

St. Louis Community School

Suspension & Expulsion Policy



Rationale

Suspension is only one strategy within this Code of Behaviour to respond to inappropriate behaviour. The school authorities recognise that when all other strategies have been exhausted, suspension affords a student time to reflect on their behaviour, to acknowledge and accept responsibility for their behaviour and to accept the need for the behaviour to change.

Through its Code of Behaviour, St. Louis Community School aims to enhance the holistic development of all our students and to foster their human and spiritual values in an environment where every member of our school community feels respected and has a sense of equality and self-worth.

In cases where students fail to observe the Code of Behaviour it is necessary, for the good of the school community as a whole, to impose corrective actions on such students, including suspension where warranted.

This Suspension and Expulsion policy outlines the school's approach to suspension and has been formulated taking due consideration of the rights and responsibilities inherent in the Education Act 1998, Education Welfare Act 2000, Equal Status Act 2000 and the principles of fairness and natural justice as outlined in the National Educational Welfare Board Guidelines 2008.

This policy should be read in conjunction with the following school policies:

- Code of Behaviour
- Anti-Bullying Policy
- ICT Acceptable Usage Policy
- Mobile Phone Policy
- Substance Use Policy
- Educational Outings and out of school trip
- Child Safeguarding Statement and Risk Assessment
- Whole School Guidance Policy
- National Educational Welfare Board Guidelines

Scope

This policy applies to the students of St. Louis Community School and relates to all school activities both during and outside of normal school hours. Such activities include but are not limited to evening study, sporting events, school trips, workshops, visiting guest speakers, student work experience, international school tours etc.

Suspension Principles

In certain cases of unacceptable behaviour, it will be in the best interests of the school community and/or the student involved, to remove the student from the school for a period of time. The Board of Management has delegated this authority to the Principal to suspend a student from attending school for a period up to three days. The Principal/Board of Management will exercise this authority in a fair manner, having regard to their responsibility to the whole school community and to the principles of natural justice as outlined in the NEWB Guidelines 2008.

The primary purpose of suspension is one of corrective support rather than penalising students for misbehaviour. It is the intention of the school that suspension allows students the time, under the supervision of their parents/guardians to reflect on their unacceptable behaviour; accept responsibility for the behaviour that led to the suspension and to change their future behaviour to meet the expectations of the school.

In general, the grounds for suspension will be as follows:

- a) Continuously interfering with the teaching and learning in school and with the education of other students
- b) Repeated and/or deliberate breaches of the school's Code of Behaviour
- c) Single serious breaches of the Code of Behaviour that indicate that the student should be removed from the school.
- d) In cases where the student presents a threat to his/or her health and safety and that of others.
- e) Repeated, less serious breaches of the Code of Behaviour that have not been rectified by disciplinary measures, short of suspension. In such cases a Behavioural Contract, detailing the unacceptable behaviour and an explanation of what is required of the student will have previously been signed by the student and their parents/guardians. The breaches of the Code of Behaviour and the Behavioural Contract may result in suspension.
- f) In certain instances, the Principal may decide to impose an in-school suspension. An in-school suspension involves a student attending school and following the timetable of another Year Group (e.g. a 2nd Year student follows a 5th Year timetable). Work will have been assigned to the student in advance. The suspension procedure outlined below applies to any in-school suspension imposed by the Principal.

Factors to consider when suspending a student

The following factors will be taken into consideration when deciding to suspend a student:

1. The age and state of health of the student
2. The student's previous record of behaviour at the school.
3. The severity of the behaviour, its frequency and impact on the school community.
4. The extent to which the behaviour impaired or will impair the normal functioning of the student and others in the school community.
5. Previous disciplinary measures and interventions imposed on the student
6. Any mitigating circumstances unique to the student that might reasonably be considered, in connection with the behaviour leading to the suspension.
7. Any family related extenuating factors related to the student such as illness, family trauma, bereavement.

Suspension during State Examinations

This sanction will be approved by the Board of Management and will be used where there is:

- A threat to the good order during the examination process
- A threat to the safety of other students and/or personnel of the school community
- A threat to the right of other students to do their examination in a calm, quiet and respectful atmosphere

This sanction will be treated like any other suspension, and the principle of natural justice will apply.

Suspension Procedure

In the event that the Principal exercises their authority to suspend a student for a fixed duration, the following procedure will be used.

1. Following an investigation the student will be informed verbally of the precise grounds that gave rise to a potential suspension and will be given an opportunity to respond before a suspension decision is formalised.
2. The parents/guardians of the student will be informed initially by telephone of the situation and invited to come to the school for a meeting.
3. In cases where the suspension is to take effect immediately, such as in the interests of health and safety, parents/guardians will be informed by telephone, with written follow up.
4. If a student must be sent home during the school day, their Parent or Guardian will be requested to collect them from the school.

All suspension decisions will include a formal letter of notification that will include, at least:

- Notice of the suspension
- Effective date of the suspension
- Duration of the suspension
- Reasons for the suspension
- Information of the appeal rights and procedures regarding the suspension.
- Requirements to be met for the student's return to school.

Where appropriate, this letter may also include some or all of the following:

- Expectations of the student while on suspension.
- Reference to the importance of parental assistance in resolving the matter causing suspension.
- A statement that the student is under the care and responsibility of parent/carers while suspended.

Appealing a Suspension

A parent/guardian or a student over 18 years of age may appeal a suspension by the Principal to the Board of Management. A letter of appeal should be written to the Secretary of the Board of Management setting out the grounds for the appeal. The appeal must be received within 7 days from the date of the suspension notification letter.

- The appeals process will at all times follow the principles of natural justice.
- The principal will present her findings to the Board. The parents/guardians will be invited to reply/present their case. The parents/guardians and the principal will recuse themselves from the meeting to enable the Board to discuss and make its decision.
- They should remain available to the Board who may seek further clarification.
- The decision of the Board will be binding and will be communicated in writing to the parents/guardians.

Suspension Completion

Upon completion of a suspension, the following procedures may apply for the formal reintroduction of the student into the school.

- Parents/Guardians may be requested to attend with the student upon his/her return to school.
- The student may be required to enter into a Behaviour Contract or other conditions that may be specified before returning to school.

- There will be a process of reintegration of the student including the concept of a clean slate as outlined in the National Education Welfare Board Guidelines 2008.
- Student supports may be implemented in order to support the student to change their behaviour.

Expulsion

Rationale

Expulsion is the ultimate sanction imposed by the school on a student and as such, will only be exercised by the Board of Management in relation to cases of extreme indiscipline. In cases where the Principal is of the opinion that a student's actions are such that expulsion should be considered, the Principal will refer the matter to the Board of Management. Given the severity of the potential sanction, the school, in accordance with the principles of natural justice, will investigate extreme indiscipline cases thoroughly in advance of any hearing that could result in expulsion.

This Code of Behaviour outlines the school's approach to expulsion and has been formulated taking due consideration of the rights and responsibilities inherent in the Education Act 1998, Education Welfare Act 2000, Equal Status Act 2000 and the principles of fairness and natural justice as outlined in the National Educational Welfare Board Guideline 2008.

Expulsion Principles

In general, there are two sets of circumstances in which expulsion may be considered to be appropriate by the school.

- a) Cases where the indiscipline of a student is so pervasive that teaching and learning become extremely difficult. Such cases include but are not limited to:
 - The student's behaviour is a persistent cause of significant disruption to the learning of others or to the learning process.
 - The student being uncontrollable and not amenable to any form of school discipline or authority.
 - Parents/Guardians being unable or refusing to exercise their responsibility for the student.
 - The student's continued presence in the school constitutes a real and significant threat to the health and/or safety of other students and/or school personnel.
 - When guarantees of reasonable behaviour following repeated suspensions are not forthcoming or not being met.

The grounds for expulsion may be similar to the grounds for suspension. In addition to factors such as the degree of seriousness and the persistence of the behaviour, a key difference is that, where expulsion is considered, the school authorities have tried a series of other interventions, and believe they have exhausted all possibilities for changing the student's behaviour.

- b) First time offences of a very serious nature.
Such cases include but are not limited to:

- A serious display of violence against another student or member of staff.

- Remarks of a sexually explicit nature directed at school personnel and/or other students.
- Inappropriate touching or behaviour.
- Racist and or homophobic remarks directed at school personnel and/or other students.
- Possession of and trafficking in drugs.
- Arriving in school under the influence of alcohol or drugs.
- Causing major damage to school property.
- Gross insubordination to the Principal or other staff members.
- Brandishing of an offensive weapon with intent.

Factors considered during an Expulsion Procedure

In the interest of ensuring a fair and even-handed system for the imposition of an expulsion, the Board of Management will, among other things, take account of the following factors:

1. The age and state of health of the student
2. The student's previous record of behaviour at the school.
3. The severity of the behaviour, its frequency and impact on the school community.
4. The extent to which the behaviour impaired or will impair the normal functioning of the student and others in the school community.
5. Previous disciplinary measures and interventions imposed on the student
6. Any mitigating circumstances unique to the student that might reasonably be considered, in connection with the behaviour leading to the expulsion.
7. Any family related extenuating factors related to the student such as illness, family trauma, bereavement.

Expulsion Procedure

A detailed investigation will be carried out under the direction of the Principal. Where 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
2. A recommendation to expel to the Board of Management by the Principal
3. Consideration by the Board of Management of the Principal's recommendations and the holding of a hearing.
4. Board of Management deliberation and actions following the hearing
5. Consultations arranged by the Education Welfare Officer.
6. Confirmation of the decision to exclude

Following the actions outlined above, expulsion will still only occur after the Board of Management has:

- Heard the Principal's case against the student, which should be made in the presence of the parents/guardians.

- Heard the response of the parents/guardians.
- Examined all the documentation.
- Considered the student's record in the school and other factors listed above.
- Ensured that the Principal is not present for the Board's decision on the matter.
- Discussed the case in detail.
- Made a final decision to exclude.
- Communicated the decision to exclude to the parents/guardians, formally by letter.
- Informed TUSLA and the Education Welfare Officer using the appropriate documentation/templates.

The formal letter of notification by registered post will include:

- Notice of the expulsion
- Effective date of the expulsion
- Reasons for the expulsion
- A statement that TUSLA and the Education Welfare Officer have been informed of the expulsion
- A statement that the student is under the care and responsibility of the parents/guardians for the period of 20 days required by TUSLA to examine alternative provisions for the education of the student
- Information and documentation on Appeal rights

Expulsion 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 under Section 29 of the Education Act 1998. An appeal may also be brought by the National Educational Welfare Board on behalf of a student.

Adoption

1. This policy was adopted by The Board of Management on _____
2. This policy has been made available to school personnel, Student Council, Parents' Association, and has been published on the school website. A copy will be made available to the Department of Education and to the Trustees, if requested.

Signed: _____ **Date:** _____

Signed: _____ **Date:** _____

Date of next review: _____