

St. Caimin's Community School Suspension and Expulsion Policy

Introduction

This policy document sets out procedures to be applied when the Suspension or Expulsion of a pupil is being considered. These sanctions affect a pupil's access to education and must be applied having regard to the rights of the individual student.

For the purposes of this policy:

Suspension

Is considered to be the withdrawal of permission from a pupil to attend school for a specified period of time. In an emergency it may be applied where the continued presence of the student in the school would represent a threat to the safety of students or staff of the school, or any other person.

Suspension during state exams: will be applied where there is a threat to good order in the conduct of the examinations, a threat to the safety of students or staff of the school, or other personnel or a threat to the right of any other students to do their examination in an appropriate examination atmosphere. This sanction will be applied in line with the *DES Best Practice Guidelines concerning Certificate Examinations*

Rolling Suspension: (Where the student is again immediately suspended) will be applied when the student engages in serious misbehaviour that warrants suspension immediately after returning from an initial suspension as long as fair procedures are observed and the standard applied to judging the behaviour of the student in question is the same as the standard applied to any other student.

Informal/Unacknowledged Suspension: is where a student is excluded for part of the school day or a parent/guardian is asked to keep a child from school as a sanction. A parent/guardian may decide to keep a student at home for a short period of time to aid student reflection on inappropriate behaviour and to support them in their efforts to change. The school may support this action by providing a list of work for the student to complete during their absence. In certain circumstances, the structure of a student's day may be altered to facilitate the application of a sanction other than suspension. For example, a student may be assigned to shadow a member of staff for a number of days or to engage in course work outside their timetabled classes under supervision.

In extraordinary circumstances, the school will facilitate the removal of a student from classes by a parent where all parties are in a agreement that this is in the best interest of all for a short period of time. This will not prevent the student from participating in the state examinations.

- **Expulsion** is considered to be the permanent exclusion of a student from this school.

Scope

This policy applies to all of our pupils:

- during the school day
- while on school related activities

Relationship to Mission Statement

This policy derives from the Mission Statement and is directly linked to its aims, in particular: our aims to treat every person equally and to help all students to achieve full potential while feeling cared for and safe.

Rationale

Our rationale for this policy is as follows:

1. To satisfy the legislative requirements associated with:
 - Sections 15(2)(d) and 28(1) of the Education Act 1998
 - Sections 23 and 24 of the Education (Welfare) Act 2000
 - Section 7(2)(d) Equal Status Act
2. To provide a transparent framework for the fair application of the sanctions of suspension and expulsion.

Review

This policy document will be subject to a review by the students, parents/guardians and Board of Management on a regular basis

Objectives

Our objectives are to:

- set out clearly how to deal with a suspension or an expulsion without impugning the rights of an individual pupil,
- promote good behaviour and to show disapproval of unacceptable behaviour,
- afford all of our pupils a safe environment, and
- Encourage an environment in which all pupils can learn.

Policy Content – A. Suspension

- The authority to suspend is vested in the Principal, or in the absence of the Principal the Acting Principal or Deputy Principal, subject to the right of the parents/guardians (or a pupil who is 18 years or more) to appeal to the Board of Management.
- The period of suspension shall be proportionate to the breaches of the school rules.
- When a pupil is being suspended for 6 days or more the Principal will inform the Educational Welfare Officer in writing.
- Suspension is a serious sanction and may be considered in the following circumstances:
 - Repeated incidents of indiscipline
 - Serious failure to recognise and submit to the authority of the school
 - Where the behaviour interferes with the learning environment
 - Serious incidents that endanger the welfare of others
- The authority to suspend is vested in the Principal, or in the absence of the Principal the Acting Principal, subject to the right of the parents/guardians (or a pupil who is 18 years or more) to appeal to the Board of Management.
- The periods of rolling suspension will continue until such time as is necessary for the school to satisfy themselves that the student is committed to and capable of complying with school regulations, respecting the authority of school personnel, is not a health and safety risk to themselves and others and does not interfere with the teaching and learning of others.

Suspension procedures

1. When a suspension/rolling suspension is being considered, the Principal interviews the pupil who is given the opportunity to respond.
2. If it is decided that a suspension/rolling suspension should take place, the parents/guardians are informed by letter and/or by phone.
3. Pending the implementation of the suspension/rolling suspension, the pupil may be withdrawn from class.
4. The parents will be informed of their right to appeal to the Board of Management.

Appeal to the Board of Management:

1. A parent/guardian has 7 days in which to lodge an appeal. If the pupil appealing suspension is 18 years or older he or she may appeal in their own right.
2. The grounds for the appeal must be made in writing.
3. The appeal will be considered at the next board meeting, part of which the parents/guardians can attend at a specific time subject to giving two days notice of their intention to attend the meeting.
4. At the board meeting, the Principal outlines the reasons for his/her recommendation.
5. The parents' appeal is then heard by written submission and/or orally.
6. The Principal may take no further part in the discussion other than to clarify matters raised in the parents/guardians' appeal. The Principal and parents (if present) leave.
7. The Board makes its decision and communicates it to the parent/guardian.

B) Expulsion:

- The authority to expel a pupil rests with the Principal subject to the approval of the Board of Management.
- Expulsion as a sanction: Expulsion is the most severe sanction available to a school against a student. It should only be imposed for very serious breaches of school rules or in cases where the rights of other students are being denied because of the behaviour of an individual.

Expulsion procedure:

1. The pupil is interviewed by the Principal and given an opportunity to respond.
2. The parents/guardians are informed, in writing, of the grounds upon which expulsion is being considered and the nature of the evidence being relied on.
3. The parents/guardians are provided with an opportunity to consider the evidence and to offer evidence in rebuttal.
4. If the Principal decides to recommend to the Board of Management that the student be expelled the Principal must:
 - inform the student's parents/guardians by registered post of the decision.
 - state the reason(s) for the recommendation.
 - give at least 5 days notice of the Board meeting at which the recommendation will be considered.
 - inform the student's parents/guardians of their right to make representations to the Board of Management on behalf of the student.
 - prepare a report for the Board containing all relevant material relating to the case.
 - send out a copy of the report by registered post to the parents/guardians of the pupil.

5. Parents are required to give 2 days notice to the Secretary of the Board of Management of their intention to make such representations to the Board of Management, after which they are invited to attend the meeting at a particular time.

Meeting of Board of Management

- The Board will examine the report and will seek clarification (if any) from the principal.
- The Chairperson will give the parents sufficient time to respond to the report and make representations on behalf of the pupil.
- The principal may take no further part in the discussion other than to clarify matters raised in the parents/guardians' appeal. The principal and parents leave the meeting.
- The Board makes its decision and communicates it to the parents/guardians.

If the Board expels the pupil:

- The parents/guardians (or the student who is over 18 years) must be informed of their right to appeal the decision to the Secretary General of the Department of Education and Science under Section 29 of the Education Act, 1998.
- The Board informs the designated educational welfare officer of its decision. The student shall not be considered expelled before the passing of 20 school days from the receipt of such notification by the educational welfare officer.
- The Board may decide to suspend the pupil from school during this period.

If the Board does not expel the pupil:

- The Board will prepare an alternative sanction in consultation with the Principal.

Related Policies

Discipline policy, admissions policy, substance use policy, anti-bullying policy.

Monitoring and Review (Roles and Responsibilities)

The Principal assumes the responsibility for monitoring the effective implementation of this policy.

Review and evaluation will be consistent with the whole school planning process.

Implementation

Details of procedures to be followed in implementing the policy are included in the Policy Content section of this document. The implementation of this policy will be consistent with the whole school planning process.

This policy is operational from 14th March 2017

Ratified by the Board of Management on 13th March 2017

