



Suspension and Expulsion Policy

Reviewed: May 2023

Ratified by Board of Management: April 2023

Signed: Karen Forde
Principal and secretary to the Board of Management.

Review date: May 2024

The entire school community of students, staff, parents/guardians, and management strives to create a school ethos that is conducive to working in a positive and safe learning environment. Our Code of Positive Behaviour sets out our high expectations of student behaviour and outlines the various stages of interventions which support the orderly running of the school. All members of the school community have the right to be treated with dignity and engage in an environment that is free from disruption, harassment, intimidation and discrimination. This policy is in line with NEWB Guidelines.¹

Suspension is defined as: requiring a student to absent themselves from Ballincollig Community School for a specified limited amount of time.

In-house suspension is defined as: requiring a student to present themselves to the Principal/Deputy Principals office at 8:55am. The student will be required to complete assigned school-work in a designated location within the school. The student will not attend timetabled classes or socialise at lunch-breaks. It should be noted that Suspension/In-house suspension may be recorded on a student's school record.

Periods of suspension and In-house suspension in Ballincollig Community School are used as a proportionate response to behaviour(s) that are in breach of the School's Code of Positive Behaviour. Suspension/ In-house suspension can be used when other forms of interventions have not fully succeeded.

Examples of circumstances under which suspension/ In-house suspension may be used:

- In cases where the health and safety of the student themselves/of others could be at risk – it may be necessary to suspend a student with immediate effect pending further investigation and due process.
- A single serious breach of the Code of Positive Behaviour.
- Bullying of another student. Please see the school's Anti Bullying Policy.
- Abusive, threatening, intimidatory behaviour which may or may not include a physical altercation and/or damage to property.
- Misuse of digital technology on school premises/co-curricular/extra-curricular activities. Please see the school's Acceptable Use Policy.
- Non-completion of report cards.
- Vaping of any substance/consumption of alcohol. Please see the school's Substance Use Policy.
- Repeated failure to complete school detention.

This is not an exhaustive list.

¹ https://www.tusla.ie/uploads/content/guidelines_school_codes_eng.pdf

Suspension during State Examinations

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

- 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.

The sanction should be a proportionate response to the behaviour. For example, it would rarely be appropriate for a first offence, unless there is a threat to the good order of the conduct of the examination.

This sanction should be treated like any other suspension, and the principles and fair procedures governing suspensions should be applied.

The DES *Best Practice Guidelines concerning Certificate Examinations* offer guidance to schools.

Procedure for Suspension/In-house suspension

All students will be afforded the right to impartiality and the right to be listened to throughout the Suspension/In-house suspension procedure.

1. The student is informed of the precise grounds which gave rise to a possible suspension/ In-house suspension and will be given an opportunity to respond before a decision is formalised.
2. Parents/Guardians will be informed of the situation and invited to attend a meeting with the Principal, Deputy Principal(s)/Year Head. It is best practice that the student themselves would also attend this meeting.
In the case of immediate suspension e.g. on the grounds of health and safety– parents/guardians will be informed by telephone and invited to meet as outlined below.
3. The meeting will focus on the alleged breach with a view to helping the student take responsibility and ownership of their current situation. The meeting will also include discussions on relevant solutions which may include liaising with the school's Pastoral Care team.
4. Parents/guardians will receive a signed copy of a formal *Notice of Suspension/ In-house suspension*² with the following information:

² See Appendix A *Notice of Suspension/in-house Suspension*

- Notice of the suspension/ In-house suspension.
- Reason(s) for suspension/ In-house suspension.
- Dates and duration of suspension/ In-house suspension.
- The date of the next BOM meeting at which the parents/guardian may appeal the suspension/ In-house suspension will be included.
- Assigned school work to be completed whilst on suspension/ In-house suspension if applicable.
- Return to school procedures.
- A statement that the student is under the care and responsibility of parents/guardians while on suspension.

Appeals

The Principal will inform the parents/guardians of their right to appeal the suspension/ In-house suspension to the Board of Management. Should parents/guardians opt to appeal the suspension/ In-house suspension, they should do so in writing. The Secretary to the Board of Management should be in receipt of this appeal at least twenty-four hours prior to the meeting. The appeal will then be placed on the agenda.

At the BOM meeting the Principal will be given the opportunity to present the case for suspension/In-house suspension. The student's parents/guardians will also be given the opportunity to present their appeal. (Parents/guardians may also present their appeal in writing rather than attending the meeting.) The Board will seek clarification from both parties if necessary and in the absence of the Principal and the parents/guardians they will make the decision regarding the appeal. Should the appeal be successful details of the suspension will then be removed from the student's record.

[Note: Section 29 (1) of the Education Act (1998) provides for a Right of Appeal by the parents of a student (or, in the case of a student aged 18 years or more, the student) against a decision by a Board of Management to permanently exclude or to suspend for a length of time to be determined (20 days).]

Best practice procedures for the returning student after suspension

- The student will meet the Principal/Year Head at 8.45a.m. at the main office.
- Parents/Guardians may be requested to attend with the student on the day of their return to school.
- Undertakings of good behaviour/adherence to the Code of Positive Behaviour may be requested in writing. *In good faith each individual student will be afforded a fresh start.*
- A return to school may include a student's commitment to engaging in additional supports eg: counselling, referral to NEPS and other pastoral support. This will be agreed in writing.

- Where possible, the school should arrange for a member of staff to provide support to the student during the re-integration process.

Expulsion

Expulsion is defined as: the withdrawal of permission from a student to attend Ballincollig Community School indefinitely.

Expulsion is the ultimate sanction that Ballincollig Community School can impose upon a student. It is considered a last resort and it will only be exercised by the Board of Management when all other available sanctions/interventions have been tried and failed, if applicable. Expulsion may be necessary in cases of extreme indiscipline and/or where there is a severe threat to the health and safety of others in the school community. The decision to expel a student will be recorded on a student's school record.

Examples of circumstances where Expulsion may be considered:

- A serious act of violence/physical assault/sexual assault/harassment/bullying towards another member of the school community.
- A serious threat of violence/physical assault/sexual assault/harassment/ towards another member of the school community.
- Where a student is involved in/encourages others to involve themselves in dangerous or risky behaviours which could endanger their life/lives of others.
- Supplying of alcohol and/or illegal substance(s) to others in the school community.
- Where a student's actions/behaviour is considered so disruptive and uncontrollable that the teaching and learning environment is continually compromised.
- When guarantees of adherence to the Code of Positive Behaviour have failed following repeated suspensions and where all other sanctions have failed.

Considering the final two points above the students and parents/guardians will have been given verbal and/or written warnings stating that such continued misbehaviour may lead to the consideration of expulsion by the Board of Management.

This is not an exhaustive list.

Records of all such communications and copies of same will be kept on file.

Procedure for Expulsion from Ballincollig Community School.

Step 1: A detailed investigation will be carried out under the direction of the Principal.

- Inform the student and their parents/guardians about the details of the alleged misbehaviour and that it could result in expulsion.
- Give parents/guardians and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Step 2: A recommendation will be given to the Board of Management by the Principal regarding the expulsion of the student.

- The Principal will inform the parents/guardians that the Board is being asked to consider expulsion, ensuring that the parents/guardians have records of the allegations, the investigation, and written notice of the grounds on which the Board is being asked to consider expulsion.
- The Principal will supply the Board with the same records as are given to parents.
- The Principal will notify the parents/guardians of the date of the hearing, giving ample time to prepare, advising them that they could make a written and oral submission to the Board.

Step 3: The hearing:

- At the hearing the Principal and the parents/guardians 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. Parents/guardians may use the meeting to put forward a case to lessen the sanction.
- After both sides have been heard, the Board should ensure that the Principal and parents/guardians are not present for the deliberations.

Step 4: Decision of the Board of Management

- Where the Board of Management, having considered all the facts of the case and has recommended that the student should be expelled, the Board must notify the Educational Welfare Officer (EWO) in writing of its recommendation, and the reasons for this decision.
- The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives the written notification.

Step 5: Consultation with the Educational Welfare Officer

- The purpose of these consultations is to ensure that arrangements are made for the student to continue in education.

- These consultations may result in an agreement about an alternative intervention that would avoid expulsion. However, if this is not an option, the consultation should focus on alternative educational possibilities.
- Pending these consultations, the Board may deem it appropriate to suspend the student, in order to ensure that good order is maintained, that learning is not disrupted and that there is no threat to the safety of other students or staff.
- When the twenty day period, following notification to the EWO has elapsed, and the Board remains of the view that the student should be expelled, parents/guardians should be notified immediately that the expulsion should now proceed.
- Parents/guardians should be told about the right to appeal and supplied with the standard form on which to lodge an appeal.

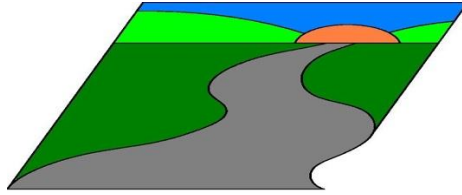
A formal record should be made of the decision to expel the student.

Appeals

An appeal (Section 29 of the Education Act 1998) may be made to the Secretary General of the Department of Education & Science in respect of a decision by the Board of Management to

- a) Permanently exclude a student from the school.*
- b) Suspend a student from the school for a period which would bring the cumulative period of suspension to 20 days in any one year.*

Appeals should be made in writing on the Section 29 Appeals Application Form which is available from the Principal who is the Secretary of the Board of Management.)



NOTICE OF SUSPENSION/IN-HOUSE SUSPENSION

TO THE PARENTS / GUARDIANS OF:

PUPIL: _____

YEAR: _____

CLASS: _____

I regret to inform you that the above named pupil has been suspended from school for the reason and period indicated below.

REASON: _____

DURATION: _____

PERIOD: FROM: _____ TO: _____

RETURN TO SCHOOL: _____

REPORT TO THE PRINCIPAL: _____

You have the right to appeal this suspension to the Board of Management. The next meeting of the Board of Management will be on _____. Should you wish to appeal the suspension please contact me beforehand.

Date: _____

Karen Forde
Principal

The Principal and Board of Management of Ballincollig Community School confirm that the above-named student is in the care of their parents/guardians during the period of suspension. The onus is on the individual student to catch-up on any work/assignments missed during the period of suspension/in-house suspension.