

Decree

Abrogating n. 264, §2 of the Maynooth Statutes

N. 264, §2¹ of the Maynooth Statutes, issued by the Irish Episcopal Conference in 1960, prohibits the manager of the primary school from dismissing a primary school teacher or issuing the warning of a dismissal before he has referred the matter to the patron so that the teacher, if he or she wishes, may present his or her case to be heard by the patron.

Paragraph 24 (3) of the Education Act 1998, issued by the Irish Oireachtas, states: 'A board shall appoint teachers and other staff, who are to be paid from monies provided by the Oireachtas, and may suspend or dismiss such teachers and staff, in accordance with procedures agreed from time to time between the Minister, the patron, recognised school management organisations and any recognised trade union and staff association representing teachers or other staff as appropriate.' Such procedures are outlined in Circular 60/2009 of the Department of Education and Science.

The Irish Episcopal Conference, having examined the matter at length, and with the approval of the Congregation of Catholic Education (Prot. N. 268/2011), declares that the procedures of Circular 60/2009 of the Department of Education and Science, which have been designed to deal solely with issues of employment, supersede all disciplinary procedures in existence prior to the provisions contained in paragraph 24 (3) of the Education Act 1998, including the provision contained in n. 264, §2 of the Maynooth Statutes. Accordingly, the Irish Episcopal Conference hereby decrees the abrogation of n.264, §2 of the Maynooth Statutes.

This 28th day of September 2011

*Seán Cardinal Brady
Archbishop of Armagh
President, Irish Episcopal Conference*

+ Seán Brady

*Most Reverend Leo O'Reilly
Bishop of Kilmore
Chairman, Episcopal Commission for Education*

L.S.

Leo O'Reilly

*Most Reverend William Lee
Bishop of Waterford and Lismore
Episcopal Secretary, Irish Episcopal Conference*

+ William Lee

¹ N. 264, §2. *Ne quid praeiudicii officio moderatorum scholarum, prohibetur ne quem institutorem aut adiutorem, institutricem aut adiutricem, in scholis primariis publicis dimittat moderator clericalis, neve monitionem dimissionis faciendae illi tradat, antequam rem ad Episcopum deferat, ut institutor, si ita velit, in sui defensionem ab Episcopo audiatur.*