



SANCTA MARIA COLLEGE

Louisburgh Co. Mayo



Suspensions and Exclusion Policy

Mission Statement:

Sancta Maria College is a voluntary Catholic secondary school under the trusteeship of CEIST whose core values are inclusive of the Mercy philosophy of education.

We welcome, care for and support all within the school community through the promotion of

- Respect
- Being just & responsible
- Quality teaching and learning
- An inclusive community
- Life-long learning

Mercy Philosophy of Education

Inspired by the vision of Catherine McAuley, Mercy Education is committed to holistic development and to the achievement of the full potential of each student, particularly those who are disadvantaged or marginalized.

It is a process informed and influenced by the teaching and example of Jesus Christ and is conducted in an atmosphere of care, respect and joy.

CEIST is committed to on-going whole-school development in collaboration and partnership with the Board of Management, staff, parents and the wider community.

Operating Context

A board of Management operates Sancta Maria College within the following guidelines:

- In the context of, and within the parameters of the Department of Education and Science [D.E.S.] regulations and programmes;
- Within the rights of the trustees as set out in the Education Act;
- Following the Religious and Educational Philosophy of Ceist.;
- Within the funding and resources available.

General Principles

All students and teachers have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination.

There will be cases of unacceptable behaviour where it will be in the best interests of the school community and/or the student involved, for the student to be removed from the school for a period of time or completely. Suspension and expulsion are the options available to the Principal and /or the Board of Management in these situations.

Collaboration between Board of Management, school staff, students and parents is an important feature of Behaviour Management in Sancta Maria College. All should be fully aware of the suspension and expulsion procedures and their place in the context of the

school's Code of Behaviour.

Suspension is only one sanction within our school's Code of Behaviour. It is most effective when it highlights the parents' /guardians' responsibility for taking an active role, in partnership with the school, to work with their child to enable the child's behaviour to change. The school will work with parents / guardians with a view to assisting a suspended student to rejoin the school community as quickly as possible.

Suspension allows students time to reflect on their behaviour, to acknowledge and accept responsibility for the behaviour which led to the suspension and to accept responsibility for changing their behaviour to meet the school's expectations in the future. It also allows time for school personnel to plan appropriate pastoral care support for the student to assist with successful re-entry.

The Principal has authority, under the Articles of Management for Secondary Schools, to suspend "any pupil for a limited period and shall report any such suspension to the Board of Management at its next meeting".

If, in the judgment of the Principal, a pupil should be expelled, the Principal shall refer the matter to the Board of Management for decision.

The Board of Management and the Principal will exercise this authority having regard to their responsibilities to the whole school community and to the Principles of Natural Justice.

In implementing these procedures, the Principal and Board will ensure that no student is discriminated against on any of the following grounds:

- gender
- marital status
- family status
- sexual orientation
- religion
- age
- disability
- race
- membership of the Travelling Community

The Board of Management will also ensure that the implementation of these procedures will take into account such factors as:

- The age and state of health of the pupil
- The pupil's previous record at the school
- Any particular circumstances unique to the pupil which might sensibly be taken into account in connection with the behaviour, e.g.; strained or traumatic domestic situations
- The extent to which parental, peer or other pressure may have contributed to the behaviour
- The degree of severity of the behaviour, the frequency of its occurrence and the likelihood of its recurring;
- Whether or not the behaviour impaired or will impair the normal functioning of the pupil or other pupils in the school;
- Whether or not the behaviour occurred on school premises or when the pupil was otherwise in the charge of the school staff or when the pupil was on the way to or from school. An important consideration in cases of doubt is the extent to which behaviour away from the school had a serious impact on the life of the school;
- The degree to which behaviour was a violation of one or more rules contained in the school's Code of Behaviour and the relative importance of the rule(s);
- Whether the incident was perpetrated by the pupil on his or her own or as a part of a group.

Depending on the nature and extent of the misbehaviour the support of other agencies such as the National Education Welfare Board (NEWB) or the National Educational Psychological Service (NEPS) may be sought by the Board of Management.

Suspension

The reasons a student may be suspended are based on the Code of Behaviour, copies of which have been given to students and their Parents/guardians who should be familiar with its contents.

Suspension will usually only occur after the Principal has:

- Ensured all discipline options under the Code of Behaviour have been applied and documented
- ensured all appropriate support personnel (internal and external) have been involved.
- ensured that discussion has occurred with the student and parent / guardian regarding specific misbehaviour which the school considers unacceptable and which may lead to suspension
- ensured that diagnostic assessments have been carried out where appropriate (i.e. NEPS), particularly where unacceptable behaviour is ongoing and consistent
- (except in cases of very serious misconduct) provided a formal written warning detailing these behaviours, as well as clear expectations of what is required of the student in the future
- recorded all action taken, and

- copied all correspondence

Principal may suspend immediately in some circumstances e.g. violence, threats of violence, presence of weapons, illegal drugs etc.

Length of suspension: the Board allows the Principal to suspend a pupil up to six days.

If a student is suspended for a period of 6 days or more, the Principal will inform the local Educational Welfare Officer.

If a student is suspended for a cumulative total of 20 days or more in one school year, the Principal will inform the Education Welfare Officer

Procedure for Suspension

Principal makes decision (or, in the Principal's absence, the acting or Deputy Principal) on the basis of the reasons set out in the Code of Behaviour, and the parameters set out by the Board of Management.

Student is informed of the decision

The student must be informed of the precise grounds which gave rise to a possible suspension, and be given an opportunity to respond, before a decision to suspend is reached and formalised.

Parents/Guardians informed by registered post and invited to come to the school for a meeting.

If suspension is to be immediate (e.g. in the interests of health and safety) Parents/Guardians be informed by phone, with written follow-up.

Student to be supervised /in class until suspension takes effect.

Student will never be sent home during school day, unless collected by parent / legal guardian (or other suitable arrangement made).

The formal letter of notification should include:

Notice of the suspension

- Effective date of the suspension
- Duration of the suspension
- Reasons for the suspension
- Expectations of the student while on suspension (Study Programme may be attached)
- Importance of parental assistance in resolving the matter
- A statement that the student is under the care and responsibility of the parents/guardians while on suspension
- A statement that the Education Welfare Board has been informed (If the suspension is longer than 6 days, or the student has been suspended for more than 20 days during the school year to date)
- Information on Appeal rights (internal school appeal / Section 29 Appeal)
- Requirements which need to be in place when student returns (e.g. written apology, completed assignments etc.)

If consideration is being given to proceeding to expulsion, then the letter will make this clear.

Procedures for the formal re-introduction of the student into the school

- Parents may be requested to attend with the student on the day of his/her return to the school
- Undertakings of good behaviour may be requested in writing Agreed conditions (e.g. Counselling, referral to NEPS, other pastoral supports) should be signed by parents and pupil.

Grounds for Removing a Suspension

- The Principal / Board may agree that another sanction be applied after discussion with the parents
- Successful appeal to the Board of Management
- Successful appeal under Section 29 of the Education Act
- New circumstances come to light
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Other grounds under GENERAL PRINCIPLES above
APPEALS

Internal School Appeals

For suspensions of 6+ days a sub committee comprising of Principal, Deputy Principal, one of either Guidance

Counsellor, Chaplain, Year Head, Class Tutor and the parents, in an attempt to resolve matters and / or to explain the reasons for the long suspension.

The student will remain at home while any appeal on a suspension is in process. It is possible that a suspension may already be served before the appeal is actually heard. If the appeal is successful, the only remedy may then be to have the suspension removed from the student's file / record. All appeals should be heard as soon as is practically possible.

EXTERNAL APPEALS

See Appendix 2

Expulsion

This is the ultimate sanction imposed by the school and is exercised by the Board of Management in extreme cases of indiscipline.

PROCEDURE FOR EXPULSION

1. Expulsion can only occur after the Principal has :

- ensured all discipline options under the Code of Behaviour have been applied and documented
- ensured all appropriate support personnel (internal and external) have been involved
- ensured all other procedures, referrals, supports have been exhausted
- ensured that discussion has occurred with the student and parent / guardian regarding specific misbehaviour which the school considers unacceptable and which may lead to expulsion
- provided formal verbal and written warnings at appropriate times detailing these behaviours, as well as clear expectations of what was required of the student in the future
- recorded all action taken, and
- copied all correspondence
- informed the parents/guardians of his/her intention to recommend expulsion to the Board of Management
- Invited the parents/guardians to the Board of Management hearing and
- Invited the parents/guardians to make a written submission in advance of the Board Meeting
- Provided the parents with a full, written description of the allegations against the student and the case being made at the Board, together with copies of all documentation, statements etc. supporting that case.
- Made a formal expulsion recommendation to the Board with full supporting documentation.

2. Expulsion occur after the Board of Management has

- Heard the Principal's case against the student (this case should be made in the presence of the parents)
- Heard the Parents' response
- Examined all the documentation
- Considered the student's record in the school
- Taken legal / expert advice
- Ensured the Principal is not present for the Board's discussion and decision on the matter.
- Discussed the case in detail
- Considered all matters in GENERAL PRINCIPLES above
- Made a final decision to expel
- Communicated the decision to the parents formally through the Secretary to the Board (registered letter)
- Informed the Education Welfare Officer.

3. The formal letter of notification includes:

- Notice of the expulsion
- Effective date of the expulsion
- Reasons for the expulsion
- A statement that the Education Welfare Board has been informed
- A statement that the student is under the care and responsibility of the parents/guardians for the period of 20 days required by the Education Welfare Officer to examine alternative provisions for the education of the student
- Information and documentation on Appeal rights.

Appendix 1

PRINCIPLES OF NATURAL JUSTICE

PROCEDURAL FAIRNESS

Procedural fairness is a basic right of all individuals dealing with authorities.

Procedural fairness is generally recognised as having two essential elements.

1. The right to be heard which includes:

- The right to know why the action is happening
- The right to know the way in which the issues will be determined
- The right to know the allegations in the matter and any other information which will be taken into account
- The right of the person against whom the allegations have been made to respond to the allegations, and
- The right to an appeal.

2. The right of a person to an impartial decision, which includes:

- The right to impartiality in the investigation and decision making phases
- The right to an absence of bias in the decision maker

Principals should ensure that students and parents / guardians have access to policies and procedures under which action is being taken.

While it is generally preferable for the functions of investigating and deciding to be carried out by different people, in the school setting this may not always be possible.

If the Principal is conducting both the investigative and decision making stages, he or she must be reasonable and objective. Ultimately, the Principal must act justly and be seen to act justly. While it is difficult to combine the roles of investigator and adjudicator, given the nature of the Principal's responsibilities, there may at times be no alternative to the Principal exercising both roles.

Nevertheless, it is preferable to have another appropriate officer, such as a deputy or assistant principal, carry out the investigation, if possible.

The availability of a line of appeal to a more senior officer adds to the fairness of the process and offers a check in case there is a perception of a conflict of interest. It is the Principal's responsibility to suspend a student from the particular school or to recommend to the Board the expulsion of a student from the school. This responsibility is not to be delegated to any officer other than one acting in the Principal's position.

To ensure the elements of procedural fairness are met, it is appropriate to provide student and their parents / guardians with details of all allegations relating to the incident. This usually will involve providing copies of any relevant statements. Should Principals be of the view that it is not appropriate to provide copies of statement, for example, because of a fear that witnesses may be intimidated, full details of the allegations outlined in the statements should be provided

In matters where a long suspension or expulsion is contemplated, the gravity of the circumstances requires particular emphasis being given to procedural fairness. This includes the availability of a support person/observer at formal interviews, the key features of which should be taken down in writing.

Appendix 2: D.E.S. External Appeal Procedure Available on Request.

Discipline Procedures in School

- a. Brief notes of interviews are taken when pupils are interviewed in relation to wrongdoing.
- b. In advance of any hearing, which could result in the expulsion (or in respect of a probable lengthy suspension), the pupil and his/her parents will be supplied with copies of the notes of the interviews.
- c. The school will also set out in clear terms the allegations against the pupil
- d. The notification of the meeting of the Board will make it clear the seriousness of the allegations and the punishment might be expulsion.

Review:

This code was ratified by the Board of Management on 12th October 2010. It was proposed by Ms. M Staunton and seconded by Mr. A Durkan. This code will be reviewed and revised in the light of changing circumstances, if such changes occur. Otherwise it will be reviewed in 2012/13.

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