

Coláiste Pobail Acla

Polranny

Achill

Co. Mayo

School Roll Number: 76150V

 **Policy**

 **on**

 **Suspension**

 **[as part of the school’s**

**Development of Policy**

**04/12/14:** Work commencedon initial draft - Ms Gallagher, Ms Farrell, & B. O’Brien

**12/12/14:** Further work to complete initial draft - Ms Gallagher, Ms Farrell & B. O’Brien

**20/12/14**: Whole staff consultation workshop

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**12/02/15**: Ratified by BOM

 **Code of Behaviour]**

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**Policy on Suspension [ as part of the school’s Code of Behaviour]**

For the purpose of this Policy, suspension is defined as:

 *requiring the student to absent himself/herself from the school*

 *for a specified, limited period of school days.*

During the period of a suspension, the student retains his/her place in the school.

1. **Authority to Suspend**

Coláiste Pobail Acla is a designated community college under the patronage of the Mayo Sligo Leitrim (MSL) ETB. The Board of Management of Coláiste Pobail Acla holds the authority to suspend a student. This authority is devolved under Sct. 44, 11(a) of the Education and Training Boards Act 2013 by MSL ETB to the Board of Management of Coláiste Pobail Acla. The scope of the authority given is in line with:

* the provisions of the NEWB Guidelines for Developing a Code of Behaviour
* Articles of Management
* relevant legal requirements.

This authority is delegated by the Board of Management to the Principal.

In delegating this authority, the Board makes a formal delegation arrangement taking due account of the provisions of the Education and Training Boards Act 2013.

Periods of suspension beyond 3 days must have approval of the Board of Management.

1. **Grounds for Suspension**

**Suspension should be a proportionate response to the behaviour that is causing concern.**

Suspension should be a proportionate response to the behaviour that is causing concern. Normally, other possible interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student requires serious grounds such as that:

* the student’s behaviour has had a detrimental effect on the education of other students
* the student’s continued presence in the school at this time constitutes a threat to safety
* the student is responsible for serious damage to property
* a student who has completed 2 periods “on report” in any academic year will be placed on a 2 day suspension in lieu of a third period “on report”. In this instance, the suspended student will be required to do the third detention on his/her return after the period of suspension
* a student referred to the Discipline Committee for a second time within any given academic year may have the sanction of Suspension imposed

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

1. **Appropriateness of Suspending a Student**

Suspensions can:

* provide a respite for the school community and the student
* give the student time to reflect on the link between his/her action and its consequences
* give staff time to plan ways of helping the student to change unacceptable behaviour

School management will consider the risk of any unwanted outcomes from suspension, and any relevant information or mitigating circumstances.

Before suspending a student, the factors to be considered will be given due attention. The Record Form “Factors to be Considered Before Suspending a Student” (See Appendix 1) will be used.

**Suspension as Part of a Behaviour Management Plan**

Suspension is part of an agreed plan to address the student’s behaviour. The following may be involved in developing this plan:

* Principal/Deputy Principal
* Student
* Student’s Parents
* Tutor
* Discipline Committee
* Pastoral Care Team
* School Support Services
* Board of Management
* External Agencies eg. Gardai, NBSS

The suspension should:

* enable the school to set behavioural goals with the student and his/her parents
* give school staff an opportunity to plan other interventions
* impress on a student and his/her parents the seriousness of the behaviour
1. **Forms of Suspension**

**Immediate Suspension**

In exceptional circumstances, 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 health and safety of students or staff of the school, or any other person. Fair procedures must still be applied.

**Suspension During a State Examination**

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

 The DES Best Practice Guidelines concerning Certificate Examinations is a source of Guidelines on this.

 **‘Automatic’ Suspension**

The Board of Management may decide, as part of the school’s policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that particular named behaviours incur suspension as a sanction. However, a general decision to impose suspension for named behaviours does not remove the duty to follow due process and fair procedures in each case

**Internal Suspension**

This type of suspension, if imposed, will be decided upon by the Principal/ Deputy Principal/ Discipline Committee

**Inappropriate Use of Suspension**

Students will not usually be suspended for:

• poor academic performance

• poor attendance or lateness

• minor breaches of the code of behaviour.

However, any behaviour that is persistently disruptive to learning or potentially dangerous can be a serious matter. Behaviour must be examined in context to understand both the behaviour itself and the response or sanction that is most appropriate.

**Rolling Suspension**

A student will not be suspended again shortly after he/she returns to school unless:

 • they engage in serious misbehaviour that warrants suspension and

 • fair procedures are observed in full and

 • the standard applied to judging the behaviour is the same as the standard applied to the behaviour of any other student.

**Informal or Unacknowledged Suspension**

Exclusion of a student for part of the school day, as a sanction, unacknowledged or asking parents to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by the school is a suspension, and should follow the Guidelines relating to suspension.

**Open-ended Suspension**

Students will not be suspended for an indefinite period. Any such suspension would be regarded as a de-facto expulsion and would be treated as such under section 29 of the Education Act 1998.

1. **Procedures in Respect of Suspension**

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school will observe the following procedures:

* + inform the student and their parents/guardians about the complaint
	+ give parents/guardians and student an opportunity to respond

**Informing the Student and Parents/Guardians**

* Let the student and their parents/guardians know about the complaint, how it will be investigated, and that it could result in suspension.
* Parents may be informed by phone or in writing.

**Giving an Opportunity to Respond**

Parents/Guardians and student are given an opportunity to respond before a decision is made and before any sanction is imposed.

A meeting with the student and his/her Parents/Guardians is arranged.

If a student and his/her Parents/Guardians fail to attend a meeting, the Principal will write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour.

The school records the invitations made to Parents/Guardians and their response.

**Procedures in Relation to Immediate Suspension**

Where an immediate suspension is considered by the Principal to be warranted, a preliminary investigation is conducted to establish the case for the imposition of the suspension.

Commencement of the formal investigation will immediately follow the imposition of the suspension.

All of the conditions for suspension apply to immediate suspension.

No suspensions should be open-ended.

In the case of an immediate suspension, Parents/Guardians will be notified, and arrangements made with them for the student to be collected.

 In no circumstances will a student be sent home from school without first notifying Parents/Guardians.

1. **The Period of Suspension**

A student will only be suspended for more than three days in exceptional circumstances, where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective. The Board of Management will provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than three days might be approved.

If a suspension longer than three days is being proposed by the Principal, the matter will be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.

However, a Board of Management may wish to authorise the Principal, with the approval of the Chairperson of the Board, to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions.

The Board of Management should normally place a ceiling of ten days on any one period of suspension imposed by it.

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 (see Section 7. Appeals).

These provisions enable the school authorities to give the student a reasonable time to reflect on his/her behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. The school authorities recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

1. **Appeals**

The Board of Management will offer an opportunity to appeal the Principal’s decision to suspend a student. In the case of decisions to suspend made by the Board of Management (see Section 6), an appeals process may be provided by the Patron.

**Section 29 Appeal**

Where the total number of days for which the student has been suspended in the current school year reaches twenty days, the Parents/Guardians, or a student aged over eighteen years, may appeal the suspension under Section 29 of the Education Act 1998, as amended by the Education (Miscellaneous Provisions) Act 2007.

At the time when Parents/Guardians are being formally notified of such a suspension, they and the student will be told about their right to appeal to the Secretary General of the Department of Education and Skills under Section 29 of the Education Act 1998, and will be given information about how to appeal.

The appeal must be made in the first instance to the MSL ETB. Where an appeal to the MSL ETB is concluded, Parents/Guardians , or a student aged over eighteen years, may appeal to the Secretary General of the Department of Education and Skills.

1. **Implementing the Suspension**

**Written Notification**

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

* 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 (for example, parents might be asked to reaffirm their commitment to the Code of Behaviour)
* the provision for an appeal to the Board of Management
* the provision for an appeal to the MSL ETB , if appropriate
* the right to appeal to the Secretary General of the Department of Education and Skills (Education Act 1998, section 29).

It is the aim of the school that this letter be clear and easy to understand.

**Engaging with Student and Parents/Guardians**

Where a decision to suspend has been made, it can maximise the impact and value of suspension if the Principal or another staff member delegated by the Principal meets with the parents to emphasise their responsibility in helping the student to behave well when the student returns to school and to offer help and guidance in this.

Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

1. **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.

1. **After the Suspension Ends**

A period of suspension will end on the date given in the letter of notification to the parents about the suspension.

**Re-integrating the Student**

The school should have a plan to help the student to take responsibility for catching up on work missed. This plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure. Successful re-integration goes beyond academic work. A suspended student may feel angry or resentful about his/her suspension, and these feelings can trigger problems with reintegration which, in turn, may lead to further problem behaviour. Where possible, the school should arrange for a member of staff to provide support to the student during the re-integration process.

**Clean Slate**

When any sanction, including suspension, is completed, a student will be given the opportunity and support for a fresh start. Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed the school expects the same behaviour of this student as of all other students.

1. **Records and Reports**

**Records of investigation and decision-making:**

Formal written records should be kept of:

 • the investigation (including notes of all interviews held)

 • the decision-making process

 • the decision and the rationale for the decision

 • the duration of the suspension and any conditions attached to the suspension.

**Report to the Board of Management**

The Principal will report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.

**Report to TUSLA**

 The Principal is required to report suspensions in accordance with the TUSLA reporting guidelines [Education (Welfare) Act, 2000, section 21(4)(a)].

1. **Review of Use of Suspension**

The Board of Management will review the use of suspension in the school at regular intervals 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 use of suspension is appropriate and effective.

This policy has been made available to school personnel, is readily accessible to parents and pupils on request, and has been provided to the Parents’ Council. A copy of this policy will be made available to the Department and the patron if requested.

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

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

 (Chairperson of Board of Management)

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

 (Principal)

Date of next review: Feb. 2016