



## Suspension & Expulsion Scoil Ruáin

### **Suspension Policy**

Definition of Suspension: Suspension is requiring the student to absent himself/herself from the school for a specified, limited period of school days.

#### **Authority to suspend**

The Board of Management has the authority to suspend a student. The Board of Management of Scoil Ruain has delegated to the Principal, the authority to suspend a student for up to three days. For very serious offences which will be reported to the Board of Management the authority to suspend may be increased to up to five days. The Principal is accountable to the Board of Management for the use of suspension. If Health & Safety issues arise and cannot be dealt with within the school the Gardai may be called. If possible parents should be informed if Gardai are to be involved.

#### **Automatic suspension:**

All offences will be looked at on an individual basis. Suspension will be considered for very serious breaches of the code of behaviour. Immediate suspension will be considered if health & safety of staff and or students is an issue.

The following factors will be considered before suspending a student:

#### **The nature and seriousness of the behaviour**

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been?
- Has the problem behaviour escalated, in spite of the interventions tried?

#### **The context of the behaviour**

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- What is the age, stage of development and cognitive ability of the student?

- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

### **The impact of the behaviour**

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?
- Does the behaviour have a particular or greater impact on some students or teachers?
- Does the student understand the impact of their behaviour on others?

### **The interventions tried to date**

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of those interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child and Adolescent services)?

### **Whether suspension is a proportionate response**

- Does the student's behaviour warrant suspension?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

### **The possible impact of suspension**

- Will suspension allow additional or alternative interventions to be made?
- Will suspension help the student to change the inappropriate behaviour?
- How will suspension help teachers or other students affected by the behaviour?
- Will suspension exacerbate any educational vulnerability of the student?

### **Post Suspension**

Before returning to school after a suspension a meeting will take place with the Principal or his/her representative. At the meeting the student and parent/guardian must sign an agreed behaviour contract before the student returns to class.

**Suspension during a state examination:** Suspension will be considered if any of the following circumstances arise:

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

### **Procedures in respect of suspension**

Fair procedures in line with natural justice will be applied in all cases where suspension is considered. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension has occurred the school will observe the following procedures:

- Investigate the matter
- Inform the student and parents about the situation
- Give parents and students an opportunity to respond
- Impose the sanction – parents will receive written notification of the suspension period, the arrangements for returning to school and the appeals procedures.
- Reintegrate the student

### **Procedures in relation to immediate suspension**

Immediate suspension will be considered if health & safety of staff and or students is an issue. In the case of an immediate suspension parents/guardians will be notified and requested to arrange collection of the student from the school. The matter will then be investigated as for any other suspension.

**Period of suspension:** The Board of Management has authorised the Principal to suspend students for periods up to three days. This may be increased to five days when the issue causing concern needs to be referred to the Board of Management. The Board of Management may impose a suspension of up to ten days.

**Reintegrating the student:** The school will have a plan to help the student reintegrate on returning to school following a suspension. This plan will involve the Year Head meeting with the student and monitoring behaviour etc. To assist with monitoring behaviour the student may be placed on a Report Card. While a record will be kept of the incidents that caused the suspension the student will be given the opportunity of a fresh start when returning to school after a suspension.

Appeals The Board of Management will offer an opportunity to appeal the Principal's decision to suspend a student. If the Board of Management imposes a suspension this can be appealed to Tipperary Education & Training Board.

Section 29 Appeal: Where the total number of days for which the student has been suspended in the current school year reaches twenty days, the parents, or a student aged over eighteen years, may appeal the suspension under section 29 of the Education Act 1998, as amended by the Education Miscellaneous Provision Act 2007. At the time when parents are being formally notified of such a suspension, they and the student will be told about their right to appeal to the Secretary General of the Department of Education and Science under section 29 of the Education Act 1998, and will be given information about how to appeal. As Scoil Ruain is under the management of Tipperary Education & Training Board, the appeal must be made in the first instance to Tipperary Education & Training Board. Where an appeal to the ETB is concluded, parents, or a student aged over eighteen years, may appeal to the Secretary General of the Department of Education and Skills.

## **Expulsion Policy**

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

Authority to Expel: The Board of Management of Scoil Ruain has the authority to expel a student.

Grounds for Expulsion: Expulsion will be considered in the following cases:

- The student is involved in extreme cases of unacceptable behaviour
- The student persistently refuses to abide by the Code of Behaviour
- The student's behaviour is a persistent cause of significant disruption of teaching and learning in the school
- The student's continued presence in the school constitutes a real and significant threat to safety
- the student is responsible for serious damage to property
- Serious breach of substance use policy.

The following factors will be considered before expelling a student:

- The nature and seriousness of the behaviour
- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been and over what period of time?
- Has the problem behaviour escalated, in spite of the interventions tried?

The context of the behaviour

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

The impact of the behaviour

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?

The interventions tried to date

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of these interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child and Adolescent Mental Health services)?
- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?

Procedures in respect of Expulsion: Scoil Ruain is committed to following fair procedures as well as procedures under the Education (Welfare) Act 2000, when proposing to expel a student. When a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation carried out under the direction of the Principal. In line with fair procedures, the Principal will:
  - inform the student and their parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion
  - give parents and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed. Parents will be informed in writing of the alleged misbehaviour and the proposed investigation.
2. A recommendation to the Board of Management by the Principal. The Principal will:
  - inform the parents and the student that the Board of Management is being asked to consider expulsion
  - ensure that 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 parents
  - notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
  - advise the parents that they can make a written and oral submission to the Board of Management
3. Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing. The Board will review the initial investigation, all documentation and

circumstances of the case. It will ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations. Where the Board of Management decides to consider expelling a student, it will hold a hearing. The Board meeting for the purpose of the hearing will be properly conducted in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case for lessening the sanction. In the conduct of the hearing, the Board will take care to ensure that they are, and are seen to be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board will facilitate this, in line with good practice and Board procedures. After both sides have been heard, the Board will ensure that the Principal and parents are not present for the Board's deliberations.

4. Board of Management deliberations and actions following the hearing. Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction. Where the Board of Management, 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 in writing of its opinion, and the reasons for this opinion. (Education (Welfare) Act 2000, s24(1)). The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification (Education (Welfare) Act 2000, s24(1)). The Board will inform the parents in writing about its conclusions and the next steps in the process.
5. Consultations arranged by the Educational Welfare Officer. Within twenty days of receipt of a notification from a Board of Management of its opinion that a student should be expelled, the Educational Welfare Officer must:
  - make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance
  - convene a meeting of those parties who agree to attend(Education (Welfare) Act 2000, section 24). Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (Education (Welfare) Act 2000, s24(5)). A Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others, or represent a threat to the safety of other students or staff.

6. Confirmation of the decision to expel. Where the twenty-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 Board of Management will formally confirm the decision to expel. Parents will be notified immediately that the expulsion will now proceed. Parents and the student will be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record should be made of the decision to expel the student.

### Appeals

A parent, or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the Department of Education and Skills (Education Act 1998 section 29). An appeal may also be brought by the Educational Welfare Board on behalf of a student. As Scoil Ruain is a school under Tipperary Education & Training Board, the appeal must be made in the first instance to Tipperary Education & Training Board, Church Road, Nenagh, Co. Tipperary. Telephone 067-31250. Where an appeal to the ETB has been concluded, parents, or a student aged over eighteen years, may go on to appeal to the Secretary General of the Department of Education and Skills.

### Review of use of expulsion

The Board of Management will review the use of expulsion in the school at regular intervals 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 use of expulsion is appropriate and effective.