



Suspension & Expulsion Policy 2023

Coláiste Rís Suspension and Expulsion Policy

Introduction

This policy document sets out procedures to be applied when the Suspension or Expulsion of a student is being considered. These sanctions affect a student's access to education and must be applied having regard to the individual rights of the student.

For the purposes of this policy:

- *Suspension* is considered to be the withdrawal of permission from a student to attend Coláiste Rís for a specified period of time.
- *Expulsion* is considered to be the permanent exclusion of a student from Colaiste Rís.

The Code of Behaviour outlines a range of sanctions which may be imposed (see section 9). It is the duty of Parents/guardians and students to familiarise themselves with the Code.

Scope

This policy applies to all students of Colaiste Rís and relates to all school activities both during and outside of normal school hours. This policy was drawn up in consultation with all the school partners, including Board of Management, staff, parents and students.

Relationship to Schools' Mission

This policy has been developed in line with the mission of our trustees, and our Patron the Archbishop of Armagh. It has at its core, the preservation of traditional catholic values and the care of the student. Coláiste Rís strives to provide a safe secure learning environment for the development of our students. Our school endeavours to help our students become responsible people aware of their dignity and worth

Rationale

Our rationale for this policy is as follows

1. To satisfy the legislative requirements associated with:
 - Sections 15(2)(d), 28(1) and 29(1) of the Education Act 1998

- Sections 23 and 24 of the Education Welfare Act 2000
 - Section 7(2)(d) of the Equal Status Act
 - The Safety, Health and Welfare at Work Act 2005.
2. To provide a transparent framework for the fair application of the sanctions of suspension and expulsion.

Policy Content

Suspension

- The authority to suspend is vested in the Principal or, in the absence of the Principal the Acting Principal, subject to the right of the parents/guardians (or a student who is 18 years or over) to appeal to the Board of Management.
- The Period of Suspension shall be proportionate to the severity of the breach of school rules.
- Where a student has been suspended for a total of 20 days in any school year, the suspension may be appealed to the Board of Management under Section 29 of the Education Act.

Suspension is a serious sanction and may be considered in the following circumstances:

1. Verbal abuse/offensive language directed at staff member(s).
2. Constant disruption of the education of others.
3. Serious damage to school property.
4. Serious assault on another student.
5. Involvement in an arranged fight.
6. Bullying (in any form) of any member of the school community.
7. Continuation of bullying despite warnings.
8. Selling, setting off or being in the possession of fireworks.
9. Being in possession of or using alcohol and/or other substances
10. Persistent refusal to conform to school rules.
11. Any other serious offence or conduct which management believes warrants suspension.

Suspension Procedure

1. When a suspension is being considered, the Principal/Deputy Principal/Year Head interviews the student who is given the opportunity to respond.
2. If it is decided that a suspension should take place, the parents/guardians are informed by letter and/or by phone.
3. Pending the implementation of the suspension, the student may be withdrawn from class.

Appeal to the Board of Management

1. A parent/guardian has seven days in which to lodge an appeal. If the student appealing suspension is 18 years or older, he or she may appeal in their own right.
2. The grounds for the appeal must be made in writing.
3. The appeal will be considered at the next Board meeting or at an extraordinary meeting of the Board, which the parents/guardians can attend at a specific time, subject to giving two days' notice of their intention to attend the meeting.
4. At the Board meeting, the Principal outlines the reasons for his/her recommendation.
5. The parents' appeal is then heard by written submission and/or orally.
6. The principal may take no further part in the discussion other than to clarify matters raised in the parents/guardians' appeal. The principal and parents (if present) leave.
7. The Board makes its decision and communicates it to the parent/guardian.
8. The Board may agree that another sanction is applied.

Expulsion

The authority to expel a pupil rests with the Board of Management. Expulsion is a serious sanction and may be considered in the following circumstances:

- 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.

- Having, passing, selling or taking illegal substances.
- Where a student's behaviour contravenes a member of the school community's right to work under the Safety, Health and Welfare at Work Act 1989.
- Any serious misbehaviour which damages the school name or the reputation of any member of the school community.

The grounds for expulsion may be similar to the grounds for suspension. It may differ in the degree of seriousness or the persistence of the behaviour. Where appropriate, school authorities will endeavour to try a series of other interventions and where possible will exhaust all possibilities for changing the student's behaviour.

Expulsion procedure

1. The student is interviewed by the Principal and given an opportunity to respond.
2. The parents/guardians are informed, in writing, of the grounds upon which expulsion is being considered and the nature of the evidence being relied on.
3. The parents/guardians are provided with an opportunity to consider the evidence and to offer evidence in rebuttal.
4. If the Principal decides to recommend to the Board of management that the student can be expelled, the principal must:
 - Inform the student's parents/guardians by letter and/ by phone of the decision.
 - State the reason(s) for the recommendation.
 - Give at least five days' notice of the Board meeting at which the recommendation will be considered.
 - Inform the student's parents/guardians of their right to make representations to the Board of Management on behalf of the student.
 - Prepare a report for the Board containing all the relevant material relating to the case.
5. Parents/guardians are required to give two days' notice to the Secretary of the Board of Management of their intention to make such representations to the Board of Management, after which they are invited to attend the meeting at a particular time.

Meeting of the Board of Management

- The Principal will present the report to all present. The Board will examine the report and will seek clarification (if any) from the Principal.
- The Chairperson will give the parents sufficient time to respond to the report and make representations on behalf of the student.
- The Principal may take no further part in the discussion other than to clarify matters raised in the parents/guardians appeal. The Principal and parents leave the meeting.
- The Board makes its decision and communicates it to the parents/guardians.

If the Board forms the opinion of intention to expel the student:

- The parents/guardians (or the student who is over 18 years of age) must be informed of their right to appeal the decision to the Secretary General of the Department of Education & Science under Section 29 of the Education Act, 1998.
- The Board informs the designated Educational Welfare Officer of their intention to expel. The student shall not be considered expelled before the passing of twenty school days from the receipt of such notification by the Educational Welfare Officer.
- The Board may decide to suspend the pupil from school during this period.

Consultations arranged by the Education Welfare Officer:

- Within the 20 days of receipt of a notification from the Board of Management the EWO will convene a section 24 meeting. The consultations will focus on what education provision can be put in place between school and home until such time as the 20 days have expired.

Confirmation of the decision to expel:

- When the 20-day period following notice to the EWO has elapsed the Board of Management will convene a meeting and consider the minutes of section 24 meeting including new information presented at the meeting.
- The Board will decide to formally confirm the decision to expel.
- Parents will be notified that the expulsion will now proceed
- The Board notifies the Education Welfare of the decision to expel.

Section 29 Appeal against Expulsion:

The parent or a student aged over 18 years, may appeal the expulsion under Section 29 of the Education Act 1998.

Parents and the students should be informed of their right to appeal.

An appeal must be made within **42 calendar days** from the date of the decision of the board of Management.

If the Board decides not to expel the student:

- The Board will prepare an alternative sanction in consultation with the Principal.

Monitoring & Review (Roles & Responsibilities)

The Principal assumes the responsibility for monitoring the effective implementation of this policy. This policy will be subject to a review every three years or at an earlier date if considered desirable by the Board of Management.