

Suspension Policy

Suspension of a student is a serious sanction and should be a proportionate response to the behaviour causing concern. It may be considered in the following circumstances:

- The student's behaviour has had a seriously detrimental effect on the education of others and is a persistent cause of significant disruption to the learning of others
- Repeated deliberate breaches of the Code of Behaviour
- The student's continued presence in the school at this time constitutes a threat to safety
- The student is responsible for serious damage to property

One single incident of serious misconduct may be grounds for suspension.

Factors considered before suspending a student

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions and strategies to date
- Whether suspension is a proportionate response
- The possible impact of suspension

Immediate Suspension

The Principal may consider an immediate suspension where the continued presence of the student in the school at the time would represent a serious threat to the safety of the students or staff of the school, or any other person. Fair procedures will be applied.

Suspending During A State Exam:

This sanction must be approved by the Board of Management and should only be used where there is:

- A threat to good order in the conduct of the examination
- A threat to other students and personnel
- A threat to the right of other students to do their examination in a calm atmosphere.

Other Suspensions:

Following a thorough investigation and fair procedure, the following behaviours will incur suspension as a sanction:

- Fighting
- Drug/Alcohol/Illegal substance use/ supply to other students
- Smoking – including vaping and use of e-cigarettes

Procedures in Respect of Suspension:

Fair procedure will be followed when considering the suspension of a student.

When a preliminary assessment of the facts confirms serious misbehaviour that could warrant a suspension the following procedures will be observed:

- The student and his/her parents will be informed of the complaint, how it will be investigated, that it could result in suspension
- Parents and student will be invited to meet the Principal and will given an opportunity to respond to the complaint before a decision is made and before any sanction is imposed.
- In the case of an immediate suspension, parents will be notified and arrangements made with them to collect the student from the school. A formal

investigation will then be initiated with a meeting between all parties arranged for a later date. Parents and student will be given an opportunity to respond to the complaint before any decision is made regarding further sanctions.

Period of Suspension:

In general circumstances a suspension will last for no more than 3 days and will be proportionate to the incident and circumstances

The Board of Management, has delegated authority to the Principal to impose a suspension of up to 5 days at any one time, subject to due procedures.

In exceptional cases, where a full investigation needs more time, and the presence of a student/s could hinder the investigation/pose a threat, the Principal will get approval from the Chairperson where a Board meeting cannot be convened in a timely fashion. The Board of Management places a ceiling of 10 days on any one period of suspension imposed by it.

The Board will formally review any proposal to suspend, where the suspension would bring the number of days for which the student has been suspended in the current school year to 20 days or more.

Any such suspension is also subject to appeal under section 29 of the Education Act 1998.

Implementing the Suspension:

Written notification of suspension will be provided to parents and students. The notification will include:

- The period of the suspension and dates on which the suspension will be given and end

- The reasons for the suspension
- Any study programme to be followed
- The arrangements for returning to school, including any commitments to be entered into by the student and the parents
- The right to appeal and information on the appropriate appeal process

Appeal To DES:

Suspension of a student by the Principal may be appealed to the DES in circumstances where the suspension would bring the number of days for which the student has been suspended in the current school year to 20 days or more. The appeal may be made to the Secretary General, Department of Education and Skills, under Section 29 of the Education Act 1998.

Grounds For Removing A Suspension:

A suspension may be removed by the Board of Management or Secretary General, Department of Education and Skills following a successful appropriate appeals process.

After Suspension:

The student must meet the Year Head /Deputy Principal on return to school.

Policy On Expulsion:

A student is expelled from a school when a Board of Management makes a decision to exclude her permanently from the school having complied with the provisions of section 24 of the Education (Welfare) Act 2000.

Authority To Expel:

The Board of Management has the authority to expel a student.

Grounds For Expulsion:

Expulsion should be an appropriate response to the student's behaviour. A decision to expel a student will only be taken where there are serious grounds to do so and will only be taken in extreme cases of unacceptable misbehaviour.

Such grounds include:

- The student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process.
- The student's continued presence in the school constitutes a real and significant threat to safety.

Before expulsion is considered, the Board of Management will have ensured that a series of other interventions have been tried and will have come to the belief that all other possibilities have been exhausted.

Significant steps will be taken by the school in order to address misbehaviour and to avoid expulsion. These steps include:

- Meeting with parents and the student to try to find ways of helping the student to change their behaviour.

- Making sure that the student understands the possible consequences of their behaviour, if it should persist.
- Ensuring that all other possible options have been tried.
- Seeking the assistance of support agencies (e.g. National Educational Psychological Service, Health Service Executive Community Services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education).

Expulsion For A First Offence:

In exceptional circumstances the Board of Management may decide to expel a pupil for a first offence. Such circumstances include:

- A serious threat of violence against another student or member of staff or visitor
- Actual violence or physical assault.
- Supplying illegal drugs to other pupils in the school.
- Sexual assault.
- The student is responsible for very serious damage to property.

Factors To Consider Before A Decision Is Made To Expel A Student:

Before a decision is made to expel a student the Board of Management will undertake a detailed review of the following factors:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date
- Whether expulsion is a proportionate response
- The possible impact of expulsion

Under the terms of the Education (Welfare) Act 2002 schools are required by law to follow fair procedures when proposing to expel a student. Fair procedures must be based on the principles of natural justice which include:

- The right to be heard.
- The right to impartiality.

Procedures In Respect Of Expulsion:

A detailed investigation is carried out under the direction of the Principal.

- The Principal will inform parents and the student in writing about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.
- A meeting will be arranged with the Principal to give parents and student every opportunity to respond to the complaint of misbehaviour before a decision is made and a sanction imposed.
- If the parents and student fail to attend the meeting the Principal will write explaining the gravity of the issue, the importance of attending a rescheduled meeting, and failing that, the duty of the Board of Management to make a decision to respond to the inappropriate behaviour.
- A record of the invitation issued and the response of the parents will be kept on file.

Recommendation To The Board Of Management From The Principal:

Where the Principal forms the view, based on the investigation of alleged misbehaviour, that expulsion is warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal will

- Inform the parents and student that the Board of management is being asked to consider expulsion.

- Ensure that the parents have records of the allegations against the student, the investigation and written notice of the grounds on which the Board of Management is being asked to consider expulsion.
- Provide the Board of Management with the same comprehensive records as are given to the parents.
- Notify the parents of the date of the hearing by the Board of Management and invite them to the hearing.
- Advise the parents that they can make a written and oral submission to the Board of Management.
- Ensure that parents have enough notice to allow them prepare for the hearing.

**Consideration By The Board of Management Of The Principal's
Recommendation And Holding A Hearing:**

The Board of Management will review the initial investigation and ensure that it was properly conducted in line with fair procedures.

The Board of Management will review all documentation and the circumstances of the case. No party who has had any involvement with the case will be part of the Board's deliberations.

If the Board decides to consider expelling a student, a hearing will be conducted. At the hearing the Principal and the parents/guardians, or a student aged 18 years or over, will put their case to the Board in each other's presence. Each party will be allowed to question the evidence of the other party directly. Parents/Guardians/Student over 18 may wish to be accompanied at the hearing.

After both sides have been heard, the Principal and parents/guardians/student over 18 will withdraw and the Board will deliberate in private.

Board of Management Deliberations And Actions Following Hearing:

It is the responsibility of the Board of Management to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction. Where the Board, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board will notify the Educational Welfare Officer (EWO) in writing of its opinion, and the reasons for this opinion.

The student cannot be expelled before the passage of 20 school days from the date on which the Educational Welfare Officer receives the written notification.

The Board will inform the parents/guardians/student over 18 in writing about its conclusions and the next steps in the process. Parents will be informed that the Educational Welfare Officer will be notified of the proposal to expel.

Consultation Arranged By Educational Welfare Officer (EWO):

Within 20 days of receipt of the notification from the Board of Management of its opinion that a student be expelled, the Educational Welfare Officer must:

- Consult with the Principal, student and parents
- Convene a meeting of those parties who agree to attend

The purpose of the meeting is to ensure that arrangements are made for the student to remain in education.

Pending these consultations regarding the future education of the student, the Board may consider it appropriate to suspend the student if there is a likelihood that the continued presence of the student during the time will seriously disrupt the learning of others or represent a threat to the safety of other students or staff.

Confirmation Of Decision To Expel:

Where the 20-day period following notification to the Educational Welfare Officer has elapsed and where the Board of Management remains of the view that the student should be expelled, the Chairperson and the Principal will be delegated to confirm the decision to expel.

Parents/Guardians/Student over 18 will be notified that the expulsion will now proceed and will be informed of the right to appeal and will be supplied with a form on which to lodge an appeal. A formal record will be kept of the decision to expel.

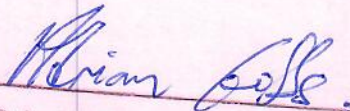
Appeals:


A parent/guardian or a student aged over 18 years, may appeal a decision to expel to the Secretary General of the Department of Education and Skills. An appeal may also be brought by the National Educational Welfare Board on behalf of the student.

Review Of Use Of Suspension/Expulsion:

The Board of Management will review the Code Of Behaviour and Policies on Suspension & Expulsion regularly to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school and to ensure that suspension/expulsion are used appropriately. Policy on Suspension and the Policy on Expulsion were approved on 3rd December 2020.

Signed:


Principal/Secretary Board of Management


Chairperson Board of Management

Date: 03/12/2020