



Suspension & Expulsion Policy

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As an educational community we strive to embody the values of unity, truth and love in our everyday interactions.

**Good Counsel
College**

AN AUGUSTINIAN SCHOOL

Suspension Policy

Suspension is described as necessitating the student to absent themselves from Good Counsel College for a specified limited period of school days. During the period of suspension, the student retains their place in school.

Suspension is designed to address student's behaviour. Consequently any period of suspension:

- a. enables Good Counsel College to set behavioural goals with the student and their parents/guardians.
- b. gives Good Counsel College staff an opportunity to plan and arrange interventions where appropriate.
- c. impresses on parents/guardians the seriousness of behaviour.

Grounds for suspension:

Suspension is utilised as a proportionate response to the behaviour that is causing concern. Normally, other interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student requires serious grounds such as that:

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

A single incident of serious misconduct or gross misbehaviour may be grounds for suspension.

Factors considered prior to suspension.

- a. The nature, seriousness and persistency of the behaviour.
- b. The context of the behaviour.
- c. The impact of the behaviour on other students and staff.
- d. The effect on the quality of teaching and learning in the class group of the student concerned.
- e. The interventions tried to date, including internal and external supports and agencies.
- f. The possible impact of suspension.

Forms of suspension

IMMEDIATE SUSPENSION

In certain exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the student in the school at the time would represent a serious threat to the safety of students or staff of the school, or any other person. Fair procedures must still be applied.

SUSPENSION DURING STATE EXAMINATIONS

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

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

ROLLING SUSPENSION

A student will not be suspended again shortly after they return to school unless:

- a. They engage in serious misbehaviour that warrants suspension and
- b. Fair procedures are observed in full and
- c. The standard applied to judging the behaviour is the same as the standard applied to the behaviour of any student.

'AUTOMATIC' SUSPENSION

The Board of Management of Good Counsel College has decided that as part of the school's policy on sanctions, and following consultation with the Principal, parents, teachers and students that those named behaviours in 'Appendix 1 under Gross misbehaviour' incur suspension as a sanction. The decision to impose suspension for these named behaviours does not remove the duty to follow due process and fair procedures in each case.

Procedures in respect of suspension

Good Counsel College is committed to following fair procedures when proposing to suspend a student in line with all relevant legislation. Where a preliminary assessment of the facts confirms serious breaches or gross misbehaviour that could warrant a suspension, the school will:

1. Inform the student and their parents about the serious breach or gross misbehaviour, how it will be investigated and that it may result in suspension.

Parents/guardians may be informed by phone and/or in writing, depending on the seriousness of the matter.

2. Parents and students will be given the opportunity to respond by phone, in writing or by attending a meeting whichever is deemed appropriate.

Procedures in respect of immediate suspension

In the case of an immediate suspension, parents will be notified, and arrangements made with them for the student to be collected. The school must have regard to its duty of care for the student. In no circumstances will a student be sent home from school without first notifying parents.

Implementing a suspension

The Principal will notify the parents and the student in writing of the decision to suspend. The letter will confirm:

- the period of the suspension and the dates on which the suspension will begin and end
- the reasons for the suspension
- any study programme to be followed
- the arrangements for returning to school, including any commitments to be entered into by the student and the parents (for example, parents might be asked to reaffirm their commitment to the code of behaviour)
- the provision for an appeal to the Board of Management
- the right to appeal to the Secretary General of the Department of Education and Science (*Education Act 1998*, section 29).

The letter will be clear and easy to understand.

Recording a suspension

Formal written records will be kept of:

1. the investigation (including notes of all interviews held)
2. the decision-making process
3. the decision and the rationale for the decision
4. the duration of the suspension and any conditions attached to the suspension.

Reporting a suspension

1. The Principal will report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.
2. The Principal will report suspensions in accordance with the NEWB reporting guidelines (*Education (Welfare) Act, 2000*, section 21(4)(a)).

Authority to suspend and the period of suspension

1. The Board of Management of Good Counsel College has delegated to the Principal, the authority to suspend a student for a maximum of period of five school days at any one time.
2. A student will not normally be suspended for more than five days, except in exceptional circumstances where following investigation the Principal considers that a period of suspension longer than five days is needed in order to achieve a particular objective as outlined under 'grounds for suspension'. The matter will be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.

However, a Board of Management may wish to authorise the Principal, with the approval of the Chairperson of the Board, to impose a suspension of up to ten days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions.

3. The Board of Management will normally place a ceiling of ten days on any one period of suspension imposed by it. There may be exceptions to this.
4. The Board will formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the *Education Act 1998*.
5. These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

Appeals

1. Parents/guardians, or a student aged over eighteen years, may appeal the Principal's decision to suspend to the Board of Management of Good Counsel College. In the event of an appeal of suspension the following will apply:
 - a. The Principal must be informed of the appeal of suspension in writing or verbally within 10 days of receipt of the letter of suspension.
 - b. The appeal will be placed on the agenda and heard at the next Board of Management Meeting.
 - c. The Principal outlines the reason(s) for suspension to the Board with the parent(s)/guardian(s) present.
 - d. The parent(s)/guardian(s) outline the reason(s) for the appeal with the Principal present.
 - e. Both the Principal and/or parent(s)/guardian(s) may be questioned by the Chairperson, or by Board members, through the chair, regarding issues raised.
 - f. The Principal and parent(s)/guardian(s) leave the Board meeting.
 - g. The Principal and/or parent(s)/guardian(s) may be recalled by the Board, with the other party present, should any clarification be required by the Board.
 - h. The Board informs the parent(s)/guardian(s) in writing of the Board's decision. This to be signed by the Chairperson.

In the event of the appeal being successful the suspension will be erased from the student's record.

1. **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 Provisions) 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.

Grounds for removing a suspension

A suspension may be removed if the Board of Management decides to remove the suspension for any reason or if the Secretary General of the Department of Education and Science directs that it be removed following an appeal under section 29 of the *Education Act 1998*.

Supports after a suspension ends

A period of suspension will end on the date given in the letter of notification to parents/guardians informing them of the suspension. The school will endeavour to help the suspended student take responsibility for catching up on work missed.

Once the period of suspension is complete a student will be given the opportunity and support for a fresh start. A record of the behaviour and sanction imposed will be maintained on the student's file. However, once the sanction has been completed the school expects the same behaviour of this student as of all other students.

Students will be readmitted to Good Counsel College on a phased basis should this be considered necessary.

Review of use of suspension

The Board of Management will review the use of suspension at regular intervals to ensure 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 that use of suspension is appropriate and effective.

Expulsion Policy

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

The Board of Management of Good Counsel College has the authority to expel a student. As a matter of best practice, that authority is reserved to the Board of Management and will not be delegated.

The grounds for expulsion

We consider the expulsion of a student to be a very serious step, and one that will only be taken by the Board of Management in extreme cases of unacceptable behaviour.

The school will take significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- meeting with parents and the student to try to find ways of helping the student to change their behaviour
- making sure that the student understands the possible consequences of their behaviour, if it should persist
- ensuring that all other possible options have been tried while seeking the assistance of support agencies

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.

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, Good Counsel College will have utilised a series of other interventions, and believe we have exhausted all possibilities for changing the student's behaviour.

The Board of Management of Good Counsel College has decided, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that particular named behaviours incur expulsion as a sanction. However, a general decision to impose expulsion for named behaviours does not remove the duty to follow due process and fair procedures.

1. Serious or malicious damage to school property
2. Supply, possession or use illegal/legal drugs
3. Serious physical assault or violence
4. Sexual assault

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:

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

Determining the appropriateness of expelling a student

Given the seriousness of expulsion as a sanction the Board of Management will undertake a very detailed review of a range of factors in deciding whether to expel a student.

1. The nature and seriousness of the behaviour.
2. The context of the behaviour.
3. The impact of the behaviour.
4. Any interventions tried to date.
5. Whether expulsion is an appropriate response.
6. The possible impact of expulsion.

Procedures in respect of expulsion

Good Counsel College is required by law to follow fair procedures as well as procedures prescribed under the *Education (Welfare) Act 2000*, when proposing to expel a student. 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 the Board of Management by the Principal.
3. Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.
4. Board of Management deliberations and actions following the hearing.
5. Consultations arranged by the Educational Welfare Officer.
6. Confirmation of the decision to expel.

The Board of Management of Good Counsel College has decided that the above procedural steps at 2, 3 and 4 can be accomplished together in a single meeting, consistent with giving parents due notice (a minimum of 7 calendar days – this can be reduced if parents are in agreement) of meetings and a fair and reasonable time to prepare for a Board hearing.

STEP 1 A detailed investigation carried out under the direction of the Principal

In investigating an allegation, in line with fair procedures, the Principal will:

- a. inform the student and their parents, in writing, about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion
- b. 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. This will include a meeting with the Principal, parents, student and any other relevant personnel.

STEP 2 A recommendations to the Board of Management by the Principal.

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal will:

- a. inform the parents and the student that the Board of Management is being asked to consider expulsion
- b. 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
- c. provide the Board of Management with the same comprehensive records as are given to parents
- d. notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
- e. advise the parents that they can make a written and oral submission to the Board of Management
- f. ensure that parents have enough notice to allow them to prepare for the hearing.

STEP 3 Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.

The Board of Management will review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. The Board will undertake its own review of all documentation and the 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 a Board of Management decides to consider expelling a student, it must hold a hearing. 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. Parents may wish to be accompanied at hearings and the Board will facilitate this, in line with best practice and Board of Management procedures.

After both sides have been heard, the Board will ensure that the Principal and parents are not present for the Board's deliberations.

STEP 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 will not be expelled from Good Counsel College before the passage of twenty school days from the date on which the Education Welfare Officer (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. Where expulsion is proposed, the parents are informed that the Board of Management will now inform the Educational Welfare Officer.

STEP 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 will be expelled, the Educational Welfare Officer must:

- a. make all reasonable efforts to hold individual consultations with the Principal, the parents and the student,
- b. 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, the 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)). The Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is 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.

STEP 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 (this task can't be delegated to the Chairperson and the Principal). Parents will be notified immediately that the expulsion will now proceed.

Parents and the student shall be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record will 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 Science (*Education Act 1998* section 29).

An appeal may also be brought by the National Educational Welfare Board on behalf of a student.

Review of use of expulsion

The Board of Management will review the use of expulsion at regular intervals to ensure 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 that use of suspension is appropriate.

School Contact Points

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To contact the Board of Management address correspondence to:

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To contact the Parents Association address correspondence:

The Secretary,

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