



Suspensions and Expulsions Policy

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1. Introduction

St. Joseph's Community College seeks to create an inclusive school community where values, attitudes and behaviours consistent with its Christian ethos are fostered. In partnership with parents and the wider community, it respects individual self-worth and aims to provide a safe environment in which each student may achieve his/her full potential inclusive of spiritual and academic.

2. General principles

Saint Joseph's Community College recognises that all teachers and pupils have the right to be treated fairly in an atmosphere free from disruption, discrimination and misbehaviour. Teachers have the right to teach and students' have the right to learn in safe and structured environment. It is therefore expected that the highest standards of behaviour are expected from all students.

There will be situations whereby the removal of a student will be necessary in the best interests of the school community and/ or the student, either temporarily or permanently. In these situations Suspension and Expulsion are the options available to the Principal and the Board of Management. Examples are referenced in the school's Code of Behaviour policy.

Suspension is just one strategy that Saint Joseph's Community College may use as a sanction for student misbehaviour. In accordance with the school's Code of Behaviour a series of interventions are available to class teacher/ Year Head/ Deputy Principal/ Principal before a suspension is served on a student. Saint Joseph's Community Colleges recognises the importance of positive behaviour and where practicable, will implement strategies to achieve this.

Suspension is most effective when the student, combined with the support of his/ her parent(s)/ guardian(s), is provided with the opportunity to reflect upon their misbehaviour, recognise its implications and through the support of the school and parent(s)/ guardian(s), modify his/ her behaviour to avoid further suspension(s).

The Principal or in his/ her absence the Deputy Principal, has the authority imparted by the Board of Management to suspend a student for a period of up to three school days. The Principal will notify the Board at its next meeting of any student(s) suspended. If it is the judgement of the Principal that a student should be expelled he/ she will refer this matter to the Board of Management for a decision.

In all decision making processes, the Principal and the Board of Management will consider their responsibilities to all members of the school community and will execute their duties under the principle of natural justice and fairness.

The Principal and the Board of Management will take the following factors into account when executing the stages of the relevant procedure when considering to suspend or expel a student:

1. The severity of the incident
2. Whether or not the incident has impaired or will impair the student or other students in the school.
3. The student's previous record at the school
4. The age of the student
5. If the student has experienced a recent traumatic experience or is currently experiencing a traumatic experience
6. The degree to which the incident was a violation of a school rule or a number of rules as identified by the school's associated policies.
7. The extent to which external factors may have influenced the behaviour including parents, and peers.
8. If the incident was perpetrated by the individual student or a group of students.
9. The likelihood of the incident being repeated

Depending upon the nature of the incident the Principal and/ or the Board of Management may solicit the support of external agencies including the National Education Welfare Board (NEWB) and National Education Psychological Services (NEPS).

3. Scope

This policy applies to all of our students:

1. Throughout the school day
2. When representing the school at sporting events and other activities arranged by the school outside of the school's property
3. On tours and excursions

4. Rationale

This policy is devised to satisfy the following:

1. To comply with the legislative requirements as set down by:
 - a. Sections 15(2) (d) and 28(1) of the Education Act, 1998.
 - b. Sections 23 and 24 of the Education (Welfare) Act, 2000
2. To provide a transparent framework and procedural guidelines when a student is faced with a sanction of suspension or expulsion.

5. Objectives

The aim of this policy is to:

1. Ensure a safe environment for all members of our school's community including students, teachers, ancillary staff and visitors
2. To uphold an environment conducive to teaching and learning
3. To promote positive behaviour and disapprove negative behaviour

5. Context

5.1. Suspension

The Principal has the authority imparted by the Board of Management to suspend a student for a period of up to three school days. In exceptional circumstances, the Principal may suspend a student for a period of up to five school days with the approval of the Board of Management at a special meeting or in the event of this not being feasible, with the permission of the Chairperson of the Board.

In the absence of the Principal, the authority to suspend rests with the Deputy Principal, given the conditions set down in the above paragraph.

The length of suspension will be proportionate to the offence. The Code of Behaviour identifies incidences resulting in immediate suspension. All decisions pertaining to the implementation of a suspension is in accordance with the school's Code of Behaviour and related policies.

Notwithstanding the above, suspension is a very serious sanction. The following situations may result in a student being considered for suspension:

1. The implementation of the referral system as part of the school's Code of Behaviour. Where a student accrues a total of 12 referrals he/ she will be suspended
2. Situations categorised under *Automatic Suspension, Immediate Suspension or Suspension during the state examinations* as defined within the school's Code of Behaviour policy and this policy
3. Serious incidences that may endanger the safety, health and welfare of any member of the school's community
4. Any event that may endanger any member of the school's community, building or any action which will severely impact upon the teaching, learning and good order of the school
5. Any incident of gross misbehaviour as determined by the Deputy Principal/ Principal

It may be the situation that some of the above situations may be severe enough that a student may be considered for expulsion. In this instance the matter will be referred to the Board of Management.

5.2. Support structures

Saint Joseph's Community College views suspension as a serious sanction therefore the following support structures are utilised before this sanction is imposed. These supports are also identified within the school's Code of Behaviour:

1. Class teacher(s) will contact the student's parent/ guardian to inform them of his/ her undesired misbehaviour in class. Their support is paramount to encouraging and supporting a modified behaviour without it escalating further.
2. Drafting of class contract between teacher and student

3. The student liaising with his/ her Year Head to encourage positive behaviour. In some situations, the student's parent(s)/ guardian(s) may be requested to attend a meeting(s) to further support this process.
4. Lunchtime detention
5. Withdrawal from certain activities and school events as determined by the student's Year Head/ Deputy Principal/ Principal
6. Daily report
7. In-school suspension

When the above structures are exhausted and no improvement in behaviour is noted, a student will be considered for suspension.

5.3. Immediate suspension

In exceptional circumstances a student may be suspended with immediate effect if their continued presence poses a health and safety threat to other members of the school's community and/ or to themselves. In this situation his/ her parent/ guardian will be contacted by telephone and requested to attend the school at once to discuss the matter and to receive their son/ daughter into their care.

5.4. Automatic suspension

As stipulated by the school's Code of Behaviour there is situations that result in an automatic suspension. Please refer to the Code for further details.

5.5. Suspension during the state examinations

This is an exceptionally serious sanction and will only be approved the Board of Management. In this situation a student may be suspended when:

His/ her actions impact upon the good order of the examinations and jeopardises other students' participation.

His/ her actions poses a health and safety threat to other students and personnel employed by or working on behalf of the State Examinations Commission.

5.6. Suspension pending a meeting

Parent(s)/ guardian(s) may be requested to keep their son/ daughter at home pending a meeting between them and school management. This will be necessary when a student is involved in a serious incident or where there is persistent misbehaviour with no evidence of reform. The parties will be invited to attend a meeting at the earliest possible opportunity as determined by school management. Should this be unsuitable with the parent(s)/ guardian(s), they will be afforded the responsibility of determining a suitable time. The school will endeavour to facilitate a meeting at the earliest practicable opportunity.

5.7. Suspension pending the decision of the Board of Management

A student may be suspended by the Board of Management, upon mention by the Principal, whereby a student poses a health and safety threat to him/herself and/or other members of the school's community, persistent actions that impede the comprehensive teaching and

learning environment or where the student's parent(s)/ guardian(s) fail to accede to the sanction imposed, in accordance with the school's Code of Behaviour, suspensions and expulsions policy and other related policies.

5.8. Procedure for suspension

Where the Principal determines a student be considered for suspension, the following procedure will apply:

1. The student will be interviewed by the Principal or another member of staff (Deputy Principal/ Year Head/ class teacher) to whom authority is delegated to by the Principal. He/ she will be informed of the incident and the allegations made. The student will be given the right to respond to these.
2. An investigation into the incident will be initiated by a member of staff as determined by the Principal. This may include the Principal/ Deputy Principal/ Year Head/ class teacher. This will involve interviewing the student and other students involved, if applicable. If necessary, written statements may be taken from those interviewed.
3. The parent(s)/ guardian(s) of the student will be informed. If required, they will be invited to attend a meeting if any disputes exist surrounding the incident. In certain situations, the parent(s)/ guardian(s) may be requested to attend school for a meeting on this matter.
4. Should the parent(s)/ guardian(s) fail to comply with this request then the decision rests with the Principal, in the absence of any mitigating factors that otherwise may be presented in a meeting.
5. Where a decision is made to suspend a student his/ her parent(s)/ guardian(s) will first be informed of the details by telephone. Should this prove impossible, they will be notified by text. This notification will be followed up with a written notification. This will also notify them of their right of appeal to the Board of Management
6. In the event where a suspension is to be implemented with immediate effect where a student poses a health and safety risk to other members of the school's community and/or themselves, the student will be withdrawn from class. His/ her parent(s)/ guardian(s) will be notified by telephone and failing that, contacted by text to attend the school to collect their son/ daughter. The student will not be permitted to leave the school's grounds unless they are collected by a parent or assigned guardian as per the details provided to the school upon enrolment.
7. Should the incident be of a grave nature, the matter may be referred to the Board of Management to consider expulsion.
8. The Education Welfare Officer (EWO) will be notified when a student is suspended for cumulative period of six days.

5.9. Notification to parents

Parent(s)/ guardian(s) will receive a written notice of suspension which will document the following information:

1. Reason for suspension
2. Length of suspension
3. Date suspension is effective from
4. Information on their right to appeal and the procedure for this
5. Arrangements for when the student returns to school (as detailed in the school's Code of Behaviour)
6. Expectations from the student on his/ her return

5.10. Appeals process

In accordance with Section 29 of the Education Act, 1998; a parent/ guardian has the right to appeal the Principal's decision of a suspension in the first instance to the school's Board of Management or where a student is aged eighteen years or older, may bring an appeal on their own behalf. The appeal is to be made in writing and should outline the grounds for appeal. Should the appeal be successful, the suspension will be expunged from the student's record.

Saint Joseph's Community College, under the patronage of Mayo, Sligo and Leitrim Education and Training Board (MSLETB), the appeal against the decision of the Board of management will be made, in the first instance to the patron.

Appeals should be made in writing on the Section 29 Appeal application Form, available from MSLETB and should be submitted to the Chief Executive (CE), at Head Office. The school should, at the same time, be advised of the appeal by the appellant and the grounds on which it is being made. MSLETB will communicate with both parties i.e. the appellant and the school in respect of the processing and determination of the appeal.

If the appellant remains unhappy with the outcome of this process he/ she has an entitlement to make an appeal directly to the Secretary General of the Department of Education and Skills and may be done by contacting the Department at "*Department of Education & Skills, Section 29 Appeals Administration Unit, Friar's Mill Road, Mullingar, Co. Westmeath*".

5.11. When a suspension is served

Following a student serving his/ her suspension they will be first required to attend school for a meeting with their Year Head and his/ her parent(s)/ guardian(s). The rationale for this meeting is to ascertain whether or not the student has suitably reflected upon their inappropriate behaviour that resulted in the suspension and to provide the student with the necessary support structures to foster improved behaviour and reduce any future incidences of suspension. In accordance with the terms of the Code of Behaviour, the student will be placed on daily report for a period of 30 school days with his/ her parent/ guardian required to monitor its comments and sign it on a daily basis.

6. Expulsion

Expulsion is the ultimate sanction to be imposed by the school and will only be imposed in extreme circumstances. Given the implications of this sanction, it will only be imposed by the school's Board of Management. Where the Principal determines that the actions of a student warrant expulsion, he/ she will refer the matter to the Board of Management with a recommendation to expel.

With regard to the potential gravity of this sanction, the matter will initially undergo a thorough investigation with all parties involved, underpinned by the principles of natural justice and fair procedures.

Expulsion will only be considered in situations:

1. Whereby the actions of a student jeopardise the health and safety of other members of the school's community and/ or themselves
2. Where the persistence actions of a student have a significant adverse impact on the teaching and learning of their classes and bring the good order of the efficient operation of the school into disrepute.
3. Where all interventions provided by the school and all sanctions imposed by the Code of Behaviour are exhausted with no improvement in the student's behaviour.

6.1. Expulsion for first offence

There may be exceptional circumstances whereby the Board of Management forms the opinion that the actions of a student result in expulsion from school. This will include but not limited to, the following situations:

1. Possession of and/ or brandishing of a weapon or firearm
2. Where a serious physical assault has occurred on a fellow student/ member of staff or visitor to the school
3. Where health and safety of other members of the school's community is placed at risk.
4. Substantial theft of school's property
5. Substantial damage to school's property
6. Supplying of drugs, weapons or illegal substances to others on the school's property and or any event, activity or excursion taking place outside of the school's property
7. Sexual assault and/or sexual harassment

6.2. Influencing factors

Taking into account the seriousness of the situation and the sanction considered to be imposed, the Board of Management will consider the following factors when determining their decision:

1. The nature of the incident
2. The context of the incident
3. The impact of the incident on the student and the wider school's community
4. The students record in school

5. The interventions applied to date
6. The implications of an imposed expulsion

6.3. Procedure

The procedure for investigating and considering an incident for expulsion will be undertaken in accordance with the Education (Welfare) Act, 2000.

1. The Principal will conduct a thorough investigation into the incident. While the investigation is underway, the student may be suspended pending the determination of the Board.
2. The student and his/ her parent(s)/ guardian(s) will be informed of the incident including the possible determination of expulsion.
3. The student and his/ her parent(s)/ guardian(s) will be afforded every opportunity to respond to the incident, prior to the case being referred to the Board of Management for determination.
4. The Principal will collate all data gathered through this process. If he/she forms the opinion that the student is to be considered for expulsion the following procedure will apply:
5. The student and his/ her parent(s)/ guardian(s) will be informed that the incident will be referred to the Board of Management with a recommendation from the Principal that the student is to be considered for expulsion.
6. The members of the Board of Management will be provided with all necessary information and records relating to the incident including records and notes gathered during the investigation process including the notice issued to the parents, indicating to them the incident is referred to the Board of Management with a recommendation that the student is to be considered for expulsion. A copy of these documents will also be made available to the parent(s)/ guardian(s).
7. The parent(s)/ guardian(s) will be notified of a meeting with the Board of Management where a hearing will take place with an invitation for them to attend. They will also be informed they will have the opportunity to make an oral and a written presentation to the Board.
8. The Board will undertake its own review of all documentation submitted and the circumstances of this case. In the interests of fair procedures, any Board member who has any involvement in this case will not participate in the deliberations process.
9. In the course of a hearing, both parties i.e. the appellant and the Principal will have the opportunity to make an oral submission in each other's presence. When complete, both parties will leave the meeting before the Board will begin their deliberations process.

Should the Board form the opinion the student is to be expelled the following notifications will take place:

1. Education Welfare Officer (EWO)
2. Formal notification to the parent(s)/ guardian(s) including reference that the EWO is informed and their right to appeal. The appeals process as determined under Section 29 of the Education Act, 1998 is outlined in paragraph 5.10 of this policy.

7. Monitoring

The Principal will monitor the implementation of this policy.

8. Implementation

The date from which the Policy will apply is 15th June 2016, which is the date of adoption by the Board of Management, Saint Joseph's Community College.

Signed: _____
Clodagh Geraghty
Chairperson of BOM

Signed: _____
John Bones
Secretary of BOM

Date: _____

Date: _____