



GAELCHOLÁISTE  
MHAIGH NUAD

## **Suspension and Expulsion Policy**

## **1. General**

### **1.1 Definitions**

For the purposes of this policy:

1. **Suspension** is considered to be the withdrawal of permission from a student to attend this school for a specific period of time.
2. **Expulsion** is considered to be the permanent exclusion of a student from this school.

### **1.2 Scope**

1. This policy applies to all students of Gaelcholáiste Mhaigh Nuad, to their parents/guardians, to the staff and to the Board of Management of the school.
2. Students who are 18 years or older may represent themselves in matters of suspension or expulsion.

### **1.3 Rationale**

Every pupil of Gaelcholáiste Mhaigh Nuad has the right to learn in a safe and positive learning environment. The Code of Behaviour outlines the expectations with regards to behaviour for all pupils. It plays a valuable role in supporting positive behaviour and discipline, ensuring all pupils feel safe, protecting children from social pressures to behave in a particular way, nurturing cohesion and promoting good relationships among pupils. This in turn supports the highest standards of teaching and learning. Every pupil, teacher and staff member has the right to learn and work in an environment free from interference, intimidation or discrimination. It may arise that a pupil may have to be excluded from the school on a temporary or permanent basis for the well-being of the wider school community and/or the pupil. Suspension/Expulsion are the options for the Principal in this case. Gaelcholáiste Mhaigh Nuad endeavours to ensure that the Suspension and Expulsion Policy is fair and reasonable to all.

The policy has been drawn up in compliance with the requirements of the Education Act (1998) and the Education (Welfare) Act 2000.

### **1.4 Context**

This policy should be read in conjunction with the following School Policies:

- Code of Behaviour
- Anti-Bullying Policy
- Child Protection Policy
- Acceptable Usage of Technology Policy
- Spoken Irish Policy
- Health and Safety Statement
- Other school policies

## 1.5 Aims

The following are the aims of the Suspension and Expulsion Policy;

1. To reinforce the school values – *Gaeilge, Cultúr, Meas* and *Neart*;
2. To make pupils more responsible for their own behaviour;
3. To put in place an effective process enabling the college to function effectively;
4. To protect the Health and Safety of everybody in the school;
5. To give clarity on the school's Suspension and Expulsion Policy to parents, pupils, teachers and school management;
6. To give the opportunity to pupils to reflect on, accept responsibility for, and be responsible for changing their behaviour in the future for the pupils' own benefit and to meet the school's expectations of behaviour.

## 2. Suspension

The authority to suspend is vested in the Principal or, in the absence of the Principal, the Acting Principal, subject to the right of the parent(s)/guardian(s) (or a student who is 18 years or over) to appeal to the Board of Management.

### 2.1 Reasons for Suspension

Below is a list of reasons for which the Principal may consider suspension;

- a) Where the health and safety of the student, or of others in the school community could be a risk;
- b) A serious breach of the Code of Behaviour;
- c) Repeated less serious breaches of the Code of Behaviour that have not been rectified by other interventions and disciplinary measures short of suspension;
- d) Abusive behaviour or language towards any other member of the school community;
- e) Persistent bullying;
- f) Smoking/vaping whilst at school or any school event;
- g) Leaving the school grounds at break-time or lunchtime without permission;
- h) The possession of alcohol or any other illegal substance on school premises, at school events, or any time whilst in school uniform;
- i) Being involved in a physical fight;
- j) Damaging school property;
- k) Any interference with school security or fire alarm systems;
- l) Truancy;
- m) Threatening and/or abusive behaviour.

This is not an exhaustive list.

## **2.2 Prior to Suspension**

The Principal will:

- a) Ensure that the student is given the opportunity to give a detailed account of the event/incident orally or written ;
- b) Ensure that all discipline options under the Code of Behaviour have been applied and documented;
- c) Ensure that all appropriate support personnel have been involved;
- d) Ensure that discussion has occurred with the student and parent/guardian regarding specific misbehaviour which the school considers unacceptable and which may lead to suspension;
- e) Ensure all action taken is recorded;
- f) Ensure that all correspondence is copied;

Immediate suspension may occur in some circumstances.

## **2.3 The Suspension Process**

1. The relevant teachers interview the pupil to give the pupil the opportunity to explain their actions;
2. The Principal decides to suspend the pupil from the school, if necessary, after this interview;
3. The student is informed of the grounds which give rise to the suspension;
4. Parent(s)/Guardian(s) are informed by phone, with written follow-up by post/e-mail, and invited to come to the school for a meeting with the Principal and/or the Deputy Principal and/or the Year Head;

The letter of notification will include, where appropriate some or all of the following:

- a) Notice of the suspension;
- b) Effective date of the suspension;
- c) Duration of the suspension;
- d) Reason(s) for the suspension;
- e) Expectation of the student while on suspension (work may be provided on Google classroom);
- f) A statement that the student is under the care and responsibility of the parents/guardians while on suspension;
- g) Expectations for the student when they return to school;
- h) A statement that the Education Welfare Board have been informed of the suspension;
- i) Information on appeal rights.

Students will not be sent home during a school day unless collected by a parent/guardian or given permission from a parent/guardian to make their way home. Otherwise, he/she may be removed from class and supervised until the suspension takes effect.

The Principal has a duty to report to the Education Welfare Officer if the student is suspended for twenty or more days in any school year;

A meeting is arranged, in certain circumstances, between the Principal, the student and his/her parents/guardians prior to the students returning to school, where the school's expectations of the student are discussed.

## **2.4 Grounds for Removing a Suspension**

Section 23 (2) d of the Education Welfare Act 2000 requires the school to publish the grounds for removing a suspension. This implies that a system is in place for review / appeal of a suspension.

Grounds may include:

- Successful appeal to the Board of Management
- Successful appeal under Section 29 of the Education Act
- New circumstances come to light
- Following discussion with parents/guardians.

## **2.5 Appeals**

The Principles of Natural Justice demand that there should always be an appeal available to a higher authority. In the case where a student is suspended from the school, the student can appeal this decision to the Board of Management if he/she is 18 years of age or older. In the case of a student being under 18 years of age, his parents/guardians can appeal the decision to the Board of Management.

### **2.5.1 A Suspension of less than 6 days:**

- a) In this case, the student in the case that he/she is 18 years or older, or the parents/guardians in the case of the student being under 18 years of age, can make an appeal to the Principal.
- b) An appeal is made in writing within seven days of the suspension being given, detailing the reasons for appealing the decision.
- c) The student remains at home for the duration of an appeal process.
- d) The Principal meets with the Parents/Guardians, or with the student themselves in the case of him/her being 18 years or older.
- e) The Principal makes a decision as to whether the appeal ought to be accepted.
- f) In the case of the Principal accepting the appeal, the suspension will be removed from the students' record and the student will return to school immediately.
- g) In the case where the suspension term is already served, the suspension will be removed from the student's record.

### **2.5.2. A Suspension of 6 days or more/ A Suspension term resulting in a Cumulative Suspension of 20 or more days in the school year:**

- a) In this case, the parent(s)/guardian(s), or the student in the case where he/she is 18 years or older, can make an appeal to the Board of Management.
- b) An appeal must be made in writing within seven days of the suspension being given, detailing the reasons for appealing the decision.
- c) The student remains at home for the duration of an appeal process.
- d) The Board will consider the appeal at the next Board meeting, or at an extraordinary meeting of the Board, which the parents/guardians can attend at a specific time, subject to giving two days' notice of their intention to attend the meeting.
- e) The Principal will outline the reasons for recommending the suspension of the student from the school.
- f) The Parent(s)/Guardian(s') appeal is then heard by written submission and/or orally.
- g) The Principal may take no further part in the discussion other than to clarify matters raised in the parent(s)/guardian(s') appeal. The Principal and parents/guardians leave.
- h) The Board makes its decision and communicates it to the parent/guardian.
- i) The Board may agree that another sanction is applied.
- j) In the case of the Board accepting the appeal, the suspension will be removed from the student's record and the student will return to school immediately.
- k) The student remains at home for the duration of the appeal process. In the case of a successful appeal, the student will return to school immediately. In the case where the suspension term is already served, the only solution is to remove the suspension from the student's record.

### **2.6 Procedures for the re-introduction of the student**

- a) A meeting may be arranged between parents/guardians, the pupil and the Principal on the day of his/her return to school.
- b) Undertakings of good behaviour may be requested in writing from the pupil.
- c) Agreed conditions may be signed by parents/guardians and the pupil.
- d) All students are put on a report card following the suspension to monitor their progress.

### **3. Expulsion**

Expulsion is the ultimate sanction and will only be exercised by the Board of Management in extreme cases of indiscipline.

The school will investigate each case in accordance with the Principles of Natural Justice. These are;

1. **The right to be heard, and**
2. **The right to impartiality.**

#### **3.1 Prior to Expulsion**

The Principal will;

- a) Ensure all discipline options under the Code of Behaviour have been applied and documented;
- b) Ensure all appropriate support personnel, internal and external, have been involved;
- c) Ensure all other procedures, referrals, and supports have been exhausted;
- d) Ensure that discussion has occurred with the student and the parents/guardians regarding specific misbehaviour which the school considers unacceptable and may lead to expulsion;
- e) Provide formal and written warnings at appropriate times detailing these behaviours, as well as clear expectations of what is required of the student in the future;
- f) Record all action taken;
- g) Copy all correspondence.

#### **3.2 Reasons for Expulsion**

It is the Board of Management that imposes the sanction of expulsion on a pupil. The Board may consider expulsion in the following cases (This is not an exhaustive list);

- a) The student's behaviour being so disruptive that it interferes with the learning of other students and/or teaching.
- b) The student being uncontrollable or grossly insubordinate to any staff member or to school management, and is not amenable to any form of authority or school discipline.
- c) When the student's continued presence in the school constitutes a Health and Safety risk.
- d) The parents/guardians being unable and/or refusing to exercise their responsibility for the student's behaviour.
- e) The student is responsible for serious damage to property.
- f) Having, passing, selling or taking illegal substances.
- g) When guarantees of reasonable behaviour following repeated suspensions are not forthcoming and have not been met.

### 3.3 Expulsion Procedure

The school will follow fair procedures as well as procedures prescribed under the Education (Welfare) Act 2000, when proposing to expel a student. When a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation will be carried out under the direction of the Principal.
  - a) Inform the student and his/her parents/guardians about the details of theof the alleged misbehaviour and that it could result in expulsion.
  - b) Give parents/guardians and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.
  
2. When the investigation is complete, a recommendation will be given by the Principal to the Board of Management. In the case where expulsion is recommended to the Board:
  - a) The parents/guardians and the student are informed in writing that the Board of Management is being asked to consider expulsion.
  - b) Ensure that parents/guardians have copies of records of the allegations against the student, copies of records of the investigation, and written noticeof the grounds on which the Board of Management is being asked to consider expulsion.
  - c) Provide the Board of Management with copies of the same comprehensive records as are given to parents/guardians.
  - d) Notify the parents/guardians of the date of the hearing of the Board of Management and invite them to that hearing.
  - e) Advise the parents/guardians that they can make both a written and an oral presentation to the hearing.
  - f) Ensure that parents/guardians understand the purpose and process of the hearing.
  - g) An opportunity will be given to the Principal, and the parent(s)/guardian(s), or the student in the case of he/she being 18 years or older, to put their cases to the Board of Management at the hearing in each other's presence.
  - h) After both sides have been heard, the Board should ensure that the Principal and parents are not present for the Board's deliberations.
  - i) The Board may conclude that;
    - i. The sanction of expulsion is not warranted.
    - ii. Another sanction or intervention should be tried.
    - iii. Expulsion is warranted.

J) The Board will inform the parent(s)/guardian(s) in writing of its conclusions.

3. In the case of the Board being of the opinion that the student should be expelled, the following procedure will be followed:

- a) The Board will notify the Educational Welfare Officer in writing of its decision to expel and the reasons for this decision.
- b) The Board will inform the parents/guardians, or the student in the case that he/she is 18 years or older, of its conclusions, the next steps in the process, and that the Board will inform the Educational Welfare Officer of its opinion to expel and the reasons for this decision.
- c) The Board will recommend to the parents/guardians to part-take in the consultation process with the Education Welfare Officer.
- d) The student cannot be expelled before the passage of 20 days from the date on which the Educational Welfare Officer receives the written notification from the Board of Management.
- e) The Educational Welfare Officer will consult with the Principal, the parents/guardians and the student.
- f) The Board may consider it appropriate that the student should be suspended during this time.

Following the Educational Welfare Officer's consultations, the Board may decide, following a further Board meeting to proceed to expel the student. The decision to expel and the reasons for it will be notified to parents/guardians and the student in writing. The letter will include information about the right to appeal the decision to expel the student to the Kildare and Wicklow ETB, and of their right to appeal to the Department of Education and Skills under Section 29 of the Education Welfare Act 2000 in the case of an unsuccessful appeal to the Kildare and Wicklow ETB.

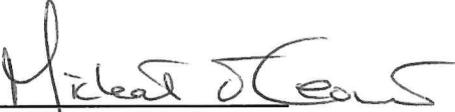
The Board of Management adopted this policy on 5/12/24.

It is available to all stakeholders.

It will be reviewed annually and will be amended if necessary.

Síniú:   
Cathaoirleach

Dáta 5/12/24

Síniú:   
Runaí

Dáta 5/12/24