

# Grange Community College Suspension and Expulsion Policy

## **Title of Policy :**

Grange Community College Suspension and Expulsion Policy

## **1. Introductory Statement**

Students at Grange Community College have the right to an education which offers them every opportunity to attain their full potential: social, emotional, spiritual, and intellectual. The Principal, teaching staff and support staff are here to create circumstances to allow this to happen. Dublin Dun Laoghaire Education and Training Board (DDLETB), the Board of Management, parents and the wider community also assist in this process.

This policy relates to sanctions that the school management may adopt when dealing with serious breaches in the Code of Positive Behaviour.

The following legislation was considered in the creation of our Suspension and Expulsion Policy:

Education and Training Board Act 2013

Education (Welfare) Act 2000- Section 23

Equal Status Act 2000

NEWB Guidelines 2008

General Data Protection Regulations 2018 (GDPR)

And any other relevant legislation or Department of Education or DDLETB guidelines.

## **2. Scope:**

The policy applies to students, teachers, Board of Management and parents/guardians. It applies to students of the school when they are in school uniform, in the school building, grounds and/or on a school tour or trip

## **3. Rationale**

All students have a right to learn in an orderly and caring environment. All members of the school community have a right to be treated fairly and with dignity in an environment free from disruption, intimidation, harassment and discrimination. The Code of Positive Behaviour aims to provide a safe and secure learning environment free from disruption for all our students by promoting a sense of respect for oneself, for others and for our environment. By enrolling in this college, each student and their parent(s)

agree to uphold the Code of Positive Behaviour in detail and in spirit.

When serious breaches of the Code of Positive Behaviour occur where it will be in the best interests of the school community that student(s) involved are removed from the college for a period of time or permanently, the Grange Community College Suspension and Expulsion Policy may be followed.

#### 4. Relationship to the School's Mission Statement

In the light of our Mission Statement this policy aims to:

- Create a safe and healthy learning environment that nurtures self-discipline and encourages students to take responsibility for their actions and behaviour;
- Foster an atmosphere which promotes self-esteem, honesty, justice, and respect for others.

#### 5. Goals/Objectives

The goals and objectives of our suspension and Expulsion policy are:

- To maintain a safe, secure learning environment free from disruption for all members of our school community.
- To outline the strategies to be used when a student is in serious breach of the Code of Positive Behaviour
  - To assist parents in understanding the systems and procedures that form a part of the Code of Positive Behaviour, suspension and Expulsion and to seek their cooperation in the application of these procedures
- To ensure that the system of rules and sanctions is implemented in a fair and consistent manner

#### 6. Policy Content

##### 6 A. Suspension

In line with the Code of Positive Behaviour, when a student reaches Level 3 of the Ladder of Referral and suspension is being considered this policy will come in to effect.

**Level 3:** After a serious breach in discipline or a number of smaller breaches, the following strategies will be used to help student improve their behaviour. (See Appendix 2)

Yearhead		
Referrals from tutors re behaviour	Referrals from tutors re academic performance	Referrals from tutors re behaviour
Meetings with students	Meeting with student re mentoring & behaviour	Meetings with students

Meetings with parent/guardians	Meetings with parent/guardian	Meetings with parent/guardian
Recommend suspension	Motivational assemblies	Suspension
General assemblies	Positive reinforcement for students and classes	General assemblies
Positive reinforcement	Positive behaviour structures and rewards	Positive reinforcement for students and classes
Communication with whole school & Principal & Deputy Principal	Awards structure for Jnr/TY/LCVP to include an awards day or night in collaboration with Programme Co-ordinator.	Positive behaviour structures and rewards for students and classes

### **MEDIUM TO HIGH LEVEL OF MISBEHAVIOUR**

- Persistent failure to follow tutor's direction and/or sanction
- Fighting
- Throwing objects
- Incitement of violence
- Bullying
- Smoking
- Persistent or severe verbal abuse of a student or teacher
- Malicious damage of school, staff or student's property

### **RESPONSES TO MEDIUM TO HIGH LEVEL OF MISBEHAVIOUR**

- Positive encouragement and re-enforcement

- Liaise with class teacher/ tutor
- Talk to student
- Visit class
- Monitor sheets
- Appropriate Sanction as per Code of Behaviour
- Make phone calls home
- Meet with parents/ carers
- Student conference
- Year group conference
- Referral to Deputy Principal/ Principal
- Referral to Care Team/ Counsellor
- Suspension

#### **Level 4: Serious breaches of discipline are referred to the Deputy Principal or Principal**

In such cases after a discussion with the Principal and/or the Deputy Principal, a level-4 form outlining the incident will be completed by the teacher involved and a sanction will be imposed which may include suspension as per NEWB guidelines (available at [www.newb.ie](http://www.newb.ie))

Examples of incidents that might be recorded on a level-4 form are:

- Violence, physical/verbal to a staff member. Violence against student(s).
  - Bullying another student \* (See Anti-bullying Policy)
  - Sexual harassment student or school employee
  - Deliberate damage to teacher, school or student property.
  - Stealing from teacher, school or fellow students.
  - Violation of School Substance Use Policy
  - Leaving school without permission / Truancy
- This is not an exhaustive list.

#### **The College's procedures for suspension:**

As required under the Education Welfare Act 2000, Section 23 (2) the following procedures will apply in the case of suspension.

- The Principal and/or the Deputy Principal can suspend students from school for a serious breach of discipline or in circumstances of continuous failure to conform to school rules. Parents/Guardians will be notified in writing of this decision.
- Suspension, sometimes immediate, will always be considered in matters that involve bullying, fighting, substance abuse, possession of illegal instruments, possession of illegal substances, serious disrespect for all managerial, teaching and ancillary school staff, school property and repeated breaches of the Code of Behaviour. (this is a non-exhaustive list)

- The Principal or Deputy Principal will contact or meet the parents/guardians of any suspended student and may recommend referral to the appropriate support agencies and/or the signing of a contract. The student will report to the Principal, Deputy Principal, Tutor, or Year Head upon his/her return to school.
- Parents will be notified, in writing, of a decision to suspend and the duration of the suspension. Please note that a suspension from one or two up to ten school days or more may be imposed for very serious breaches of discipline.
- Parents may wish to appeal the decision to suspend by writing to the Board of Management.

### **Authority to Suspend**

The ETB holds the authority to suspend. This authority is devolved under Section 44 of the Education and Training Boards Act 2013 by the ETB to the Board of Management of the school, bearing in mind all relevant legislation. The Board of Management hereby delegates this authority to the Principal.

### **Period of Suspension**

As stated in the NEWB Guidelines, “Suspension should be a proportionate response to the behaviour that is causing concern.”

A student should 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 in order to achieve a particular objective. If a suspension of longer than three days is being proposed, that matter should be referred to the BOM for consideration and approval, giving the circumstances and the expected outcomes.

The BOM may wish to authorize the Principal to impose a suspension five days or more in circumstances where the Board cannot convene in a timely fashion.

The Board should 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**

The Principal’s decision to suspend a student may be appealed to the BOM by a parent or student (if over 18). The parent(s) will be invited to attend a meeting of the BOM to make their appeal. The parent(s) will be advised of the BOM’s decision in writing. If the appeal is upheld the record of suspension will be wiped from the student’s record. If the appeal fails the parent will be informed that the decision may be appealed in writing to the DDLETB. Where an appeal is

concluded, parents may appeal to the Secretary General of the Department of Education and Skills.

### **Implementing the suspension**

#### Written Notification

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

- The period of suspension and the dates on which the suspension will begin and end
- the reasons for the suspension
- Expectation of the student while on suspension, for example: any study programme to be followed
- the arrangements for returning to school
- (for example: referral to DDLETB Psychological Support Services (PSS), a written apology, the parents and student might be asked to reaffirm their commitment to the Code of Behaviour)
- the provision for appeal to the Board of Management or DDLETB

#### **Records and Reports**

Formal written records should be retained, in line with GDPR, of:

- the investigation
- 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 should report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.

#### **Report to the NEWB**

The Principal is required to report suspensions in accordance with the NEWB reporting guidelines if the student is suspended for a period of not less than 6 days (Education (Welfare) Act, 2000, section 21(4)(a)).

## **6 B. Expulsion**

The ETB devolves the authority to expel to the Board of Management under Section 44 of the Education and Training Boards Act 2013 bearing in mind the NEWB Guidelines.

## **Grounds for Expulsion**

Expulsion of a student is a very serious step, which will usually only be taken by the Board of Management in extreme cases of unacceptable behaviour. The school will usually have taken significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- provide interventions to modify the student's behavior (e.g. NBSS)
- meeting with parents and the student to try to find ways of helping the student to change his/her behaviour
- making sure that the student understands the possible consequences of his her behaviour, if it should persist
- ensuring that all other possible options have been tried
- seeking the assistance of support agencies (e.g. DDLETB PSS, Health Service Executive, Community services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education).

The grounds for expulsion may be similar to the grounds for suspension. In addition to factors such as the degree of seriousness and the persistence of the behaviour school authorities have tried a series of other interventions, and believe they have exhausted all possibilities for changing the student's behaviour.

## **Expulsion for a first Offence**

The Board of Management may decide to expel a student on the basis of a single breach of the Code of Behaviour, such as:

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

## **Procedures for Expulsion**

Where a preliminary assessment of the facts confirms serious behaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation carried out under the direction of the Principal.
2. A recommendation to the Board of Management by the Principal.
3. Consideration by the Board of Management of the Principal's recommendation and the holding of a hearing.
4. Board of Management deliberations and actions following the hearing.

5. Consultations arranged by the Education Welfare Officer.

6. Confirmation of the decision to expel.

Some of these meetings could be held together as long as due notice of meetings and a fair and reasonable time to prepare for a Board hearing are given to parents.

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

In investigating an allegation, in line with fair procedures, the Principal should:

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

Parents should be informed in writing of the alleged misbehaviour and the proposed investigation. Where expulsion may result from an investigation, a meeting with the student and his/her parents is essential. They can give their side of the story, ask questions about the evidence, and perhaps make their case and the school can explore with parents how best to address the student's behaviour.

If a student and his/her parents fail to attend a meeting, the Principal should 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 inappropriate behaviour. The school should record the invitation issued to parents and their response.

### **Step 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 should:

- inform the parents and the student that the Board of Management is being asked to consider expulsion
- ensure that parents 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
- notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
- ensure that parents have enough notice to allow them to prepare for the hearing.

### **Step 3: Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing**

The Board should review the initial investigation to check that it was properly conducted in line with fair procedures. The Board should review all documentation and circumstances of the case.

It should ensure that no party who has had an involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).

Where a Board of Management decides to consider expulsion, it must hold a hearing called in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, 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. The meeting may also be an opportunity for parents to make their case. In the conduct of the hearing, the Board must take care to ensure that they are, and are seen to be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board should facilitate this, in line with good practice and Board procedures.

After both sides have been heard, the Board should ensure that the Principal and the parents are not present for the Board's deliberations.

#### **Step 4: Board of Management deliberations and actions following the hearing**

Having heard from all the parties, the Board will decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

Where the Board of Management is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (Education (Welfare Act 2000, s24(1)). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification.

The Board should inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents should be told that the Board of Management will now inform the Educational Welfare Officer.

#### **Step 5: Consultations arranged by the Educational Welfare Officer**

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

- make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance
- convene a meeting of those parties who agree to attend

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement that would avoid expulsion.

Pending these consultations, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (Education (Welfare) Act 2000, s24(5)). A

Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is a likelihood that the presence of the student during this time will seriously disrupt the learning of others, or will represent a threat to the safety of other students or staff.

### **Step 6: Confirmation of the decision to expel**

Where the twenty day period following the notification to the EWO has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management should confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parents should be notified immediately that the expulsion will now proceed. Parents and the student 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**

A parent or a student, over eighteen years, may appeal a decision to expel to the ETB. Where an appeal to the ETB has been concluded, parents, or a student over eighteen years, may go on to appeal to the Secretary General of the Department of Education and Skills.

## **7. Roles and Responsibilities**

The BOM, in conjunction with the Principal, Deputy Principal, Yeah Heads and tutors will be responsible for the implementation of the policy.

## **8. Links with other school policies**

This policy must be read in conjunction with the school's current policies and any other policies as they are developed. This policy is particularly related to the Code of Positive Behaviour.

## **9. Monitoring, Review and Evaluation**

Under the direction of the Principal the policy will be monitored by the committee which drafted it. This policy will be reviewed after two years or sooner if necessitated by legislation or requested by Staff Council or the Board of Management.

## **10. Ratification and Communication**

This policy will be ratified by the Board of Management.

It will be made available to parents.

It will be published in the staff booklet for current staff and a copy of this booklet will be given

to new teachers coming into the school.  
It will be published on the school's website.

## **11. Implementation Date**

This policy will come into effect after being signed by the Board of Management

Signed..... Date.....  
Chairperson of Board of Management

Review Date 2020

## Appendix 1

### Definition:

Parent - In this policy where parent is mentioned, it refers to parent(s), guardian(s), foster parent(s), or the primary carer for a student, as applicable.

## Appendix 2

### Level 2/3 Form

Tutor / Year Head

Students Name:	Class:
Date:	Time:
Location:	

Mitching	
Smoking	
Damage to property	
Persistent failure to follow tutor's direction and/or sanction	
Fighting	
Throwing objects	
Incitement of violence	
Bullying	
Persistent or severe verbal abuse of a student or teacher	
Malicious damage of school, staff or student's property	
Provide further detail if necessary:	

**Nature of the incident:**

Signed:	Date:	Role:
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**Actions Taken:**

<b>Tutor:</b>	
Talk to student	
Appropriate Sanction as per Code of Positive Behaviour	
Liaise with class teacher / year head	
Use tutor class to address issues	
Detention	
Writing of Rules/ Extra school work	
Refer to Year Head	
<b>Year Head:</b>	
Liaise with class teacher/ tutor	
Talk to student	
Visit class	
Monitor sheets	
Appropriate Sanction as per Code of Positive Behaviour	
Make phone calls home	
Meet with parents/ carers	
Student conference	
Year group conference	
Referral to Deputy Principal/ Principal	
Referral to Care Team/ Counsellor	
Suspension	
Provide further detail if necessary:	

Signed:	Date:	Role:
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## APPENDIX 3

### Level 4

#### Deputy Principal/ Principal

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Students Name:	Class:
Date:	Time:
Location:	

Nature of the incident:

Physical assault on staff member or student	
Serious and aggressively threatening behaviour	
Offensive language towards staff	
Throwing object at staff member	
Bullying	
Theft	
Refusal to hand up mobile phone or other electronic device	
Arriving in school under the influence of alcohol or illegal substances	
Possession of alcohol or illegal substances	
Possession of a weapon	
Distribution of an illegal substance	
Sexual harassment towards staff or students	
Verbal threats towards staff members and their property	
Setting off Fire Alarm	
Malicious damage to property	
Referral from Year Head for ongoing challenging behaviour	
Provide further detail if necessary:	

Signed:	Date:	Role:
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Actions Taken:

Meeting with student and relevant teacher	
Meet with parents/ carers	
Student contract	
Referral to outside agencies	
Referral to Board of Discipline	
Suspension	
Involvement of Garda	
Provide further detail if necessary:	

Signed:	Date:	Role:
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