KENNEDY PARK NATIONAL SCHOOL

 Kennedy Park – Wexford

 **T:** 053 912 3331

 **F:**  053 914 4341

 **E**: kennedyparkns@eircom.net

 [www.kennedyparkschool.ie](http://www.kennedyparkschool.ie)



**Procedures for Suspension and Expulsion**

**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 school, National Educational Welfare Board)

**Authority to Suspend:**

The Board of Management of Kennedy Park National School has formally and in writing delegated the authority to impose and *“Immediate Suspension”* to the Principal Teacher. An *“Immediate Suspension”* may be for a period of one to three school days depending on the severity of the specific behaviour, in exceptional circumstances and with the approval of the Chairperson of the Board the suspension may be for a longer period but in any event will not exceed 5 school days.

Furthermore, the Board of Management has formally and in writing delegated to the Principal Teacher the authority to impose an *“Immediate Suspension”* for named behaviours detailed in this policy. An *“Immediate Suspension”* may be for a period of one to three school days depending on the severity of the specific behaviour, in exceptional circumstances and with the approval of the Chairperson of the Board, the suspension may be for a longer period but in any event will not exceed 5 school days. The Board retains its authority to suspend a student in all other cases/circumstances.

**Immediate Suspension and Automatic Suspension**

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 pupils or staff of the school. An *“Immediate Suspension”* may be for a period of one to three school days depending on the severity of the specific behaviour, in exceptional circumstances and with the approval of the Chairperson of the Board the suspension may be for a longer period but in any event will not exceed 5 school days.

An *“Immediate Suspension”* is a suspension for named behaviours. The Board of Management of Kennedy Park School, having given due consideration to its duty of care as prescribed by Health & Safety Legislation, has determined that the following named behaviours will incur ‘Automatic Suspension’ as a sanction.

* Physcial assult/violence resulting in bodily harm to a pupil or member of staff or
* Physical violence resulting in serious damage to school property

In exceptional circumstances and with the approval of the Chairperson of the Board the suspension may be for a longer period but in any event will not exceed 5 school days.

Parents/Guardians will be informed of an Immediate or Automatic Suspension by telephone, and arrangements will be made with them for the pupil to be collected. In no circumstances will a student be sent home from school prior to his/her parents/guardians being notified. Formal written notification of the suspension will issue in due course, but no later than 2 school days after the imposition of the suspension.

Such a notification will detail:

* The duration of the suspension and the dates on which the suspension will begin and end.
* The reasons for the suspension.
* The arrangements for returning to school, including any commitments to be entered into by the pupil and the parents/guardians.

The Board of Management acknowledges that the decision to impose either an Immediate or Automatic Suspension does not remove the duty to follow due process and fair procedures. In this regard and following a formal investigation, to be completed no later than 2 days after the incident the Board will invite the pupil and his/her parents/guardians to a meeting to discuss:

* The circumstances surrounding the suspension
* Interventions to prevent a reoccurrence of such misconduct

The Board of Management of Kennedy Park National School acknowledges the fundamental importance of impartiality in the investigation process. In this regard the following undertaking is given:

*No person with a vested interest or personal involvement in the matter will be involved in the organisation or implementation of the investigation procedure.*

**Other forms of Suspension**

Normally, other interventions will have been tried before suspension and the school staff will have reviewed the reasons why these have not worked. Suspension can provide a respite for staff and the pupil, give the pupil time to reflect on the link between their action and its consequences and give staff time to plan ways of helping the pupil to change unacceptable behaviour. The decision to suspend a pupil will follow from serious/gross misbehaviour:

* The pupil’s behaviour has had a seriously detrimental effect on the education of other students
* The pupil’s continued presence in the school at this time constitutes a threat to safety
* The pupil is responsible for serious damage to property
* Any behaviour judged to be a gross misdemeanour deserving of suspension

**Procedures for Suspension**

The Board of Management and staff of Kennedy Park National School will follow the procedures for suspension and expulsion outlined in the Guidelines for Schools on Developing a Code of Behaviour (chapters 10-12).

Fair procedures (i.e. **right to be heard** and **the right to impartiality**) will be applied at all times. Accordingly, pupils and their parents will be fully informed about the alleged misbehaviour and the processes that will be used to investigate and decide the matter and they will be given an opportunity to respond to an allegation before a decision is made and before a serious sanction is imposed. In exceptional circumstances, the Principal/Board may consider an immediate suspension to be necessary when the continued presence of the pupil in the school at the time would represent a serious threat to the safety of the pupils or staff of the school, or any other person (p73). Automatic suspension will apply in the event of a student engaging in gross misbehaviour (see above).

The Board of Management will also follow the factors to consider before suspending a student (p72) and the factors to consider before proposing to expel a student (p82).

**In Relation to Suspension**

* Communication to parents regarding the suspension of a pupil or the possibility of suspension will be in writing and copies of all correspondence will be retained. In some circumstances it may be necessary to contact parents by phone.
* The parents/guardians and the pupil will be invited to meet with the Principal and/or Board of Management to discuss the proposed suspension.
* The Board of Management has delegated responsibility for suspension to the principal in the event that immediate suspension of a pupil is warranted (Guidelines p73). The parents/guardians and child will be invited to discuss the matter with the Principal and the procedure governing suspension will be applied.
* Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.
* A written statement of the terms and date of the termination of a suspension will be given to parents/guardians. A suspension will not be for more than 3 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. The letter will confirm:
* The period of the suspension and the dates on which the suspension will begin and end
* The reasons for the suspension
* Any programme of study to be followed
* The arrangements for returning to school, including any commitments to be entered into by the student and the parents (for example, the pupil and parents might be asked to reaffirm their commitment to the Code of Behaviour)
* The provision for an appeal to the Board of Management the right to appeal the Secretary General of the Department of Education and Science (Education Act 1998 Section 29)
* The Suspension will be recorded on the NEWB *‘Student Absence Report Form’* (when applicable).
* When a period of suspension ends, the pupil will be re-admitted formally to the class by the principal. The school will help the pupil catch up on work missed and the pupil will be given the opportunity and support for a fresh start.
* Where a satisfactory resolution of a problem is achieved, a pupil may be re-admitted to school within a suspension period at the discretion of the Principal and/or the chairperson of the Board of Management.
* If a pupil continues to misbehave s/he may be suspended for a major fixed period (up to ten days) to allow for consultation with both the pupil and the pupil’s parents/guardians to address the issues.
* As outlined above, parents/guardians and pupil will be given the opportunity to discuss the issues with the Principal/Board of Management.
* The Education Welfare Officer will be informed when a student has been suspended for six days or more cumulatively.
* Section 29 Appeal – when the total number of days for which the student has been suspended in the current school year reaches 20 days the parents may appeal the suspension under section 29 of the Education Act and will be given information about how to appeal.

**Procedures for Expulsion – *the procedures outlined on pages 83-86 of the guidelines will be followed (see steps 1-6 below)***

* Subsequent to the above suspension procedures and meetings with parents/guardians, if serious/gross incidents of misbehaviour continue, the pupil will be recommended for permanent expulsion by the Board of Management. In exceptional circumstances, pupil may be expelled for a first offence – e.g.
* A serious threat of violence against another student or member of staff
* Actual violence or physical assault
* Supplying illegal drugs to other students in the school
* Sexual assault

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

**Step 2** – A recommendation to the Board of Management

**Step 3** – Consideration by the Board of Management of the Principal’s recommendation and

 the holding of a hearing

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

**Step 5** – Consultations arranged by the Educational Welfare Officer

**Step 6** – Confirmation of the decision to expel

* Record will be kept in the school of all instances of serious misbehaviour by pupils.
* Breaches of behaviour will be recorded in writing by the class teacher and if necessary by the Principal.
* Other relevant school policies (e.g. Health & Safety) will be referred to as appropriate.
* The school’s Anti Bullying Policy is attached to this policy.