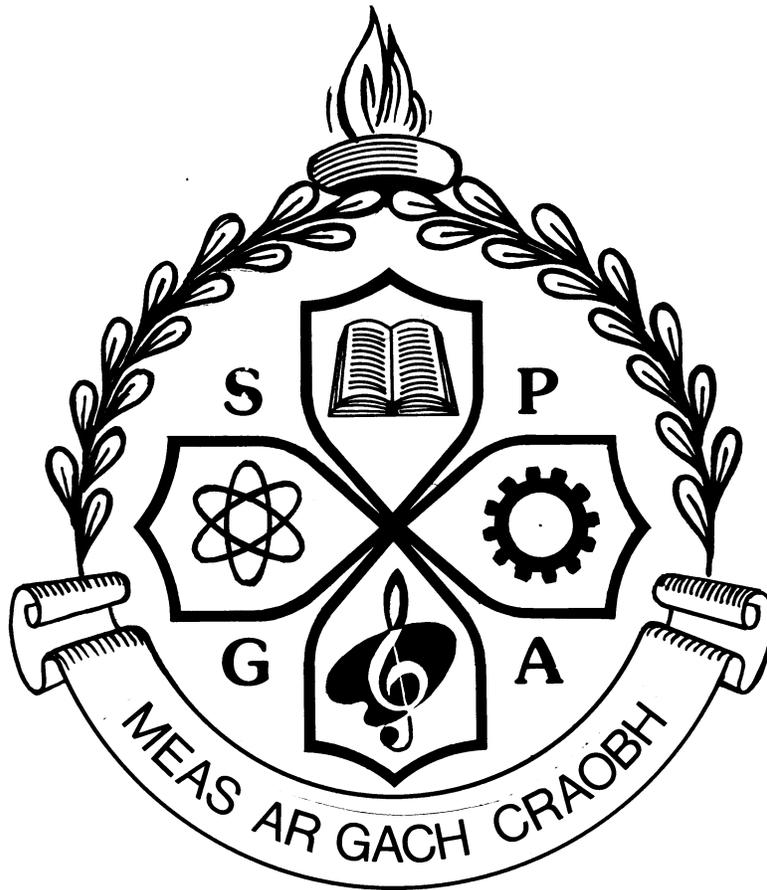


Suspension & Exclusion POLICY



Mayfield Community School.

A Policy on Suspension or Expulsion

Suspension

Suspension is the withdrawal of permission from a pupil to attend school for a specified period of time or pending the completion of a particular event or instruction. Withdrawal from school, a particular class or subject for a period of time is a legitimate sanction, which may be used in some circumstances. The effect of a suspension on the educational progress of a student should be carefully considered within the context of the school's Code of Behaviour and suspension should only be considered within the procedures as laid out in the above Code of Discipline and Behaviour. It is recommended that the student be assigned schoolwork during the period of suspension.

The period of suspension must be limited and must have regard to the need to ensure that the pupil can reasonably resume his/her studies on the completion of the suspension. Suspension shall normally be from one to 4 days and should only in exceptional circumstances exceed this period. The period of suspension may increase as a student progresses through the Disciplinary System.

The authority to suspend a pupil rests with the Principal of the school subject to the right of the parents/guardians (or of a pupil who is over 18 years) to appeal to the Board of Management. The Board of Management has agreed to the delegation of this authority to the Deputy Principal for periods of suspension of up to 4 days. It is a condition of such authority however that the exercise of such delegated authority is reported to the Principal who is ultimately accountable to the Board of Management.

Procedure for Suspension

Suspension is a serious sanction and should only be imposed where other efforts to resolve a disciplinary situation have failed having progressed through the Code of Discipline and Behaviour, or where the nature of an incident dictates that the student be removed from the school immediately.

Circumstances in which suspension may be considered could include:

- **Having progressed through the procedures as laid down in the Code of Discipline and Behaviour resulting in repeated incidents of indiscipline in spite of warnings and counselling by staff.**
- **Failure to recognise and submit to legitimate authority.**

- Behaviour, which is considered to interfere with the right to learn of other students.
- Particularly serious incidents, which endanger the welfare of others.

Parents/Guardians must be informed, in writing, of the reasons for the suspension, the period of the suspension and the requirements, which must be fulfilled to gain reinstatement.

Parents/Guardians must be informed of their right to appeal the decision to suspend and procedures to be followed in making such an appeal or in seeking the lifting of the suspension.

Pupils should not be dismissed from school unless and until arrangements are made for their safe return to the care of their families. However in exceptional circumstances it may be necessary to remove a student from class/school prior to a meeting with parents having taken place. All reasonable attempts to contact parents should occur prior to a student being removed from the school.

Records must be kept of all meetings in connection with the suspension.

Expulsion

Expulsion is the most severe sanction available to a school against a student. It should only be imposed for very serious breaches of school rules or in cases where the rights, health and safety of a greater number of students/teaching staff are being denied because of the continual disruptive behaviour of an individual.

In accordance with the Deed of Trust, the Principal has power, for any cause which s/he judges adequate, to permanently exclude a pupil, subject to the approval of the Board of Management.

The following steps should be followed in the case of an expulsion, a record of all such steps should be kept:

1. The case against the student should be put to her/him and s/he should be given an opportunity to respond. The parents/guardians should be informed of the grounds upon which expulsion is being considered, and the nature of the evidence being relied upon. It is accepted that the quality of proof required for expulsion need not be of the quality required in a Court of Law.
2. The parents/guardians should also be provided with a fair opportunity to consider the evidence and to offer evidence in rebuttal.
3. Having considered all aspects of the case, if the Principal decides to recommend to the Board of Management that the student be expelled/permanently excluded, s/he must inform the student's parents/guardians in writing of the decision, the reason/s for it and of their right to make representations to the Board of Management on behalf of the student. In the interest of the student, parents/guardians should be required to give notice to the Secretary of the Board of

Management of their intention to make such representations no later than a specified date to enable an early hearing by the Board of Management.

- 4. The parents/guardians are entitled to seek access to the student's file and to documentation relevant to the expulsion. The Principal will make available to the parents/guardians a copy of the student's file and all documentation pertaining to the expulsion.**
- 5. Arrangements should be made at the earliest possible date for a meeting of the Board of Management with the Principal and the parents/guardians. The recommendation of the Principal and the representations (if requested) of the parents/guardians should be heard by the Board at this meeting. No new evidence or information that had not previously been made known to the parents/guardians should be introduced at this meeting.**

The student may need to stand suspended from school pending the decision of the Board of Management.
- 6. When the Board has heard all of the evidence, the parents and/or their representative/s and the Principal must withdraw to allow the Board to consider the case. Even though the Principal is a member of the Board, s/he may not be party to the consideration of the case as s/he is an involved party. Further the Board should ensure that any member of the Board who might have a conflicting interest should be excused and not participate in the decision.**
- 7. To ensure its independence as the final authority in the case, the Board of Management must not be involved in the process leading to the decision of the Principal to recommend the expulsion of the student. In this regard the Principal in reporting to the Board may indicate concerns in relation to discipline but a particular student should not be the subject of discussions prior to any decision by the Principal to recommend expulsion.**
- 8. If the recommendation of the Principal is rejected, it is a matter for the Board to decide on what conditions, if any, the student will be allowed back to school.**
- 9. If the recommendation of the Principal is approved the parents/guardians or, (in the case of a student over 18 years) the student must be informed of their right to appeal the decision to the Secretary General of the Department of Education and Science under Section 29 of the Education Act, 1998.**
- 10. Where the Board of Management has taken the decision to expel/permanently exclude a student, it is obliged to notify the designated Educational Welfare Officer of its opinion and the reasons therefore. A student shall not be considered expelled/permanently excluded before the passing of 20 school days from the receipt of such notification by the Educational Welfare Officer. The Board is obliged to co-operate fully with the Educational Welfare Officer in the fulfilment of his/her duties under section 24 of the Education (Welfare) Act, 2000.**

Lifting of Suspension/Exclusion

In the event of parents/guardians, or a student over 18 years of age, requesting that the Principal/Deputy Principal reconsider the suspension, such a request will be considered subject to the following:

- **A first time offence**
- **Mitigating circumstances**
- **The seriousness of the incident**
- **The student's recent disciplinary record**

In the event of the suspension being lifted the following procedure will apply:

- **The student will acknowledge in writing the wrong done and an acceptance of responsibility for such wrongdoing**
- **The student will be given a written commitment to abide by the Code of Discipline and Behaviour. The parent(s)/guardian(s) will witness this commitment**
- **The student will be placed "on report" for a period of time (not less than one week) as decided by the Principal/Deputy Principal**
- **In the event that a student is unable to meet the conditions as outlined above the full period of the suspension will be imposed**