

Suspension and Expulsion Policy

Suspension

A suspension is defined by the National Educational Welfare Board as “a sanction requiring the student to absent herself from the school for a specified, limited period of school days”.

The decision to suspend a student requires serious grounds such as that:

- The student’s behaviour has had a seriously detrimental effect on the education of other students
- The student’s continued presence in the school at this time constitutes a threat to the safety of others
- The student is responsible for serious damage to property

A single incident of serious misconduct may be grounds for suspension eg. assault, smoking, drug or alcohol offences.

The following factors will be taken into consideration when considering a suspension:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date
- The appropriateness of the sanction
- The impact of the sanction

A suspension of a student will be part of an agreed plan to address the student’s behaviour. The suspension will:

- Allow time to set behavioural goals with the student and their parents
- Give school staff an opportunity to plan other interventions
- Highlight the seriousness of the behaviour to the student and their parents.

Procedures in respect of suspension

The school is required by law to follow fair procedures based on the principles of natural justice when proposing to suspend a student. These include:

- The right to be heard

The school will inform the student and their parents about a complaint, how it will be investigated and that it could result in suspension. Parents and student will be given an opportunity to respond to the complaint before a decision is made and before any sanction is imposed. They will also be informed of the Appeals procedure.

- The right to impartiality

The school will make every possible effort to remove bias from the decision making process. This means that any person with an interest in the matter will not be involved in the investigation or the decision making process. An impartial process is one that allows a decision to be made based on an unbiased evaluation of information and evidence.

Parents will be notified and arrangements put in place for the student to be collected in the case of an immediate suspension. This situation may arise where the Principal may consider it necessary to suspend immediately for the health and safety of the student, other students, staff or others. A formal investigation will begin immediately following the suspension in this case.

Period of Suspension

The Board of Management has delegated the authority to the Principal of the school to suspend a student for a maximum of five days. If a suspension is warranted for longer than three days, the case must be referred to the Board of Management unless the BOM cannot be convened within an appropriate timeframe.

Implementing the suspension

The Principal will notify the parents and the student in writing of the decision to suspend. The following points should be included:

- The length of the suspension and the dates on which the suspension will be imposed
- The reasons for the suspension
- The arrangements for returning to school, including any commitments which need to be made on the part of the student and their parents
- The right to appeal to the BOM or to the Secretary General of the Department of Education and Skills as relevant.
- Where the Principal shall at his/her discretion impose the sanction of an immediate suspension on the student, the student's right to appeal shall not be affected. The student shall serve the suspension pending her appeal. In the event of a successful appeal or where an alternative disciplinary sanction is imposed as a result of an appeal, the students file shall be amended and the record and details of the suspension will be removed from the students file.

Care will be taken in communicating with parents who may have reading difficulties or whose first language is not English.

Engaging with student and parent

The impact of a suspension can be maximised if the Principal or another member of staff delegated by the Principal engages with the student and their parents to help them understand the seriousness of the behaviour and the need to behave appropriately when the student returns to school.

The school will assign one person to supporting the student to re integrate into the school. A plan will also be put in place to aid the student to catch up on work missed.

Record Keeping

Formal records will be kept on the following:

- the investigation
- the decision making process
- the decision and the rationale for the decision
- the duration of the suspension and conditions attached to the suspension

Appeals

The Board of Management will offer an opportunity to appeal a Principal's decision to suspend a student.

Where the total number of days for which a student has been suspended in an academic year is twenty days, the parents or a student aged over eighteen years may appeal the decision to suspend under Section 29 of the Education Act, 1998, as amended by the Education (Miscellaneous Provisions)Act, 2007.

Expulsion

Expulsion of a student from school is a very serious decision and one that is taken only when all other interventions have been exhausted. These include:

- Meeting with parents and the student to try to find ways of helping the student to change their behaviour
- Ensuring that the student understands the consequences of their behaviour, if it should persist
- Ensuring that all other possible options have been tried

- Seeking the assistance of support agencies

There may be exceptional circumstances where the Board of Management is of the opinion that a student should be expelled for a first offence. These might include:

- a serious threat of violence against another student or member of staff
- actual violence or physical assault
- supplying illegal drugs to other students in the school
- sexual assault

With the exception of exceptional circumstances, a proposal to expel a student requires serious grounds such as that :

- the student's behaviour is a persistent cause of significant disruption to the learning of others and to the teaching process
- the student's continued presence in the school constitutes a real and significant threat to the safety of self and others
- the student is responsible for serious damage to property

The following factors will be taken into consideration when considering an expulsion:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date.
- The appropriateness of the sanction
- The impact of the sanction

Procedures in respect of expulsion

Fair procedures based on the principles of natural justice will be followed by the school when proposing to expel a student.

Where a preliminary assessment of the facts suggests that serious misbehaviour has taken place and may warrant expulsion, the following procedure will be implemented:

1. A detailed investigation carried out under the direction of the Principal that will allow for the student and her parents to be given every opportunity to respond to the alleged misbehaviour
2. A recommendation to the Board of Management by the Principal
3. Consideration by the Board of Management of the Principal's recommendation and the holding of a special hearing to consider expelling a student
4. Board of Management deliberations and actions following the hearing. This includes informing parents and Educational Welfare Officer if an expulsion is recommended
5. Consultations with the principal, parents and student are arranged by the Educational Welfare Officer in an effort to ensure that arrangements are put in place for the student to continue her education
6. Confirmation of the decision to expel. This decision must be communicated to the parents. Parents and student should be informed of the right to appeal and supplied with the standard form on which to lodge an appeal.

Appeals

A parent or a student over eighteen years may appeal a decision to expel to the Secretary General of the Department of Education and Skills under Section 29 of the Education Act, 1998. An appeal may also be presented to the National Educational Welfare Board on behalf of the student.

Ratified by the Board of Management of St. Mary's Secondary School March 2011

This Policy will be reviewed in March 2013