When can a school expel a student?

By law, every school must have a code of behaviour for students to follow.

It explains:

- what happens if your child does not obey the school's rules, and
- the steps the BOM must take before your child can be expelled.

Expelling a student is the most serious step. In cases of repeated unacceptable behaviour, the school should have tried many ways to improve your child's behaviour before notifying you of its intention to expel your child. As there has been no improvement in behaviour or the incident was extremely serious, the BOM has now formed the opinion that expelling your child is appropriate.

Possible steps

1. You attend a Board of Management (BOM) meeting to discuss the principal's recommendation to expel your child.
2. You are notified and invited to a **Section 24** meeting to discuss your child's ongoing education.
3. **Section 24** meeting is held.
4. The school's Board of Management (BOM) meets to confirm or overturn the decision.
5. The Educational Welfare Officer helps you consider your options if your child is expelled – home tuition, apply to enrol in another school, appeal the expulsion.
6. Making an appeal.
7. Facilitator and hearing for **Section 29** appeals.

7 Possible steps

Step 1: Board of Management (BOM) Meeting

You are invited to a BOM meeting to discuss the principal's recommendation to consider expelling your child. You can speak on your child's behalf.

Step 2: You are notified in writing and invited to a Section 24 meeting

The school must write to you and the TUSLA Educational Support Service (TESS) about the intention to expel your child. An Educational Welfare Officer (EWO) who works with TESS will invite you and the school principal to a **Section 24** meeting. The EWO will be your contact and support person. Their details are overleaf.

Step 3: Section 24 meeting is held

A **Section 24** meeting is to:

- discuss and agree on how to continue the education of your child; and
- allow you to introduce new information. You can submit this in writing or by speaking. The school principal may agree to present this information at the next BOM meeting where they will consider the expulsion.

A **Section 24** meeting **is not an appeal hearing**. It is:

- **not to** appeal the BOM decision to expel your child;
- **not to** allow the principal to change the decision of the BOM.

Step 4: The BOM meets to confirm or overturn decision

The BOM meets again to decide if they will confirm expelling the student. The new information presented at the **Section 24** meeting may be considered. This meeting must take place after a **minimum of 20 school days** from the day you were notified about the intention to expel your child.

If the BOM decides to overturn the decision, they will explain why and the next steps of your child returning to the school.

If they confirm the expulsion, they will write to you and the EWO will provide support.

Step 5: Your options if your child is expelled

The EWO can help you to consider your options such as doing one or all of the following:

- applying for home tuition if your child is under 16 years of age,
- applying to enrol your child in another school, or
- appealing the expulsion.

