

# St Patrick's Classical School



## Suspension and Expulsion Policy



## Suspension and Expulsion Policy 2015

St. Patrick's Classical School strives for excellence by creating an environment which fosters the development of each student in all aspects of the human person – spiritual, intellectual, moral, physical and social. Students are encouraged to set personal goals, take ownership of their learning and to initiate positive change. A sense of values and a commitment to the service of others together with a deep understanding of the Catholic faith is central to the mission of St. Patrick's Classical School.

It is the policy of the St. Patrick's Classical School Board of Management, in keeping with Section 23 (2) of the Education (Welfare) Act 2000, to ensure a school Policy on Suspension and Expulsion is drawn up and developed in consultation and collaboration with students, staff and parents in St. Patrick's Classical School and in accordance with the Guidelines issued by the National Educational Welfare Board (NEWB).

Cognisant of its legal obligations, the Board of Management will ensure that the policy is consistent with good practice and is accompanied by a transparent process of accountability. As a school with a Catholic ethos, St. Patrick's Classical School aims at providing an atmosphere in which personal growth (intellectual, spiritual, emotional, cultural and social) is fashioned, and quality relationships with others are nurtured in accordance with Christian virtues. All students have the right to learn in an orderly and caring environment free from disruption, intimidation, harassment and discrimination. The expectations governing student behaviour and the procedures for dealing with unacceptable behaviour are clearly set out in the school's Code of Discipline. There may be cases of unacceptable behaviour where it will be in the best interest of the school community and/or the student involved, for the student to be removed from the school for a period of time or completely. Suspension and Expulsion are the options available to the Principal and/or the Board of Management in these situations. When proposing to suspend or expel a student, the school will apply fair procedures based on the principles of natural justice. Fair procedures have two essential requirements:

- The right to be heard
- The right to impartiality

### Suspension

Suspension is one strategy within the School's Code of Discipline. Suspension is defined as requiring the student to absent himself from school for a specified, limited period of school days. The Board of Management empowers the Principal, or in the absence of the Principal, the Deputy Principal or Year Head to suspend a student. As stated in the Code, a student may be suspended for persistent misbehaviour, for a serious incident of indiscipline or for some other breaches of the Code which Management deem serious enough to warrant suspension e.g. smoking on the school premises, bullying, breaches of dress and appearance rule, refusal to follow instruction from a member of staff etc. (these are some examples). Suspension allows a student time to reflect on his behaviour, to acknowledge and accept responsibility for the behaviour which led to the suspension and to accept responsibility for altering his behaviour to meet the



school's expectations in the future. The Principal has authority to suspend any pupil for a limited period (max. 5 school days) and to report any such suspension to the Board of Management at its next meeting. The Board of Management and the Principal will exercise this authority having regard to their responsibilities to the whole school community and to the Principles of Natural Justice. If a student is suspended for a period of six days or more, the Principal must inform the Education Welfare Officer.

### **Procedures for Suspending a Student**

- The Principal, in consultation with the Deputy Principal and/or Year Head, makes a decision to suspend on the basis of the reasons set out in the Code of Behaviour and the parameters set out by the Board of Management.
- Parents/Guardians are asked to come to the school for a meeting during which they are informed of the precise grounds for suspension. The student may also be required to attend this meeting. If the suspension is to be immediate (e.g. in the interests of health and safety or in the interests of maintaining an orderly environment), Parents/Guardians will be informed by phone with a written follow-up.
- Students are supervised in class until suspension takes place.
- Parents/Guardians receive a written confirmation of the suspension by hand/post. This formal letter of notification includes notice of suspension, the effective date and duration of suspension and the reasons for suspension. It also includes a statement, where appropriate, that the Education Welfare Officer has been informed. This letter also states the requirements which need to be in place when the student returns.
- Parents/Guardians are also informed of their rights of Appeal to the Board of Management of the school and/or the Secretary General of the Department of Education and Science (Section 29, Education Act 1998).
- Parents/Guardians are also informed, in accordance with the Code of Discipline, of the procedures for the formal re-introduction of the student into the school.

### **Expulsion**

The Board of Management of a recognised school has the authority to expel a student. As a matter of best practice, that authority should be reserved to the Board of Management and should not be delegated.

Expulsion is the ultimate sanction imposed in extreme cases of indiscipline, gross misconduct or repeated breaches of the Code of Behaviour. A decision by the Principal to recommend to the Board of Management the expulsion of a student will occur only when such is the serious nature of an incident or incidents, or occasion(s) of misconduct that the Principal deems that the only course available to him is a recommendation to the Board of Management for the expulsion of the student. 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 or to the teaching process



- 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.

### **Expulsion for a first offence**

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include:

- a serious threat of violence against another student or member of staff.
- actual violence or physical assault against another student or member of staff.
- supplying or attempting to supply illegal drugs to other students in the school.
- acquiring or attempting to acquire illegal drugs from other students in the school.
- sexual assault.
- serious damage to school property.

In advance of any hearing, which could result in expulsion, the school will investigate the matter in accordance with the Principles of Natural Justice.

A decision by the Principal to recommend to the Board of Management the expulsion of a student will only occur when the following procedures have been carried out:

#### **1. Detailed investigation carried out under the direction of the Principal:**

(Fair procedures based on the principles of natural justice- see NEWB 10.3 and 10.4)

- Principal must inform student and parents of the misbehaviour/offence and that it could result in expulsion. This must be done in writing.
- Principal should give student and parents an opportunity to respond.
- Principal should have a meeting with parents and the student.
- If the student has been suspended for more than 6 days in the current academic year at this stage the E.W.O. (Education Welfare Officer) must be informed in writing immediately.

#### **2. Recommendation to the Board of Management (B.O.M.) by the Principal:**

- Inform the parents and student that B.O.M. is being asked to consider expulsion.
- Ensure the parents have all records of investigation (e.g. Incident Reports) and written notice of grounds on which B.O.M is being asked to consider expulsion.
- Ensure B.O.M. gets same records.
- Notify the parents of the date of the hearing and invite them to that hearing.
- Advise the parents that they can make a written or oral submission to the B.O.M.
- Give the parents enough notice so that they can prepare for the hearing.

#### **3. B.O.M. considers the Principal's recommendation:**

- B.O.M must hold a hearing.



- The Principal and parents put their cases to the B.O.M. in each other's presence.
- The parents may be accompanied at the hearing.

#### **4. B.O.M. deliberations and actions following the hearing:**

- B.O.M. decides whether or not expulsion is appropriate.
- If expelling the B.O.M. must notify the E.W.O. (Education Welfare Officer) of the decision and the reasons.
- Student cannot be expelled until 20 days have passed from the time the E.W.O has been notified. *Education (Welfare) Act 2000.*
- The Board may consider it appropriate to suspend the student during this twenty day period to ensure that good order is maintained and that the safety of other students is secured.
- B.O.M. now notifies the parents that the B.O.M. will notify the E.W.O.

#### **5. Consultations arranged by the E.W.O.**

- Within 20 days of notification the E.W.O. must make all efforts to hold individual meetings with Principal, parents and student.
- Convene a meeting with those parties who agree to attend.
- If expulsion cannot be avoided E.W.O. must now focus on alternative educational possibilities.
- To ensure good order in the school the B.O.M. may decide to suspend the student during this time.

#### **6. Confirmation of the decision to Expel:**

- When the 20 days following the notification to the E.W.O. have elapsed and where the B.O.M. still feels the student should be expelled the B.O.M. must formally confirm the decision to expel. This task may be delegated to the Chairperson and the Principal.
- The parents must be notified immediately.
- Parents and student should be told of the right to appeal and should be supplied with the standard Appeal Form. (Education Act 1998, Section 29).

#### **For further information:**

St. Patrick's Classical School's Code of Behaviour

DES Best Practice Guidelines concerning Certificate Examinations

Education (Welfare) Act 2000

Education Act 1998.

National Educational Welfare Board-Developing a Code of Behaviour-guidelines for Schools

Policy Adopted by the Board of Management on **7<sup>th</sup> April 2016.**

Date of next Review **2017.**