

## **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 and with any witness to the incident reported. This could proceed whilst the written account is pending.
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.
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 then invite the pupil concerned to a meeting, attended by the Dean and/or the Deputy Principal at which the pupil shall be entitled to present his own view. If he considers it desirable the Principal may, with the consent of all parties, convene a meeting between the complainant and the parents/guardians of the pupil concerned.
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.

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9. The Principal may suspend a pupil from school for a period of not more than two weeks. If a longer suspension or expulsion is deemed appropriate, the Principal should make such a recommendation to the Board of Management. In the event of a suspension which accumulates in excess of 20 days in the one academic year, the Education Welfare Board will be informed.
10. Having decided on a sanction, the Principal shall communicate the intended sanction to the parents in writing and inform them of the time from which the sanction shall take effect. The Dean should orally inform the parents of the sanction. The Principal or Deputy Principal shall inform the complainant of the decision.
11. If the parents/guardians are unhappy with the sanction, a meeting should be arranged for them with the Principal and/or Deputy Principal.
12. 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.
13. While the Appeal is pending, the suspension should commence. Successful appeal will result in the suspension being expunged from the pupil's record.
14. 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.
15. 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.
16. 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.
17. 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.

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18. 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.
19. The names of suspended or expelled pupils shall not be displayed in public areas including pupil and staff notice boards. The Principal must ensure that the teachers of the pupil are informed.

### **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.**