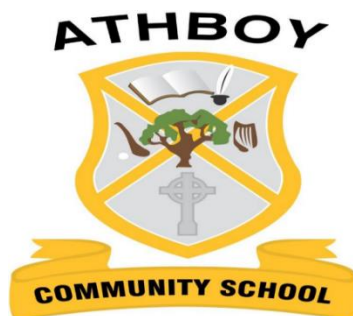


Athboy Community School



Suspension Policy

27 February 2024



1. Introduction

1.1 Our Mission Statement

1.2 Policy Aim

This policy has been prepared for approval by the Board of Management following consultation and discussion with the representatives of parents, teachers and students, while complying with the provisions of Section of the Education Welfare Act 2000. This Policy is in line with the Educational Welfare Guidelines.

The aim of this policy is to put in place clearly understood set of procedures for dealing with serious incidents of misbehaviour and have the effect of undermining good order and discipline or creating health and safety risk for themselves and others in the school.

1.3 Implementation and Review

Following the implementation of this policy by the Board of Management, copies will be made available to parents upon enrolment of their child at the school by means of the school app and will be uploaded to the school website. The school journal will contain a list of updated school policies and parents will be asked to sign this document each year indicating that they are aware of the contents of each policy. Thereafter the policy will be included in the staff handbook which will be made available to every teacher at the start of each year. The school will hold a number of assemblies/workshops at the beginning of each school year to remind students of their obligations under the terms of each policy. Students who for any reason are not present at any or all of these assemblies are nonetheless bound by all school policies. Attendance at school is an implied acceptance of all of the rules and policies of the school.

2. Policies and procedures for Suspension

2.1 General Principles drawn from Recent Legislation

Students have a statutory obligation to attend school up to age 16 or until the Junior Cert Examination is completed. Accordingly, students have a right to attend school up to that age.

- Having been admitted to a school, all students have the right to learn in an orderly, caring and safe 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 be given the opportunity to agree to uphold them.
- All students and staff have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination.
- 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 the school for a period of time or completely. Suspension and exclusion are the options available to the Principal and for the Board of Management in these situations. [*Examples of "unacceptable behaviour" are contained in the Learning Code*].
- Collaboration between the Board of Management, school staff, students, parents is an important feature of behaviour management in schools. All stakeholders should be fully aware of the suspension and exclusion procedures and their place in the context of the school's Learning Code.
- Suspension is only one strategy within a school's Learning Code. It is most effective when it highlights the parents'/guardians' responsibility for taking an active role, in partnership with the school, in working with their child to enable the child's behaviour to change. The school will work with parents/guardians with a view to assisting a suspended student to re-join the school community and begin participating fully in the educational programmes provided. In some cases, a suspension will allow teaching and learning to continue undisturbed in a health and safety manner.
- Suspension may be appropriate when it allows students time to reflect on their behaviour, to acknowledge and accept responsibility for the behaviour, which led to the suspension, and to 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.
- The BOM has delegated authority to the Principal to suspend any student for a limited period of three days and shall report any such suspension to the Board of Management at its next meeting. The Principal can extend this to five days if agreed by Chairperson. Approval from the board must be sought if over five days, up to and including ten days. If a suspension extends beyond ten school days Tusla will be informed.
- If, in the judgement of the Principal, a student should be excluded, the Principal shall refer the matter to the Board of Management for approval.
- 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 with successful re-entry.

2.1 Equality Act

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

2.3 Factors to be Considered

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

- The age and state of health of the student;
- The student's previous record at the school;
- Any particular circumstances unique to the student which might sensibly be taken into account in connection with the behaviour, e.g. strained or traumatic domestic situations;
- The extent to which parental, peer or other pressure may have contributed to the behaviour;
- The degree of severity of the behaviour, frequency of its occurrence and the likelihood of its recurring;
- 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 or reputation of the school;
- The degree to which behaviour was a violation of one or more rules contained in the school's Learning Code
- Whether the incident was perpetrated by the student on his or her own or as a part of a group.


However, the school will take into consideration the Charleton Judgement (City of Waterford VEC vs Department of Education, 2011), which determined that in considering whether to require a student to leave a school, it was appropriate to focus on the behaviour of the pupil and its effect on the school; the track record of the pupil prior to the precipitating incident, and any mitigating or aggravating circumstances. Mr Justice Charleton stated that it was not appropriate to take into account whether there was another place for the pupil.

Depending on the nature and extent of the misbehaviour the Board of Management may also seek the support of other agencies such as the Child and Family Agency Tusla, the National Educational Psychologist Service (NEPS), Social Services, the Garda Juvenile Liaison Officer (JLO).

The principles of natural justice are fundamental to the implementation of these procedures.

3. The Learning Code

While good standards of conduct are the expected norm at Athboy Community School, excellent standards are recognised and rewarded within the school. Equally, unacceptable standards have to be recognised and assistance provided by school-based support structures. Where this support breaks down or is rejected, appropriate action may have to be taken in order to bring about a change in behaviour.



The Learning Code in Athboy Community School aims to ensure that positive behaviour is recognised and encouraged and to allow all students to learn and all teachers to teach without disruption.

The effective operation of **The Learning Code** is only possible by setting out positive behaviour norms which are based on our core values – X,Y and Z.

Underpinning all aspects of the school’s **Learning Code** and the policy on suspension is the protection of these rights:

- All students have the right to work in a secure environment that is conducive to learning.
- All students and staff members have the right to be treated with courtesy & respect

As such staff members expect students to follow their instructions when implementing the Learning Code. Staff members expect students to follow their instructions when issuing instructions relating to health and safety.

3.1 Supports

The school provides a broad range of systems to encourage positive behaviour. These systems include

- i. The Care Team made up of the Guidance Counsellor, the Chaplain, the Additional Educational Needs Coordinator, the principal and the deputy principal.
- ii. Class Tutors for each class who meet with students every week
- iii. Year Heads who organise the classes and liaise with class tutors around the pastoral, academic and psychological wellbeing of their students
- iv. Extra-Curricular activities which establish good relationships between students and teachers outside of the classroom
- v. Clear Learning Code to promote good behaviour
- vi. External psychotherapist and Cool Schools therapist.
- vii. NEPS

3.2 Recognition of Positive Behaviour

The school will at all times seek to raise standards of behaviour by adopting a positive approach to behaviour. The work of students and their adherence to the school’s Learning Code will be acknowledged, encouraged and rewarded in the following ways:

We monitor the behaviour and progress of all students regularly and acknowledge improvement/excellence through:

- Student Asset Portfolios consisting of Assets, Citations and Superlatives in the Journal which identify and promote positive behaviour and contribution to school life
- Rewards based on Asset Portfolios, eg; Certificate for Student of the Week, Student of the Month
- The Honour Roll which recognize students who consistently participate well in school
- Regular review of the journal by tutors
- Phone calls home
- Year Head meetings with parents/families
- School postcards sent home
- Detailed feedback at formal Parent Teacher meetings

- Assessment reports at the end of each semester – in November, February and June for all years
- Achievement Awards ceremonies
- Formative feedback in all assessment of student work
- Special privileges for students for various school achievements
- Certificate for good Attendance

3.3 Actions

Actions available to the school when any student breaks the Learning Code of the school. These actions are detailed in the Learning Code. Some or all of the following actions may be implemented:

- Amber (organizational issues) and Red (Behaviour issues) Notes in the journal
- Detention with teacher at lunchtime or after school
- Phone call home
- Referral to year head/deputy principal/principal
- Detention with year head
- Withdrawal of lunchtime privileges
- Withdrawal of opportunity to participate in school trips/events (after Level 2 of Learning Code)
- Meeting with parents
- Support Book
- Withdrawal from social activities or break times to catch up on work
- Suspension
- Expulsion

In general the school will seek to modify unsatisfactory behaviour using positive supports and less serious sanctions whenever possible. The services of the Guidance Counsellor, the Chaplain, the AEN Coordinator and other relevant outside agencies may be utilised to the greatest extent possible in seeking to improve behaviour. The school will work with parents to assist with any difficulties the students may be experiencing in school. However, should it not prove possible to achieve realistic and sustainable improvements in behaviour within a reasonable period of time, suspension and, if necessary, expulsion will be used in accordance with this policy.

3.4 Levels on the Learning Code

The Learning Code clearly lays out for the student, parent(s)/guardian(s) and staff the seriousness of continued interruption to learning. Notes are given by teachers for interruptions to learning. If these notes accumulate, it will result in students going on Support Book at different stages, starting at Level 1 and culminating in Level 4. When going on each stage students will use a Support Book as a means of reporting on their behaviour. The Support Book has to be signed by a parents/guardian and staff every evening. At each stage of the Learning Code, parents/guardians are communicated with either by phone, app, sms or through meetings. Hence, parents and guardians are aware throughout if their child is persistently interrupting learning and are consulted in relation to any supports the school can offer the student to promote positive behaviour. All students who moved up levels on the Learning Code are referred to the Care Team for additional support.

4 Suspension

4.1 Authority to Suspend

The Board of Management of the Athboy Community School has the authority to suspend a student. The Board delegates the authority to suspend, up to and including three days, to the Principal and this shall be done formally and in writing at the first meeting of the BOM each academic year.

The authority delegated to the Principal in respect of suspension shall state limits on that authority and specify how the Principal is accountable to the Board of Management for his or her use of that authority. The Principal usually reports all suspensions to the Board at its monthly meeting in accordance with the Tusla Guidelines. The delegation of authority shall reflect the provisions of the Educational Welfare Guidelines, any relevant legal requirements and Articles of Management, where appropriate.

4.2 The Grounds for Suspension

Suspension shall be a proportionate response to the behaviour that is causing concern. Normally the school will have tried other interventions 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 serious, detrimental effect on the education of other students.
- The student has engaged in a serious breach of the Learning Code
- The student poses a Health and Safety concern
- The student's continued presence in the school at this time constitutes a threat to safety.
- Particularly serious incidents which endanger the welfare of others or themselves
- The student is responsible for serious damage to property.
- A single incident of serious misconduct may be grounds for suspension.
- Repeated breaches of the Learning Code in spite of warnings and counselling by staff.
- Failure to recognise and comply with school management in their administration of school procedures
- Behaviour which is considered to interfere with the right to learn of other students.

5 Forms of Suspension

5.1 Immediate Suspension

In certain 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 students or staff of the school, or any other person.

The sanction shall be a proportionate response to the behaviour. The sanction will be treated like any other suspension, and the principles and fair procedures governing suspensions should be applied. Circumstances in which immediate suspension include:

- Aggressive behaviour towards a member of staff or a student
- Physical threats or violence towards staff or students
- A physical altercation or physical abuse of a member of staff or a student
- Harassment of a member of staff or a student
- A serious bullying or cyberbullying incident
- Possession of an illegal substance

- Possession of a weapon or anything that could be used as a weapon

This list is not exhaustive.

5.2 Non-Immediate Suspension

In some circumstances, the principal may implement a suspension following an investigation relating to incidents which occurred either in the school or outside of it involving students in the school.

5.3 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 shall be conducted to establish the case for the imposition of the suspension. The formal investigation shall immediately follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, shall be open-ended.

In the case of an immediate suspension, parents/guardians shall be notified, and arrangements made with them for the student to be collected. The school shall have regard to its duty of care for the student. In no circumstances shall a student be sent home from school without first notifying parents/guardians. The school will ensure that students are provided with schoolwork during the suspension period to ensure that they do not lose out on learning as a result of this sanction.

5.4 Procedures in relation to Non-Immediate Suspension

A formal investigation will be conducted into the incident and parents shall be notified, and arrangements made to meet with the parents and the student to discuss the investigation. The outcome of the meeting may be that the student is suspended for a period of time. The school will ensure that students are provided with schoolwork during the suspension period to ensure that they do not lose out on learning as a result of this sanction.

5.5 Fair Procedures

Fair procedures are an integral element of the Learning Code. Investigation will lead to a decision on which sanction to impose.

5.6 The Right to be Heard

Students have the right to know that their alleged misbehaviour is being investigated (will be investigated).

They have the right to know the details of the allegations and any other information that may be taken into account

They have the right to know how the issue may be decided.

They have the right to respond to the allegations.

They have the right to ask questions of the investigating body

5.7 The Right to Impartiality

Students have the right to an impartial investigation and decision.

The decision to suspend (or expel) is based on a fair evaluation of information and evidence.

6 The Period of Suspension

The maximum period of suspension which may be imposed by the principal without referring the case to the Board of Management is three days, and in exceptional circumstances where the principal considers that a period longer than three days is required, he/she may suspend a student for five with the approval of the Chairperson of the Board of Management, where the Board of Management cannot convene in a timely fashion.

The Board of Management shall periodically review all suspensions and, especially, shall itself decide on 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.

6.1 Suspension during a state examination

This sanction may be delegated to the Principal 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.

7 Appeals

7.1 Local appeal

The Board of Management shall offer an opportunity to appeal a principal's decision to suspend a student.

7.2 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.

At the time when parents are being formally notified of such a suspension, they and the student shall be told about their right to appeal to the DES and shall be given information about how to appeal.

8 Implementing the Suspension

8.1 Written Notification

The Principal shall 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 reason for the suspension
- The provision for an appeal to the Board of Management and the procedures for that appeal
- The right to appeal to the DES under section 29 of the Education Act 1998.

8.2 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.

8.3 After the Suspension Ends

A period of suspension shall end on the date given in the letter of notification to the parents about the suspension.

8.4 Re-integrating the students

The school shall do all it can to help the students to take responsibility for catching up on work missed. When any sanction, including suspension, is completed, a student shall be given the opportunity and support for a fresh start. Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed, the school shall expect the same behaviour of this student as of all other students. The student shall be referred to a member of the Care Team for counselling.

8.5 Refusal to Accept Suspension

In the case where a student over 18 years or the parent(s)/guardian(s) refuse to accept a suspension, the board will write to the parent to inform them of their right to appeal the decision. Where the parties do not write a letter of appeal and continue to refuse to accept the suspension, the board will ask the principal to recommend an expulsion.

8.6 Records and Reports

Formal written records shall 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

8.7 Report to the Board of Management

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

8.8 Report to TUSLA

The Principal is required to report suspension over five days to TUSLA.

9 Review of Use of Suspension

The Board of Management shall periodically review the use of suspension in the school 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 legal compliance and the maintenance of best practices.

Board Adoption

Formally adopted by the Board on

Chairperson's Signature:

Date:

Principal's Signature:

Clare Garrity

Date: 27/02/2024

The Board of Management agrees to review this policy at its board meeting in



















