



Coachford College

Suspensions and Expulsions Policy

1. General

1.1 Scope

This policy applies to all members of the community of Coachford College. The Policy was drawn up in consultation with all school partners.

1.2 Context

This Policy has been developed in line with the ethos and mission of Coachford College, which has at its core, the care of every student. Having been enrolled in Coachford College, all students have the right to learn in an orderly and caring environment. All schools need to establish and maintain high expectations of student behaviour. All members of the school community should be aware of these expectations, and participate in their development. All students and teachers have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination.

The Policy has been devised in consultation with all members of the school community in keeping with the school's characteristic spirit. It is informed by the requirements of the Education Act (1998) Education (Welfare) Act (2000) and guided by Developing a Code of Behaviour: Guidelines for Schools (NEWB). The Policy should be read in conjunction with the school's Appropriate Behaviour Policy, Safety Statement, Wellbeing Plan, Discipline Policy, School Outings Policy, Anti-Bullying Policy, Child Safeguarding Statement/Risk Assessment, Special Educational Needs Policy, Attendance Policy, School Uniform Policy, Smoke-Free Policy, Substance Abuse Policy, Acceptable Use of Technology Policy, Digital Learning Plan, Data Protection Policy (CETB), Dignity in the Workplace Charter, Digital Learning Plan, Social Media Policy (CETB) and GDPR (2018). The Policy serves to support the school's vision for excellence in teaching and learning as set out in Looking at our School: A Quality Framework 2022 in the vision for Junior Cycle and in the NCCA's Guidelines for Wellbeing at Junior Cycle, 2021. The school's mission statement sets out the school's vision for the encouragement of the pursuit of excellence and the creation of an environment conducive to the highest standards of achievement in a community in which mutual respect is shared in a positive environment, with student wellbeing at its core. In order to achieve such goals, appropriate and respectful behaviour is expected at all times.

1.3 Aims and Objectives

Coachford College seeks to provide a pleasant learning experience for its students and a caring, safe and secure environment for all the school community. Central to this is recognition of each person's human dignity through respect for ourselves and others.

1.4 Rationale

Many people work together in our school and courtesy and consideration is **always** necessary. Behaviour which is ill-mannered, annoying, dangerous or disruptive cannot be allowed or tolerated. Our policy is one which is based on the recognition **that each** student is an individual and it creates an environment in which the welfare of all is protected.

General Principles

2.1 Students have a statutory obligation to attend a school up to age 16. Accordingly, students have a right to attend a school up to that age.

2.2 Having been enrolled in Coachford College, all students have the right to learn in an orderly and caring environment. All schools need to establish and maintain high expectations of student behaviour. All members of the school community should be aware of these expectations and participate in their development.

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

2.4 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 Coachford College for a period of time or completely. Suspension and expulsion are the options available to the Board of Management (BOM) in these situations. [Examples of “unacceptable behaviour” are contained in the Appropriate Behaviour Policy].

2.5 Collaboration between Board of Management, school staff, students and parents/guardians is an important feature of behaviour management. All should be fully aware of the suspension and expulsion procedures and their place in the context of the school’s Appropriate Behaviour Policy.

2.6 Suspension is only one strategy within the school’s Appropriate Behaviour Policy. 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 student to enable a change in behaviour. The school will work with parents/guardians with a view to assisting a suspended student to rejoin the school community as quickly as possible.

2.7 Suspension allows students time to reflect on their behaviour, to acknowledge and accept responsibility for the behaviour which led to the suspension and 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 support for the student to assist with successful re-entry.

2.8 The Principal has authority to suspend any student for a limited period.

2.9 If, in the judgement of the Principal, a student should be expelled, the Principal shall refer the matter to the Board of Management for decision.

2.10 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.

2.11 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.

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

- a. The age and state of health of the student;
- b. The student's previous record at the school;
- c. Any particular circumstances unique to the student which might be sensibly taken into account in connection with the behaviour, e.g. strained or traumatic domestic situations;
- d. The extent to which parental, peer or other pressure may have contributed to the behaviour;
- e. The degree of severity of the behaviour, the frequency of its occurrence and the likelihood of its recurring;
- f. Whether or not the behaviour impaired or will impair the normal functioning of the student or other students in the school;
- g. Whether or not the behaviour occurred on school premises or when the student was otherwise in the charge of the school staff or when the student 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;
- h. The degree to which behaviour was a violation of one or more rules contained in the school's Appropriate Behaviour Policy and the relative importance of the rule(s);
- i. Whether the incident was perpetrated by the student on his or her own or as part of a group.

2.12 Depending on the nature and extent of the behavioural concern, 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.

2.13 The Principles of Natural Justice are fundamental to the implementation of these procedures.

Appropriate Behaviour Policy

1. Coachford College has an Appropriate Behaviour Policy in respect of the students registered at the school.
2. The Policy specifies
 - a. the standards of behaviour that shall be observed by each student attending the school;
 - b. the measures that may be taken when a student fails or refuses to observe those standards;
 - c. the procedures to be followed before a student may be suspended or expelled from the school;

- d. the grounds for appealing a suspension imposed in relation to a student, and
- e. the procedures to be followed relating to notification of a student's absence from school.

3. The Principal of the school shall, before registering a student at the school provide the parents/guardians of the student, as appropriate, with access to a copy of the Appropriate Behaviour Policy in respect of the school and will, as a condition of so registering the student, require the student and his/her parents as appropriate, to confirm in writing that the Appropriate Behaviour Policy so provided is acceptable to them and that they shall make all reasonable efforts to ensure compliance with such code by the student.

4. Suspension

4.1 Reasons for the suspension of a student must be linked with the Appropriate Behaviour Policy (which is available on the school website or from the school office). Students and parents/guardians should be familiar with its contents, and have signed that they have read and understood the Policy as part of the enrolment process.

4.2 Suspension will usually only occur after the Principal has:

- Ensured all appropriate discipline options under the Appropriate Behaviour Policy have been applied and documented;
- Ensured all appropriate support personnel (internal and external) have been involved;
- Ensured that discussion has occurred with the student regarding specific behaviour 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 inappropriate behaviour is on-going and consistent, and
- Recorded all action taken.

4.3 The Principal may suspend immediately in some circumstances e.g. violence, threats of violence, presence of weapons, illegal drugs, verbal abuse of a teacher, etc.

4.4 If a student is suspended for a cumulative total of 20 days or more in one school year, the Principal must inform the relevant Educational Welfare Officer.

4.5 Essential Elements in the Procedure for Suspension

4.5.1 The Principal, Deputy Principal or Disciplinary Committee makes the decision on the basis of the reasons set out in the Appropriate Behaviour Policy, and the parameters set out by the Board of Management.

4.5.2 Parents/Guardians and/or the adult students as relevant, are informed either by post or email or verbally.

4.5.3 The suspension may be immediate (e.g. in the interests of health and safety) and Parents/Guardians and/or the adult student as relevant, will be informed by phone or in person with a letter to follow.

- 4.5.4 The student will be supervised/in class until the suspension takes effect.
- 4.5.5 Students who are under 18, and/or those over 18 and consenting to share their personal data will never be sent home during the school day, unless collected by parent/ guardian (or another suitable arrangement made).
- 4.5.6 The notification to parents/guardians/adult students as appropriate 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 (e.g. Study Programme);
 - Importance of parental assistance, as relevant, in resolving the matter;
 - A statement that the student is under the care and responsibility of the parents/guardians as appropriate, while on suspension;
 - A statement that the Education Welfare Board has been informed (if the student has been suspended for more than 20 days during the school year to date);
 - Requirements which need to be in place when the student returns (e.g. written apology, completed assignments, detentions etc.).
- 4.5.6 If consideration is being given to proceeding to expulsion, then the letter must make this clear.

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

- 4.6.1 Parents/guardians may be requested to attend with the student, as appropriate, on the day of his/her return to the school.
- 4.6.2 Undertakings of good behaviour may be requested in writing.
- 4.6.3 Agreed conditions (e.g. counselling, referral to NEPS, other pastoral supports) should be signed by parent/guardian/student/adult student as relevant.
- 4.6.4 Interview with the Deputy Principal, Principal or Discipline Committee to review the student's reflection on their behaviour. A card and/or detention may also be issued.

4.7 Grounds for removing a suspension

Grounds may include:

- A successful appeal to the Board of Management under Section 29 of the Education Act (See 7 below, Appeals);
- New circumstances come to light;
- Other grounds under GENERAL PRINCIPLES above.

5. Expulsion

This is the ultimate sanction imposed by the school and is exercised by the Board of Management in extreme cases of indiscipline. The Principal makes the decision on the basis of the reasons set out in the Appropriate Behaviour Policy, and the parameters set out by the Board of Management.

In advance of any hearing, which could result in an expulsion, the school will investigate the matter in accordance with the Principles of Natural Justice.

Reasons for the expulsion of a student must be linked with the Appropriate Behaviour Policy, of which the student and parents/guardians, as appropriate, can obtain on the school's website or from the school office, be familiar with its contents, and have signed that they have read and understood the Policy.

5.1 Essential elements in the Procedure for Expulsion

5.1.1 Principal's Role

Expulsion can only occur after the Principal has:

- Ensured all disciplinary interventions 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 parents/guardians as appropriate, regarding specific behaviour 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;
- Informed the parents/guardians in the case of students under 18 years and those over 18 years as relevant, of his/her intention to recommend expulsion to the Board of Management;
- Invited the parents/guardians in the case of students under 18 years and those over 18 years as relevant, to the Board of Management hearing and
- Invited the parents/guardians of students under 18 years and those over 18 years as relevant to make a written submission in advance of the Board Meeting;
- Provided the parents/guardians in the case of students under 18 years and those over 18 years as relevant 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, and
- Made a formal expulsion recommendation to the Board with full supporting documentation.

5.1.2 Board of Management's Role

Expulsion can only 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 or guardians);
- Heard the parents' response;
- Examined all the documentation;
- Considered the student's record in the school;
- Taken legal/expert advice if applicable;
- Ensure 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 10 above;
- Made a final decision to expel;
- Communicated the decision to the parents formally through the Secretary to the Board (via registered letter);
- Informed the Education Welfare officer under Section 24(1) of the Education Welfare Act (2000).

The formal letter of notification should include:

- 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 (i.e. Section 29 Appeal).

The Board of Management shall:

- Consult with and keep the patrons informed of decisions and proposals of the Board;
- Publish, in such manner as the Board with the agreement of the patron considers appropriate, the Policy of the school concerning admission to and participation in the school, including the Policy of the school relating to expulsion and suspension of students and admission to and participation by students with disabilities or who have other educational needs;
- Ensure that as regards policy and principles of equality, the right of parents/guardians to send their children to a school of their choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerned, are complied with.
- Where the Board of Management or a "person acting on its behalf" believes that a student should be expelled it must before doing so inform the Welfare Officer of this belief and the

reasons for so believing.

- The Board has the right to take such reasonable measures as it considers appropriate to ensure that good discipline is maintained, and that the safety of students is secured during the period of suspension.

5.1.3 Welfare Officer's Role

The Welfare Officer must consult with the Principal (or his/her nominee), the student and his/her parents and other appropriate persons, and convene a meeting of those willing to attend.

A student may not be expelled for twenty school days after the Welfare Officer receives this notification.

6. Appeals

The principles of Natural Justice demand that there should be a right to appeal to a higher authority.

Suspensions of less than 20 school days may be appealed to the Board of Management via written submission only within 14 days of the suspension notice being issued. In such cases the final decision lies with the Board of Management.

A suspension which brings the cumulative suspension to twenty or more school days may be appealed to the Department of Education within 42 calendar days of the suspension notice being issued.

7. Grounds of Discrimination

The prohibited grounds of discrimination are:

- Gender
- Marital status
- Family status
- Sexual orientation
- Religion
- Age
- Disability
- Race
- Membership of the Travelling Community

Coachford College shall not discriminate in relation to:

- 1) The admission or the terms or conditions of admission of a person as a student to the school;
- 2) The access of a student to any course, facility or benefit provided by the school;
- 3) Any other term or condition of participation in school life by a student;
- 4) The expulsion of a student from the school or any other sanction against the student.

8. Implementation

This Policy shall be made available to all registered students of the school and parents/guardians. Parents/guardians are required to sign an agreement to uphold this Policy on enrolling their student in the school.

This Policy was reviewed by the Board of Management of Coachford College on April 24th 2023, as signed by the Chairperson of the Board of Management and the Principal.

It has been made available to all members of the school community, and will be reviewed on an annual basis, and/or as deemed necessary.

Signed by:



Chairperson of the Board

Date: 24/04/2023



Principal

Date: 24/04/2023

Appendix 1

Principles of Natural Justice: Procedural Fairness

Procedural fairness is a basic right of all individuals dealing with authorities. All communities have a legitimate expectation that schools (Boards, Principal and teaching staff) will follow these principles in all circumstances, particularly when dealing with suspensions and expulsions.

Procedural fairness is generally recognized 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.

As part of ensuring the right to be heard Principals should establish if parents/guardians require an interpreter and, if so, make arrangements for one to be available.

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

School Policies are available on the school's website or from the school office.

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.

The Principal must act justly and be seen to act justly. 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 students and their parents/guardians, as relevant, 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 witnesses may be intimidated, full details of the allegations outlined in the statement should be provided.

In matters where a long suspension or expulsion is being 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.