

# **KILRUSH COMMUNITY SCHOOL**

## **SUSPENSION AND DISMISSAL POLICY**

**While Dismissal and Suspension is always regrettable,  
they are used only when deemed necessary**

### **MISSION STATEMENT**

**In an Irish, European and Christian context, Kilrush Community School endeavours to create a community atmosphere of mutual understanding and respect within which students learn, mature and develop their respective talents.**

### **Kilrush Community School Aims**

1. To develop a challenging learning environment which promotes high expectations of individual performance from students and enables staff to professionally discharge their duties.
2. To give students access to a broad and balanced curriculum within a caring, co-operative community.
3. To ensure that all staff and students enjoy equality of esteem and opportunity.
4. To foster among students an awareness of their environment, heritage and health enabling them to play a positive role within the local and wider community.
5. To equip students with a strong sense of self-esteem, self-discipline and self-motivation.
6. To foster universal values of compassion, integrity, honesty and respect.

### **SCHOOL POLICY**

This policy must be examined firstly in the context of the School's Mission Statement and Aims as set out above and secondly in the context of the School Code as presented in the School Journal. The preface to the School Code of Behaviour is worth bearing in mind in order to put this policy in its overall setting:

***The School Code is not intended as an end in itself. It is a means of ensuring that students develop a sense of responsibility and respect while generating a climate where learning can take place.***

Any suspension or dismissal in the School is related to the above Mission Statement and Aims and The School Code of Behaviour.

The parties to whom this policy applies are: the Board of Management, School Staff, School Students and the Parents/Guardians of students.

The legislative context of this Suspension and Dismissal Policy is the following:

- The Irish Constitution (Article 42 in particular)
- The Education Act 1998
- The Education (Welfare) Act 2000
- The Equal Status Act 2000
- The Deed of Trust for Community Schools

## **SUSPENSION**

Suspension is the withdrawal of permission from a student to attend school for a specified period of time and/or pending the completion of a particular event or instruction. Withdrawal from a particular class/classes or subject/subjects for a period of time is a legitimate sanction which may be used in some circumstances.

The period of suspension will be limited depending on the seriousness of the issue in question. As suspension is a serious sanction it will normally only be imposed where other efforts to resolve a disciplinary situation have failed or where the nature of the incident dictates that the student be removed from the school immediately.

Issues which may involve suspension include: fighting, interference with the right of another/others to learn and with the right of staff to teach, deliberate disrespect towards another/others, repeated defiance of the School's Code of Behaviour. This is not an exhaustive list.

No two disciplinary situations are ever precisely the same. The possibilities, circumstances and particular needs of students, teachers and others will vary, together with the specific conditions in which breaches of discipline may occur. Therefore, while every effort will be made to apply suspensions consistently and fairly, the Principal and Board of Management must retain flexibility/discretion to judge each case on its own merits.

The authority to suspend rests with the Principal of the School (or in his absences the Deputy Principal or Acting Principal/Deputy Principal) subject to the right of parents (or a student who is over 18 years of age) to appeal to the Board of Management.

The purpose of a suspension is to:

- (a) Highlight serious/repeated improper behaviour.
- (b) Modify incidents of poor conduct so as to prevent it recurring.

A student, while on suspension, is under the care and supervision of his/her parent(s)/guardian(s). S/He should not come into the school buildings and onto school grounds during the period of suspension. Students are expected to use a reasonable length of this time to study/revise their course work.

## **SUSPENSION PROCEDURES**

Once it is considered necessary to suspend a student, parents/guardians will be informed initially by either (a) telephone or (b) in person.

Once initial contact has been made the parent/guardian will then be informed in writing. (Should it happen that both (a) and (b) above are not possible this may be a parents/guardians initial information. In this instance letters of suspension will be sent by Registered Post).

The letter of suspension will inform parents of the following:

- (i) The reason(s) for suspension.
- (ii) Period of suspension.
- (iii) Date of return to school.
- (iv) Conditions of suspension i.e. student must not come into/onto school grounds during the period of suspension.
- (v) Right to appeal to The Secretary of the Board of Management the decision to suspend.

In the event of an appeal of suspension the following will apply:

- (i) The Principal must be informed of the appeal of suspension in writing or verbally within 10 days of receipt of the letter of suspension.
- (ii) The appeal will be placed on the agenda and heard at the next Board of Management Meeting.
- (iii) The Principal outlines the reason(s) for suspension to the Board with the parent(s)/guardian(s) present.
- (iv) The parent(s)/guardian(s) outlines the reason(s) for the appeal with the Principal present.
- (v) Both the Principal and/or parent(s)/guardian(s) may be questioned by the Chairperson, or by Board members, through the chair, regarding issues raised.
- (vi) Both Principal and parent(s)/guardian(s) leave the Board meeting.
- (vii) Either the Principal and/or parent(s)/guardian(s) may be recalled by the Board, with the other party present, should any clarification be required by the Board.
- (viii) The Board informs the parent(s)/guardian(s) in writing of the Board's decision. This to be signed by the Chairperson.

In the event of the appeal being successful the suspension will be erased from the student's record.

## **DISMISSAL**

*Dismissal is the most serious sanction available to the school. It may be considered in the case of serious criminal or repeated gross misconduct e.g. physical violence, repeated threatening, bullying or intimidating behaviour. This is not an exhaustive list.*

Dismissal may also be invoked for once-off outrageous conduct.

In accordance with the Deeds of Trust, the Principal (or as in the case of suspension, his Deputy/Acting Principal) has the power, for any cause which s/he judges adequate, to dismiss a student, subject to the approval of the Board of Management.

### **DISMISSAL PROCEDURES**

The following procedures will be applied in the case of dismissal:

- (i) The case against the student will be put to him/her and s/he will be given an opportunity to respond.
- (ii) Parents will be informed of the grounds upon which a dismissal is being considered and the nature of evidence being relied upon.
- (iii) Parents will be provided with an opportunity to consider these matters and given an opportunity to respond.
- (iv) Having given due consideration to all aspects of the case the Principal will then decide whether to recommend dismissal to the B.o.M. Parents will be informed by registered letter of the decision to expel, subject to B.o.M. approval.
- (v) The letter of dismissal shall include the reason(s) for dismissal and the right of parents/guardians to make representations to the B.o.M. on behalf of the student.

In the event of an appeal to the B.o.M. by parents/guardians, or a student over the age of 18, in the case of dismissal, the following shall apply once the Secretary, B.o.M. has been informed in writing of the intention to appeal within 10 days of receiving the letter of dismissal:

- (i) The appeal will be placed on the agenda and heard at the next Board of Management Meeting.
- (ii) The Principal outlines the reason(s) for dismissal to the Board with the parent(s)/guardian(s) present.
- (iii) The parent(s)/guardian(s) outlined the reason(s) for the appeal with the Principal present.
- (iv) Both the Principal and/or parent(s)/guardian(s) may be questioned by the Chairperson, or by Board members, through the chair, regarding issues raised.
- (v) Both Principal and parent(s)/guardian(s) leave the Board meeting.
- (vi) Either the Principal and/or parent(s)/guardian(s) may be recalled by the Board.
- (vii) The Board informs the parent(s)/guardian(s) in writing of the Board's decision. This to be signed by the Chairperson.

In the event of an appeal being upheld the Board may decide in the event of dismissal on what conditions the student may return to school.

In the event that the appeal is unsuccessful the parent(s)/guardian(s) or (in the case of a student over 18 years of age) the student will be informed of their right to appeal the

decision of the Board of Management to The Secretary General of the Department of Education and Science, Athlone, Co. Westmeath, under Section 29 of the Education Act, 1998.

When the Board makes a decision to expel a student it will notify the designated Education Welfare Officer of its decision and reasons therefor. While the student may not be considered expelled before the passing of 20 school days from the Welfare Officer's receipt of such notification, the Principal may, in the interests of Health and Safety, suspend the student in question in the interim period of 20 days pending any further appeals.

The Board shall assist in attempting to find another school for a student who is expelled if s/he is under school leaving age.

The following decisions of the School Authorities may be appealed to The Secretary General, Department of Education and Science, Athlone, Co. Westmeath by parent(s)/guardian(s) or a student over 18 years of age:

- (i) Permanent exclusion from school;
- (ii) Suspension for a period which would bring the cumulative period of suspension to 20 school days or longer in any one school year; or
- (iii) Refusal to enrol.

Generally, appeals to the Secretary General must be made within 42 calendar days from the date the decision was notified to parent(s)/guardian(s) or student.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Sr. K. Conway,  
Chairperson – B.o.M.**