

APPENDIX 1:

Procedures for Suspension and Expulsion

SUSPENSION

Definition of Suspension: "Requiring the student to absent himself/herself from the school for a specified, limited period of school days".

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 70.

Grounds for Suspension

The decision to suspend a student in Summerhill Primary School requires "serious grounds such as that:

- The student's behaviour 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 property.

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

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 71.

Authority to Suspend

The Board of Management of Summerhill Primary School has formally, and in writing, delegated the authority to impose an "Immediate suspension" to the Principal Teacher. An "Immediate suspension" may be for the remainder of the school day, or for a period of one to three days, depending on the severity of the particular behaviour. The Principal will inform the Chairperson of the Board of Management of any such suspension as soon as possible after it occurs, and will inform the Board members at the next Board meeting.

The Board of Management retains its authority to suspend a student in all other cases / circumstances.

An "Immediate suspension" will be deemed to be necessary where after a preliminary investigation, the Principal reaches the determination that the continued presence of the pupil in the school at the time would represent a serious threat to the safety and wellbeing of the pupil him/herself, other pupils, or staff in the school. An "Immediate suspension" may be for a period of one to three days, depending on the severity of the specific behaviour.

In exceptional circumstances and with the approval of the Chairperson of the Board of Management, an immediate suspension may be for a longer period, but in an event will not exceed five school days.

At all stages in the event of a suspension or expulsion, “Fair Procedures based on the principles of natural justice” will apply.

“Fair procedures have two essential parts:

- The right to be heard
- The right to impartiality”

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 67.

Parents / Guardians will be informed of a suspension by telephone followed, in due course, by formal written notification. In the case of an “Immediate suspension”, arrangements will be made for the pupil to be collected.

The written notification will 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 the pupil’s return to school, including any commitments to be entered into by the pupil and the parents / guardians
- The provision for an appeal to the Board of Management.

The parents and pupils will be invited to attend a meeting, usually with the Principal, teacher and any other relevant staff. At this meeting, the incident will be outlined and discussed by all parties. If there is a dispute about facts, an investigation into the facts will be held following the meeting and will usually be conducted by the Principal.

The Period of Suspension

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

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 75.

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

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 76.

Appeals

The Board of Management of Summerhill Primary School will provide an opportunity to appeal any decision to suspend a pupil.

“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, or 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.

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 76.

Removal of 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”

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 77.

EXPULSION

“A student is expelled from a school when a Board of Management makes a decision to permanently exclude him / her from the school, having complied with the provisions of Section 24 of the Education (Welfare) Act 2000”.

The Board of Management of Summerhill Primary School, will follow, without amendment, the procedures for expulsion as set out in ***Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB).***

Authority to Expel

Summerhill Primary School is a recognised primary school, and as such, its Board of Management has the authority to expel a student. The Board of Management reserves this authority and this authority will not be delegated.

Grounds for Expulsion

Expulsion is a step which will only be taken by the Board of Management of Summerhill Primary School in exceptional and very serious circumstances.

“The decision to expel a student requires serious grounds such as that:

- The student’s behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process

- The student’s continued presence in the school constitutes a real and significant threat to safety
- The student is responsible for serious damage to property”.

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 81.

Summerhill Primary School will take steps to avoid the expulsion of a pupil, including, as appropriate:

- Meeting with parents and student to try to find ways to help the pupil to change the behaviour
- Making sure that consequences for the behaviour are explained to both parents and pupil and that these are understood
- Seeking the assistance of support agencies (eg. NEPS, CAMHS, NCSE, SESS, Tusla, etc)
- Exploring all other possible options.

Expulsion for a First Offence

There may be exceptional circumstances where the Board of Management of Summerhill Primary School forms the opinion that a pupil should be expelled for a first offence. The kinds of behaviour which might result in a proposal to expel for a first offence are outlined in ***Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 81***, and include a serious threat of, or actual violence, supplying illegal drugs, sexual assault.

Procedures in Respect of Expulsion

At all stages in the event of a proposed expulsion, “Fair Procedures based on the principles of natural justice” will apply.

“Fair procedures have two essential parts:

- The right to be heard
- The right to impartiality”

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 67.

The procedural steps include:

1. A detailed investigation carried out under the direction of the Principal.
2. A recommendation to the BOM by the Principal.
3. Consideration by the BOM 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.

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 83 - 86.

Appeals

“A parent, or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the Department of Education and Science (Education Act 1998 Section 29). An appeal may also be brought by the National Education Welfare Board on behalf of a student”.

Developing a Code of Behaviour, Guidelines for Schools, National Educational Welfare Board (NEWB), page 86.

Review

The Board of Management of Summerhill Primary School will review the use of suspension and expulsion in the school at regular intervals and in conjunction with reviews of the Code of Discipline.