



# Naas Community College

## Naas Community College Suspension & Expulsion Policy

### Suspension

#### Grounds for Suspension

Suspension is one strategy within the school's code of behaviour which can be used when all other strategies have been exhausted. Suspension should be a proportionate response to the behaviour that is causing concern.

Suspension can allow a student time to reflect on their behaviour, acknowledge and accept responsibility for that behaviour and accept responsibility for changing that behaviour.

Suspension also allows time for the school to put in place plans to support a student on re-entry. Naas Community College will work with parents/guardians to ensure that a suspended student re-enters the school community as quickly as possible.

The principal may suspend a student on the following grounds:

- For serious misbehaviour
- For an unacceptable level of repeated misdemeanours
- For bullying, insulting, aggressive, threatening or violent behaviour towards others in the school
- For the supply/possession/use of alcohol and or illegal drugs
- For the supply/possession/use of weapons/dangerous materials/substance
- For behaviour that may be a danger to self or others, under the terms of the Health and Safety Act 1989
- For refusal to take direction from members of staff which may result in the student being a danger to self or others
- For racist behaviour and/or the supply/ possession/use of racist material
- For behaviour that is contrary to the terms of the Equal Status Act 2000
- For sexual harassment and/or the possession/supply/use of pornographic material

**Factor to consider before suspending a student:**

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

## **Forms of Suspension**

### **Immediate Suspension**

In exceptional circumstances, the Principal may consider an immediate suspension where the continued presence of the student in school at this time would represent a serious threat to the safety of students or staff of the school, or any other person.

### **Automatic suspension**

A Board of Management may decide, as part of a school policy on sanctions, in consultation with all stakeholders, that particular named behaviours incur suspension as a sanction.

### **Suspension during a State Examination**

This sanction would 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 exams in calm atmosphere.

### **The Period of Suspension**

A student will not be suspended for more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is necessary to achieve a particular objective.

If a suspension longer than three days is being proposed by the Principal, the matter should be referred to the Board of Management for consideration. However, the Board annually authorises the principal to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion.

Any suspension greater than five days will be subject to approval by the Board of Management.

Only in exceptional cases, will the Board of Management agree to suspend a student for a period greater than ten days in any one suspension period.

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*.

### **Appeals to Suspension**

Parents / Guardians of a student or the student, where s/he is over 18, may appeal the Principal's decision to suspend. They will be informed of this in the letter notifying them that their son / daughter is to be suspended.

This appeal is made in writing in the first instance to the Board of Management, in the second instance to KWETB and thereafter to the Secretary General of the Department of Education and Science.

### **Implementation Procedure**

#### **Written Notification**

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

- The period of suspension and the dates on which will begin and end
- The reasons for suspension
- Any study programme to be followed
- Arrangements for returning to school, including commitments to be entered into by the student and the parent
- The right to appeal to Board of Management

#### **Engaging with student and parents / guardians**

When a decision to suspend has been made, the principal or a member of staff delegated by the principal may meet with the parents / guardians to emphasise their responsibility in helping the student to behave well when the student returns to school and to offer guidance and help with this.

#### **Alerting staff**

The principal / deputy principal will alert the relevant Year Head who will alert the staff via One Note. They will also enter the suspension on vsware.

#### **Supporting re-entry to school community**

Year Head will meet with student upon entry and discuss the following as appropriate:

- Academic work missed and plans to catch up

- Feelings of anger / resentment etc that student may feel around the suspension
- Plans to change behaviour

While a record of the behaviour and sanction is kept on file, any student returning from suspension will be given a fresh start. The school will expect the same behaviour of this student as they do of all other students.

### **Record Keeping & Reporting**

The school will keep formal record of:

- The investigation (including notes of all interviews)
- The decision making process
- The decision and the rationale for the decision
- The duration of the suspension and any conditions attached to the suspension

The Principal will report all suspensions to the Board of Management and any suspension which brings the number of day's suspension of any one student to twenty days in one year, to the NEWB.

### **Responsibilities**

#### **Board of Management**

The Board of Management:

- Should ensure that school has a policy on, and procedures for, the use of suspension and expulsion that are in line with NEWB guidelines.
- Should ensure that all stakeholders are aware of the school's policy for suspension and expulsion.
- Should ensure that fair procedures are used for suspension and expulsion and that all staff are aware of those procedures.
- Can delegate authority to the school principal to suspend a student for up to five days.
- Should ensure that there are no undue delays in an investigation and in making decisions about the suspension/expulsion of a student.
- Should ensure that all matters to do with an alleged misbehaviour are dealt with in confidence.
- Should regularly review the suspension & expulsion policy

#### **Principal**

The Principal should:

- Ensure than any investigations carried out into a student's behaviour is conducted with fairness and based on the principles of natural justice.
- Ensure that the student's right to be heard is upheld
- Ensure that all investigations and decisions are impartial
- Ensure that all investigations and decisions are carried out in a timely and professional manner
- Ensure that all matters to do with the investigation are dealt with in confidence
- Notify parents / guardians are of the suspension in writing
- Liaise with the student and their parents / guardians or appoint a member of staff to do so
- Ensure that there is an appropriate re-entry plan for the student
- Ensure that appropriate records are kept
- Inform the Board of Management of any suspensions
- Inform the NEWB of any suspensions which brings the number of days a student is suspended in any one year to twenty
- Ensure that this policy is properly implemented
- Regularly review this policy

### **Year Head**

The Year Head should:

- Support the principal with their investigations
- Ensure that any investigations that are carried out into a student's behaviour is conducted with fairness and based on the principles of natural justice.
- Ensure that the student's right to be heard is upheld
- Ensure that all investigations and decisions are impartial
- Ensure that all investigations and decisions are carried out in a timely and professional manner
- Ensure that all matters to do with the investigation are dealt with in confidence
- Keep appropriate formal records
- Inform relevant staff that student is suspended and ensure that work is sent to that student so they can keep up with academic work
- Support student upon re-entry

### **Teachers**

Teachers should:

- Support any investigations with written reports
- Support the re-entry of student returning from suspension

- Support student by organising a programme of work to be undertaken during the period of suspension

## **Student**

The student should:

- Co-operate with investigations
- Engage with support given
- Reflect on their behaviour and their responsibilities
- Follow the programme of work given during period of suspension

## **Parents / Guardians**

Parents should:

- Liaise with the principal
- Encourage their son / daughter to engage with any investigations
- Encourage their son / daughter to engage with any support given
- Encourage their son / daughter to reflect on their behaviour and their responsibilities

## **Expulsion**

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

### **Authority to Expel**

KWETB holds the authority to expel a student from Naas Community College, however, that authority may be devolved by KWETB to the Board of Management.

### **Grounds for Expulsion**

Expulsion is a serious step and is one that is only taken by the Board of Management in extreme cases of unacceptable behaviour. Expulsion should be a proportionate response to a student's behaviour.

The school will take have taken significant steps to address the misbehaviour prior to expulsion. These steps will include:

- Meeting the parents and student to try and find ways of helping the student with their behaviour

- Making sure the student understands the possible consequences of their behaviour, if it should persist
- Ensuring that all other possible options have been tried
- Seeking the assistance of support agencies such as NEPS, HSE, NBSS, CAMHS, NCSE.

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 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

Generally, a student is expelled only where there are persistent instances of misbehaviour and only after ongoing intervention has proved to be unsuccessful. However, the Board of Management may decide to expel a student for a first offence. The kind of behaviour that might result in a proposal to expel a student on the basis of a single breach of the code of behaviour could include:

- A serious threat of violence against another student or a 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 to date
- Whether the expulsion is a proportionate response
- The possible impact of expulsion

### **Procedures for expulsion**

The school is required by law to follow fair procedures as well as those procedures prescribed under the *Education Welfare act 2000*.

The procedure is as follows:

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

All investigations will be carried out in line with fair procedures.

- Principal will inform parents in writing about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.
- Principal will organise a meeting to give parents and student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and a sanction is imposed.

## **2. A recommendation to the Board of Management by the Principal**

If the principal forms the view, based on the investigation that the alleged behaviour warrants an expulsion, he will make a recommendation to the Board of Management to consider expulsion.

The Principal will:

- inform the parents and student that the Board of Management is being asked to consider the expulsion
- ensure the parents have records of: the allegations against the student; the investigation; and written notice of the ground on which the Board is being asked to consider expulsion
- provide the Board of Management of all records
- notify the parents of the date of the hearing by the Board of Management and invite them to attend that hearing
- advise the parents that they can make a written and oral submission the Board of Management
- ensure that parent have enough notice to allow them to prepare for the hearing

## **3. Consideration by the Board of Management of the Principal's recommendation**

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

The Board will review all documentation and the circumstances of the case.

No member of the Board who has had any involvement with the case will be a part of the Board's deliberations.

## **4. The Holding of a Hearing**

The Board will hold a hearing to allow the Principal and the parents, or a student aged eighteen or over, to put their case to the Board in each other's presence.

Each party will be allowed to question the evidence of the other party directly.

Parents may wish to be accompanied at hearings and the Board will facilitate this.

#### **5. Board of Management deliberations and actions following the hearing.**

The Principal and parents will not be present for the Board's deliberations.

Having heard from all parties and impartially reviewed the evidence, the Board will decide whether or not expulsion is an appropriate sanction.

If the Board decides to expel the student they must notify the Education Welfare Officer in writing of its opinion and the reasons for that opinion.

A student cannot be expelled before the passage of twenty days from the date on which the Education Welfare Officer receives this written notification.

The Board should inform the parents in writing about its conclusions and the next steps in the process.

#### **6. Consultations arranged by Educational Welfare Officer**

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

- Make all reasonable efforts to hold individual consultations with the principal, the parents and the student
- Convene a meeting of those parties who agree to attend

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

#### **7. Confirmation of the decision to expel**

Where the twenty day period following notification to the Educational Welfare Officer has elapsed and the Board remains of the view that the student should be expelled, the Board of Management will formally confirm the decision to expel.

Parents should also be informed of the right to appeal and supplied with the standard form on which to lodge the appeal.

### **Appeals**

Parents or students over the age of eighteen appeal in the first instance to KWETB and in the next to the Secretary General of the Department of Education and Science.

**Appeals Process**

Refer to section 29 of the Education Act and Department of Education guidelines

This policy will be reviewed by the Board of Management once in every school year.

This policy was adopted by the Board of Management on \_\_\_\_\_

Signed: \_\_\_\_\_  
**Chairperson of Board of Management**

Signed: \_\_\_\_\_  
**Principal**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Date of next review:** \_\_\_\_\_