



Circular letter M48/01

To Management Authorities of Second Level schools

Appeal Procedures Under Section 29 of the Education Act, 1998

- 1) Section 29 of the Education Act, 1998 gives parents (and students who have reached the age of 18) the right to appeal certain decisions made by a school board of management, or a person acting on behalf of a board, to the Secretary General of this Department.
- 2) The following decisions may be appealed viz.
 - i) Permanent exclusion from a school,
 - ii) Suspension for a period which would bring the cumulative period of suspension to 20 school days in any one school year, or
 - iii) Refusal to enrol.
- 3) Appeals must generally be made within **42** calendar days from the date the decision of the school was notified to the parent or student. Accordingly, schools should advise parents of this right of appeal and associated timeframe when informing them of any of the above categories of decisions.
- 4) The detailed procedures are outlined in the appendix to this Circular. In brief, there are three layers to these procedures viz.
 - a) Both parties will be asked in the first instance to see if an accommodation can be reached at local level;
 - b) Should that fail, and where the Appeals Committee considers that it may be possible to facilitate agreement between the appellant and school, a facilitator will be appointed to contact the parties at the earliest opportunity;
 - c) Finally, an appeal may be referred for hearing by an Appeals Committee established by the Minister for Education and Science.
- 5) This appeal mechanism became effective from 23 December 2000. To date, seven appeals have been processed by the Department, all of which, apart from one, have been successfully resolved at local or facilitation level without referral to an appeals hearing.
- 6) Please provide a copy of this circular to the appropriate representatives of parents and teachers for transmission to individual parents and teachers.

John Dennehy,
Secretary General.
August, 2001.

[Section 29 Appeals Application Form English](#)

[Procedures for Hearing and Determining Appeals under section 29 of the Education Act, 1998](#)

[Procedures for Hearing and Determining Appeals under section 29 of the Education Act, 1998 in respect of Education and Training Board \(ETB\) Schools. September 2016.](#)