



## **Suspension Policy**

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**etb**

Bord Oideachais agus  
Oiliúna Thiobraid Árann  
*Tipperary Education and  
Training Board*

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## **Suspension is defined as:**

*Requiring the student to absent himself/herself from the school for a specified, limited period of school days.*

During the period of a suspension, the student retains their place in Coláiste Mhuire Co-Ed.

This policy is in line with the NEWB Guidelines and guidelines set down by Tipperary ETB. It is referenced in the Code of Behaviour.

## **Authority to suspend**

Tipperary ETB (TETB) holds the authority to suspend a student.

That authority is devolved by the ETB to the Board of Management of Coláiste Mhuire Co-Ed. TETB ensures that the scope of the authority given is in line with the provisions of these Guidelines, and Articles of Management and any relevant legal requirements.

Where a Board of Management proposes to delegate this authority to the Principal, the Board should make a formal delegation arrangement, normally at first meeting of the full Board (taking due account of the provisions of the Vocational Education (Amendment) Act 2001.)

The Board of Management of Coláiste Mhuire Co-Ed has delegated to the Principal, the authority to suspend a student for up to three days. For very serious offences, which will be reported to the Chairperson of the Board of Management, the authority to suspend may be increased to up to five days. This decision was made at a Board of Management meeting on 25/11/2020. This is reviewed annually. The Principal is accountable to the Board of Management for the use of suspension.

## **The Grounds for Suspension**

Suspension should be a proportionate response to behaviour that is causing concern. Normally other interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student 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.
- there is an extreme breach of the code of behaviour

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

## **Determining the appropriateness of suspending a student**

Where the purpose of a proposed suspension is clearly identified, and the purpose cannot be achieved in any other way, suspension can have value.

Suspensions can provide a respite for staff and the student, give the student time to reflect on the link between their action and its consequence and give staff time to plan ways of helping the student to change unacceptable behaviour.

However, suspension can be counter-productive if used without a clear rationale or without measuring its impact and value. School management will consider the risk of any unwanted outcomes from suspension, such as increased sense of alienation from school that could lead to a cycle of behavioural and academic problems.

## **Factors to Consider Before Suspending a Student**

### **The nature and seriousness of the behaviour**

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been?
- Has the problem behaviour escalated, in spite of the interventions tried?

### **The context of the behaviour**

- What are the circumstances of the incidents of serious misbehaviour (e.g., in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered incidents of serious misbehaviour (e.g., bullying, cultural or family factors)?
- What is the age, stage of development and cognitive ability of the student?
- Are there any factors that may be associated with the behaviour (e.g., particular home circumstances, special educational needs)?

### **The impact of the behaviour**

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?
- Does the behaviour have a particular or greater impact on some students and teachers?
- Does the student understand the impact of their behaviour on others?

### **The interventions tried to date**

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of those interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g., Child Guidance Clinic, Child and Adolescent services)?

### **Whether suspension is a proportionate response**

- Does the student's behaviour warrant suspension?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

### **The possible impact of suspension**

- Will suspension allow additional or alternative interventions to be made?
- Will suspension help the student to change the inappropriate behaviour?
- How will suspension help teachers or other students affected by the behaviour?
- Will suspension exacerbate any educational vulnerability of the student?

## **Suspension as part of a behaviour management plan**

Suspension should be part of an agreed plan to address the student's behaviour. The suspension should:

- Enable the school to set behavioural goals with the student and their parents
- Give school staff an opportunity to plan other interventions
- Impress on a student and their parents the seriousness of the behaviour

## Forms of Suspension

### Normal Suspension:

If an incident has been investigated and a suspension is deemed appropriate, at least one day will then be allowed before parents and students are called to a meeting with the principal. Prior to being invited to the meeting the parents will be informed about the incident. The person who investigated the issue, the parents and the students will be present at the meeting to all sides to present their case.

### Immediate Suspension:

In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the student in the school at the time would represent a serious threat to the safety of student or staff of the school, or any other person. Fair procedures must still be applied.

### Suspension during a State Examination:

This sanction should normally be approved by the Board of Management and should only be used where there is:

- A threat to good order in the conduct of the examination
- A threat to the safety of other students and personnel
- A threat to the right of other students to do their examination in a calm atmosphere

The sanction should be a proportionate response to the behaviour. For example, it would rarely be appropriate for a first offence, unless there is a threat to the good order of the conduct of the examination.

This sanction should be treated like any other suspension, and the principles and fair procedures governing suspensions should be applied.

The DES Best Practice Guidelines concerning Certificate Examinations offer guidance to schools.

### Automatic Suspension

A Board of Management may decide, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that particular named behaviours incur suspension as a sanction. In Coláiste Mhuire Co-Ed these are outlined as Extreme Breaches in the code of behaviour.

However, a general decision to impose suspension for named behaviours does not remove the duty to follow due process and fair procedures in each case.

## **Inappropriate Use of Suspension**

Students should not usually be suspended for:

- Poor academic performance
- Poor attendance or lateness
- Minor breaches of the code of behaviour

However, any behaviour that is persistently disruptive to learning or potentially dangerous can be a serious matter.

Behaviour must be examined in context to understand both the behaviour itself and the response or sanction that is most appropriate.

### **Rolling suspension**

A student should not be suspended again shortly after they return to school unless:

- They engage in serious misbehaviour/extreme breaches of the code of behaviour that warrants suspension and
- Fair procedures are observed in full and
- The standard applied to judging the behaviour is the same as the standard applied to the behaviour of any other student.

### **Informal or unacknowledged suspension**

Exclusion of a student for part of the school day, as a sanction, or asking parents to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by Coláiste Mhuire Co-Ed. is a suspension and should follow the Guidelines relating to suspension.

### **Open-ended suspension**

Students should not be suspended for an indefinite period. Any such suspension would be regarded as a de-facto expulsion and would be treated as such under section 29 of the Education Act 1998.

## **Procedures in Respect of Suspension**

Coláiste Mhuire Co-Ed. is required by law to follow fair procedures when proposing to suspend a student. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, Coláiste Mhuire Co-Ed. should observe the following procedures:

- Inform the student and their parents about the complaint

- Give parents and student an opportunity to respond

### **Inform the students and parents**

Let the student and their parents know about the complaint, how it will be investigated, and that it could result in suspension.

Parents may be informed by phone or in writing, depending on the seriousness of the matter. Informing parents in writing has the benefit of ensuring that there is a formal and permanent record of having let parents know. It also ensures that parents are clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school view the alleged misbehaviour.

### **Give an opportunity to respond**

Parents and student should be given an opportunity to respond before a decision is made and before any sanction is imposed.

A meeting with the student and their parents provides an opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts. It may also be an opportunity for parents to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour. If a student and their parents fail to attend a meeting, the Principal will write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school will record the invitations made to parents and their response.

## **Procedures in relation to immediate suspension**

Where an immediate suspension is considered by the Principal to be warranted for reasons of the safety of the student, other students, staff or others, a preliminary investigation should be conducted to establish the case for the imposition of the suspension. Where possible the Year Head or Deputy Principal will conduct this investigation. The formal investigation should immediately follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, should be open-ended.

In the case of an immediate suspension, parents must be notified, and arrangements made with them for the student to be collected. Coláiste Mhuire Co-Ed. must have regard to its duty of care for the student. **In no circumstances should a student be sent home from school on suspension or informed that they will be suspended without first notifying parents.**



## **The Period of Suspension**

A student should not be suspended for more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective. The Board of Management will provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than three days might be approved.

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.

However, a Board of Management may wish to authorise the Principal, with the approval of the Chairperson of the Board, to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions.

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

The Board should formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998.

These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

## **Appeals**

The Board of Management offers an opportunity to appeal a Principal's decision to suspend a student. In the case of decisions to suspend made by the Board of Management, the parent/guardian may make an appeal to the BOM.

## **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 a 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 and section 7 of the Education (Admissions to Schools) Act 2018

At the time when parents are being formally notified of such a suspension, they and the student should be told about their right to appeal to the Secretary General of the Department of Education under section 29 of the Education Act 1998 and should be given information about how to appeal.

## **Implementing the Suspension**

### **Written notification**

The Principal should notify the parents and the student in writing of the decision to suspend. The letter should 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/work to be completed
- The arrangements for returning to school, including any commitments to be entered into by the student and the parents (for example, 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 to the Secretary General of the Department of Education and Science (Education Act 1998, section 29)

The letter should be clear and easy to understand. Particular care should be taken in communicating with parents who may have reading difficulties, or whose first language is not the language of the school.

### **Engaging with student and parents**

Where a decision to suspend has been made, the Principal or another staff member delegated by the Principal will meet with the parents to emphasise their responsibility in helping the student to behave well when the student returns to school and to offer help and guidance in this.

During this meeting students will also be given substantial written work to be completed during the period of suspension.

Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

## **Grounds for Removing 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.

## **After the suspension ends**

A period of suspension will end on the date given in the letter of notification to the parents about the suspension. Parents and students are required to attend a discipline council meeting with the Principal and/or his/her representative. Student must have all work completed prior to this meeting. At the meeting, the student and parent/guardian must sign an agreed behaviour contract before the student returns to class. Student will return from suspension on yellow or red report.

## **Re-integrating the student**

The school should have a plan to help the student to take responsibility for catching up on work missed. The plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure. Successful re-integration goes beyond academic work. A suspended student may feel angry or resentful about their suspension, and these feelings can trigger problems with re-integration which, in turn, may lead to further problem behaviour. Where possible, the school will arrange for a member of staff to provide support to the student during the re-integration process.

## **Clean slate**

When any sanction, including suspension, is completed, a student should be given the opportunity and support for a fresh start. As part of this support students will be on yellow report for 3 weeks following their return to school. Although a record is kept of the behaviour and any sanction imposed, once the sanction and report has been completed the school should expect the same behaviour of this student as of all other students.

## **Records and Reports**

Records of investigation and decision-making

Formal written records should be kept of:

- The investigation (including notes of all interviews held)
- The decision-making process

- The decision and the rationale for the decision
- The duration of the suspension and any conditions attached to the suspension.

## **Report to the Board of Management**

The Principal should report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.

## **Report to NEWB**

The Principal is required to report suspensions in accordance with the NEWB reporting guidelines (Education (Welfare) Act, 2000, section 21 (4)(a))

## **Review of Use of Suspension**

The Board of Management will review the use of suspension in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school and to ensure that use of suspension is appropriate and effective.