



Code of Behaviour - Suspension & Expulsion Procedures

Ursuline College Sligo



Code of Behaviour

Suspension & Expulsion

Suspension:

Definition: Suspension is defined as requiring the student to absent herself from the school for a specified, limited period of school days.

Authority to suspend: The Board of Management has formally delegated to the Principal the authority to suspend a student. In implementing a decision to suspend, the Principal shall adhere to:

- (1) The procedures for suspension as set down in the Code of Behaviour of the school.
- (2) Paragraph 11.6 of Developing a Code of Behaviour: Guidelines for Schools (NEWB:2008)

In the event of the absence of the Principal on approved leave or school business, the authority to suspend is delegated to the Acting Principal subject to the provisions of (1) and (2) above.

The grounds for suspension:

Suspension is a serious sanction and should be a proportionate response to the behaviour that is causing concern. It may be considered in the following circumstances:

- the student's behaviour has had a seriously detrimental effect on the education of other students
- repeated deliberate breaches of the Code of Behaviour
- the student's continued presence in the school at this time constitutes a threat to safety to themselves and others.
- the student is responsible for serious damage to property

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

Factors to consider before suspending a student:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date



- Whether suspension is a proportionate response
- The possible impact of suspension.

Forms of Suspension:

Immediate suspension: 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.

Suspension during a State examination: This sanction must 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 rights of other students to do their examination in a calm atmosphere

Procedures in respect of suspension:

Fair procedures are followed when proposing to suspend a student. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the following procedures will be observed:

(a) The student and their Parents/Guardians will be informed of the complaint, will be told how it will be investigated and will be informed that it could result in suspension.

(b) Parents/Guardians and the student will be invited to meet the Principal and will be given an opportunity to respond to the complaint before a decision is made and before any sanction is imposed.

(c) In the case of an immediate suspension, Parents/Guardians will be notified and arrangements made with them to collect their daughter from the school. Relevant information will be gathered and a meeting between all parties arranged for a later date.

Parents/Guardians and the student will be given an opportunity to respond to the complaint before any decision is made and any further sanction imposed.

The period of suspension:

(a) In general, a suspension should be no longer than three days. If a suspension longer than three days is proposed by the Principal, the matter should be referred to the Board of Management for consideration and approval. In circumstances where a Board of Management meeting cannot be convened in the time frame necessary, the Principal with the approval of the Chairperson may impose a suspension of up to 5 days.

(b) No student will be suspended for more than 10 school days on any one period of suspension.



(c) The Board will formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student is suspended in the current school year to 20 days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998.

Appeals:

(a) The decision of the Principal to suspend a student may be appealed to the Board of Management.

(b) Where the total number of days for which the student has been suspended in the current year reaches 20 days, the Parents/Guardians/Guardians/Guardians/Guardians/Guardians, or a student aged over 18 years, may appeal the suspension under section 29 of the Education Act 1998.

Implementing the suspension:

The Principal will notify the Parents/Guardians and the student in writing of the decision to suspend. The letter should confirm the following:

- 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/Guardians
- the provision of an appeal to the Board of Management
- the right to appeal to the Secretary General of the Department of Education and Science (Education Act : Section 29) in particular circumstances.

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.



After the suspension ends:

(a) A period of suspension ends on the date given in the letter of notification to the Parents/Guardians about the suspension. Students on return report to the office firstly before returning to class.

(b) A member of the Student Support team may be assigned to help the student re-integrate into school, which may include a period of being “on report” to monitor their progress.

Records and Reports:

(a) Written records will be kept of:

- All meetings in full
- the decision making process
- the decision and rationale for the decision
- the duration of the suspension and any conditions attached to the suspension

(b) The Principal should report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.

(c) The Principal is required to report suspensions in accordance with the NEWB reporting guidelines.

Review:

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

Expulsion

Definition:

A student is expelled from school when the Board of Management makes a decision to permanently exclude her from the school, having complied with Section 24 of the Education (Welfare) Act 2000.

Authority to expel:

The Board of Management has the authority to expel a student.



The grounds for expulsion:

Expulsion should be a proportionate response to the student's behaviour and should only be taken in extreme cases of unacceptable behaviour.

- 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 to others.
- the student is responsible for serious damage to property.

There may be grounds for considering that a student be expelled for a first offence. The kind of behaviours that might result in a proposal to expel includes the following:

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

Factors to consider before proposing to expel a student:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date
- Whether expulsion is a proportionate response
- The possible impact of expulsion

Procedures in respect of expulsion:

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the following procedural steps will be taken:



1. A detailed investigation is carried out under the direction of the Principal

The Principal will inform the student and their Parents/Guardians in writing about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.

A meeting will be arranged with the Principal to give the Parents/Guardians and students every opportunity to respond to the complaint of serious misbehaviour before a decision is made and a sanction is imposed.

If the Parents/Guardians and students fail to attend the meeting, the Principal will write explaining the gravity of the issue, the importance of attending a rescheduled meeting, and failing that, the duty of the School Management to make a decision to respond to the inappropriate behaviour.

A record of the invitation issued and the response of the Parents/Guardians will be kept on file.

2. A recommendation 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

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



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

The Board will review the initial investigation and ensure that the investigation was properly conducted in line with fair procedures.

The Board will review all documentation and the circumstances of the case. No party who has had any involvement with the case will be part of the Board's deliberations.

If the Board decides to consider expelling a student, a hearing will be arranged.

At the hearing, the Principal and the Parents/Guardians or a student aged 18 years or over, will 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 wish to be accompanied to the hearing.

After both sides have been heard, the Principal and Parents/Guardians will withdraw and the Board will deliberate in private.

4. Board of Management deliberations and actions following the hearing

It is the responsibility of the Board of Management to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

Where the Board, 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. The student cannot be expelled before the passage of twenty school days from the date on which the Educational Welfare Officer receives the written notification.

The Board will inform the Parents/Guardians in writing about its conclusions and the next steps in the process. Parents/Guardians will be informed that the Educational Welfare Officer will be notified of the decision.

5. Consultations arranged by the Educational Welfare Officer

Within twenty days of receipt of the notification from the Board of Management of its opinion that a student be expelled, the Educational Welfare Officer must:

- Consult with the Principal, Parents/Guardians and student
- Convene a meeting of those parties who agree to attend.



The purpose of the meeting is to ensure that arrangements are made for the student to remain in education. Pending these consultations about the future education of the student, the Board may consider it appropriate to suspend the student if there is a 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.

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 Chairperson and the Principal will be delegated to formally confirm the decision to expel. Parents/Guardians will be notified that the expulsion will now proceed. Parents/Guardians will be informed about the right to appeal and will be supplied with a form on which to lodge an appeal. A formal record will be kept of the decision to expel the student.

Appeals:

A parent, or a student over 18 years, may appeal a decision to expel, to the Secretary General of the Department of Education and Science. An appeal may also be brought by the National Educational Welfare Board on behalf of the student.

Review:

The Board of Management will regularly review the use of expulsion in the school to ensure that 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 ensure that expulsion is used appropriately.