

Suspension Policy

Adopted by Board of Management: 27th May 2014
Amended 14th April 2016.

Legal Context

Schools are required, under section 23(2) of the Education (Welfare) Act 2000, to include procedures for suspension in their code of behaviour.

The policy and procedures relating to suspension in Kishoge Community College are in line with the NEWB document '*Developing a Code of Behaviour: Guidelines for Schools*'.

Authority to Suspend

The authority to suspend a student from Kishoge Community College rests with Dublin and Dun Laoghaire Education and Training Board. DDLETB devolves this authority to the Board of Management of Kishoge College. The Board of Management delegates the authority to suspend a student to the Principal and in his/her absence to the Deputy Principal.

Rationale for Suspension

Used properly suspension can play an important role in ensuring the maintenance of good order in the school. Suspension clearly signals behaviour that the school community deems unacceptable. It can provide a respite for the suspended student, for other students and for staff. It gives the suspended student time to reflect on the link between his/her action and its consequences. The period of suspension gives staff time to plan ways of helping the student change unacceptable behaviour.

Grounds for Suspension

A student may be suspended by the school authorities for any transgression of good behaviour deemed to be sufficiently grave. Suspension should be a proportionate response to the behaviour

that is causing concern. Normally other interventions will have been tried before suspension. However, a single incident of serious misconduct may be grounds for suspension. The decision to consider excluding a student for a defined number of days requires serious grounds such as:

- The student's behaviour is persistently disruptive and has had a seriously 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 school property.
- The student has engaged in assault or fighting.
- The student has been seriously verbally or physically abusive to staff or fellow students.
- The student has been grossly disrespectful to a member of staff
- The student has behaved in a manner that has brought the school into disrepute
- The student has repeatedly refused to follow legitimate instructions
- The student has repeatedly failed to attend for Detention
- The student has engaged in bullying behaviour and other interventions have failed
- The student has repeatedly absented him/herself from school without permission.
- The student is under the influence of alcohol or drugs
- The student brings alcohol, illegal drugs or any substance that may be abused onto the school grounds
- The student engages in the inappropriate use of cameras or other recording equipment
- The student engages in theft
- The student engages in inappropriate use of school IT facilities

Factors to consider before suspending a student

Before deciding to suspend a student the Principal will:

- Ensure that there is a written record of the behaviour
- Consider how persistent the unacceptable behaviour has been
- Consider whether the behaviour has escalated, despite interventions
- Consider how other students and staff are affected by the student's behaviour, in particular the impact on teaching and learning in the student's class
- Review interventions already tried.

- Consider whether a referral to counselling is appropriate

Immediate Suspension

In exceptional circumstances, where the continued presence of a student in the school at a particular time would represent a serious threat to the safety of students or staff or any other person in the school, the Principal may decide that an immediate suspension is warranted. In this, as in all suspensions, fair procedures will be applied. In such a situation a parent/guardian will be contacted by telephone to collect the student. The situation will be explained and written documentation will follow by post.

'Automatic' Suspension

The Board of Management may decide, following discussion with staff, parents and students, that particular named behaviours incur suspension as a sanction. Due process and fair procedures will apply in all such situations.

Procedures in respect of Suspension

Schools are obliged by law to follow fair procedures when proposing to suspend a student. Where a preliminary assessment of the alleged misbehaviour indicates that suspension may be an appropriate sanction the following procedures will apply:

- The student and his/her parents are informed of the complaint
- The student and his/her parents are given an opportunity to respond
- Communication with parents will normally be by phone. However, if a parent/guardian wishes to arrange a meeting to discuss the issue then every reasonable effort will be made to facilitate such a meeting
- If it is decided to suspend the student, a suitable date for the commencement of the suspension is agreed with the parent.
- A letter setting out the details of the suspension is sent home by post. A copy of the letter is handed to the student.
- Parents/guardians are notified of their right to appeal a suspension to the Board of Management

- Where cumulative periods of suspension would bring the number of days for which a student has been suspended to six days or more in a single school year the Education Welfare Officer will be informed.
- Parents/guardians may be requested to attend a meeting with the Principal
- Where an immediate suspension is considered warranted by the Principal for reasons of the safety of the student, other students and/or staff, a preliminary investigation is always carried out to establish the fairness and appropriateness of the proposed suspension. All of the conditions for suspension apply to immediate suspension. Kishoge Community College has due regard to its duty of care for the student and in no circumstances should a student be suspended without first notifying parents/guardians so that in the case of an immediate suspension parents/guardians may make arrangements for the student to be collected.

Periods of Suspension

A student should not be suspended for more than three days except in exceptional circumstances where the Principal considers that a suspension longer than three days is needed in order to achieve a particular objective. The matter should be referred to the Board of Management for consideration and approval.

The Board of Management authorises the Principal with the approval of the Chairperson to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion.

Report to Board of Management

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

Appeals

Dublin and Dun Laoghaire Education and Training Board offers an opportunity to appeal the Principal's decision to suspend a student. Parents and students aged 18 or over can appeal the decision to suspend by writing to the Secretary, Board of Management, Kishoge Community College.

In the case of suspensions of up to five days, the appeal will be heard at an ordinary, scheduled meeting of the Board. In the meantime the suspension should proceed and be served in a timely manner. If the appeal is successful, the Board of Management will direct that the suspension be removed from the student's record.

A Section 29 Appeal may be taken where the total number of days for which an individual student has been suspended in the current school year exceeds 20 days. (Ref: Section 29 of the Education Act 1998 as amended by the Education (Miscellaneous Provisions) Act 2007) When parents/guardians are being formally notified of a suspension they are also informed of their right to appeal – in the first instance to Dublin and Dun Laoghaire ETB and thereafter, following the conclusion of an appeal to Dublin and Dun Laoghaire ETB, to the Secretary General of the Department of Education and Skills.

In the case of a successful appeal a suspension will be removed if the Board of Management, Dublin and Dun Laoghaire ETB or the Secretary General of the Department of Education and Skills directs that it be removed.

Review of the use of Suspension

The in-School Management Team should monitor the use of suspension on an annual basis to ensure that its use is fair and consistent with school policies. It is the responsibility of the Board of Management to review the use of suspension at regular intervals.