



Respect - Justice - Integrity - Honesty - Saothar

Colaiste na Mí

Code of Behaviour

2024

Kindness - Honour - Teamwork - Responsibility



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Introduction

Mission Statement

Coláiste na Mí is a child-centred, supportive learning environment where each student is encouraged and facilitated in realising their full potential in a positive climate which is caring, respectful, fair, and inclusive.

The school community of Coláiste na Mí is a partnership of students, staff, parents, and all members of our community.

The promotion of personal development and learning through hard work, creativity and commitment is a priority in our school.

Rationale

Coláiste na Mí aspires to be a school of excellence. This will be possible where respect, courtesy, and pride in the Coláiste are the cornerstone of the relationship between all members of the school community. To support this culture of excellence and mutual respect a code of behaviour has been drawn up and is set out below to ensure no doubt exists as to the behaviours which are expected from all of us.

Parental co-operation is considered fundamental to the development and implementation of this school's policy.

Policy Application

This policy applies to the students of a Coláiste na Mí and relates to all school activities, both during, and outside of school hours. Once a student is recognisable as a student of Coláiste na Mí (i.e: wearing school uniform items) then the school reserves its right to safeguard its good name. Where a student is alleged to have engaged in serious misbehaviour outside school, when not under the care or responsibility of the school, the school code of behaviour will apply if there is a **clear connection** with the school and a **demonstrable impact** on its work.

The policy has been developed in line with our mission statement.

Coláiste na Mí Goals:

- To create a safe learning environment for all attending Coláiste na Mí
- To promote good behaviour and self-discipline and pride in Coláiste na Mí
- To outline fair and agreed sanctions that will be used in response to misbehaviour.
- To outline the interventions to be used when a student misbehaves.

Coláiste na Mí Nine Values:

1. Respect
2. Justice
3. Integrity
4. Honesty
5. Saothar
6. Kindness
7. Honour
8. Teamwork
9. Responsibility

Our Behaviour Statement

Everybody in Coláiste na Mí is entitled to work in a safe and healthy environment and in an atmosphere of mutual respect. It is the responsibility of all members of our school community to create this environment.

Responsibilities

1 To have Respect for Yourself and Others

- All members of the school community are expected to show mutual respect, good manners, and pleasantness.

- Bullying and bad language are not tolerated. (See Anti-Bullying Policy)

2 To have Respect for our School Environment

- Students must not damage, deface or interfere with school property/safety equipment.
- Students must not break, steal, or hide another person's property.
- Graffiti is not tolerated.
- The school and its environs should be kept litter-free.
- Chewing gum is forbidden.
- The possession of any weapon is forbidden.
- For safety reasons aerosols, tippex bottles, permanent markers and lasers are banned from the school.
- Smoking and the use of electronic cigarettes are forbidden. It is illegal.
- Use of Drugs or Alcohol is forbidden. It is illegal.
- Students are forbidden to carry on their person or in their bags or hold in their school lockers any banned substances such as cigarettes, e-cigarettes/vapes, drugs, alcohol or any substance deemed toxic and/or illegal substances.

3 To Attend and to be Punctual:

- Students are expected to attend school and be punctual every day.
- Students must be on time in the mornings for their 8.45am class. If for any reason you cannot attend your parents should contact the school office by 9.30am each morning via school email.
- On returning from absence all students are now required by law to have a note from a parent explaining their absence. This note should be in the Dialann. It is the student's responsibility to catch up on work missed through absence.
- If the school is concerned about a student's attendance or if the absences exceed 20 days in one year a referral to TESS will be made by the school.

- The school will issue attendance letters to parents in advance of the 20 days to flag attendance concerns and inform parents of possible referral.
- Students should not take holidays during school terms.
- Students must be on time for all classes during the day.
- No student may leave the school without permission from Ceannaire or Deputy Principals. Students leaving school early must be signed out in the book in the main office.

4 To Strive for Excellence in the Classroom:

- Students must be prepared for class and must bring all iPads, books, copies, PE gear and equipment that are needed for school on a particular day.
- Classroom behaviour that disrupts and interferes with teaching and learning is not tolerated.
- Students are expected to actively participate in class as directed by their teacher.

5 To Comply with all School Policies and School Regulations:

- Students (and their parents/guardians) are requested to read and sign the following package of Policies /Guidelines:
 1. Code of Behaviour
 2. The Dialann Rules
 3. Uniform Policy
 4. Mobile Phone and Mobile Device Policy
 5. Acceptable Usage Policy
 6. Other Policies that may be developed.
- Students are requested to comply with all school regulations regarding the lockers, the corridors, the toilets, the school lift, and the possession of mobile devices etc.

Setting Standards of Behaviour

- Expectation Boards are displayed in every classroom, toilet, corridor, social area, and staff room. These were created by all students and teachers together until there was consensus on whole school expectations in all areas of the school.



School Strategies to Promote Good Behaviour

- Timetabling Considerations: Pastoral Care time every day with Caomhnoir for check in, attendance, link with One Good Adult
- Yearhead and Assistant Yearhead system
- Attendance officer and attendance strategy
- Weekly Care Team Meeting
- Weekly Student Support Team Meeting
- Weekly Year head and SMT meeting
- FUSE Programme
- Jigsaw
- Restorative Practice Approach
- Teacher Training
- Teacher Observation practice
- Comprehensive Reward and award systems
- School events eg: Musical, talent show, Art exhibition, Practical Exhibition, Graduations, Annual Award Ceremony, Guest Speakers, Sports Day, College Open Days and Careers events
- Extra-curricular activities
- Themed Weeks eg: anti-bullying, friendship
- Text to parent system if student is absent
- Communication with home around attendance, lates and uniform to promote good order
- Weekly bulletin to students with a focus of the week eg: study skills, behaviour, uniform, attendance, lates etc
- Weekly Bulletin to teachers with a focus of the week eg: study skills, behaviour, uniform, attendance, lates etc
- Social media platforms promote focus of the week
- School trips, both home and abroad.

Responding to Inappropriate Behaviour: Interventions and Sanctions

Behaviour interventions are used to assist students to become responsible for their own behaviour and embed good behaviour choices and practice.

Please note that Coláiste na Mí has a ladder of referral system (Appendix A) and for the most part all misbehaviours will be dealt with by this system. However, should an incident occur such as serious verbal or physical abuse of any person in the school community, theft, alcohol or drug abuse or possession of offensive weapons then these behaviours will automatically be reported to the Principal/Deputy Principals and dealt with immediately.

The **Class Teacher/Caomhnóir** may use any or all of the following sanctions/interventions

- Reasoning with the pupil
- A firm reprimand
- A note to parents in the Dialann
- Extra work given to the pupil
- Letter of apology
- A phone call to the parents/guardians
- Referral to Caomhnóir
- A ten-minute supervised detention at lunchtime
- Caomhnóir Referral to Ceannaire

The **Year head/Ceannaire** may use any of the above sanctions/interventions plus those listed below:

- Withdrawal of privileges
- Lunchtime detention
- Student required to complete an incident report form
- Agree an improvement plan
- Referral to Guidance Counsellor and/or the AEN department
- Referral to Student Support Team

- Arrange meeting with Parents
- Supervised after school detention
- In-House Suspension from subject(s) for a limited time^{***}
- Suspension referral to Principal

The **Deputy Principal** may use any of the above sanctions/interventions plus those listed below:

- Arrange meeting with student, parents/guardians
- Class Report
- DP Report
- Referral to Guidance Counsellor and/or the AEN department
- Referral to Student Support Team
- Supervised Detention before or after school. (Parents will be given at least 24-hour notice)
- In-House Suspension from subject(s) for a limited time^{***}
- Seek cost of repair of damaged property from the student
- External Suspension (in consultation with the Principal)
- Referral to Principal.

******This would normally entail a student being asked to work at the back of another teacher's class or in the boardroom for a day or a period of a day. They will be given work to do by their teachers and have access to OneNote/Teams.***

The **Principal** may use any of the above sanctions/interventions plus those listed below:

- In all cases of external suspension the Principal will inform the Board of Management.
- Inform TESS if a student is suspended for more than 20 days in any school year.
- Referral to Guidance Counsellor and/or the AEN department
- Referral to Student Support Team
- Meet with parent/guardian
- Referral to an external agency for assistance with behaviour/emotional support, in consultation with parent/guardian

- Referral to NEPS psychologist.
- Referral to relevant authorities eg: TUSLA, Gardai
- Highlight the behaviour, supports and sanctions to the Board of Management
- Refer to the Board of Management for Expulsion

Exclusion

To maintain good order and discipline and ensure the safety of all the students in the school it may be necessary to permanently exclude a student from the school.

Where the Principal considers that the safety of other members of the school community is at risk or where the teaching and learning of other students is being seriously disrupted by another student then he/she will refer this matter to the Board of Management

The rules of natural justice shall be adhered to, and pupils (over 18) and parents will be given an opportunity to respond in their own defence prior to any decision being made.

Where the Board is of the opinion that the student should be excluded it shall notify Tusla, in writing, of its opinions and reasons therefor.

Parents may appeal the decision to the Minister of Education.

Appendix A:

Student Contract

As a student I will be always respectful of myself and all members of the school community. I will adhere to all school rules and work to the best of my ability in the classroom. I will take responsibility for all I say and do.

I have read, understand and agree to abide by the Code of Behaviour for Coláiste na Mí.

Student Signature: _____ **Date:** _____

Parent/Guardian Contract

As Parents/Guardians we/I have read and fully accept the Code of Behaviour of Coláiste na Mí.

We/I will:

- Ensure excellent attendance and punctuality.
- Encourage and actively support our child regarding schoolwork, homework and extra-curricular activities.
- Support school policies.
- Attend Parent/Teacher meetings and special appointments if requested.
- Sign all notes sent home through the Dialann.
- Provide him/her with required iPad/books/uniform.
- Regularly check and review online school reports.

Signature of Parent/Guardians: _____ **Date** _____



Appendix B: Ladder of Referral

Type of Misbehaviour (not exhaustive list)	Disciplinary Measure (not exhaustive list)	Intervention (not exhaustive list)
Stage 1: Teacher Response		
<ul style="list-style-type: none"> • No Dialann in class • Homework Issue • Inattentive • Uniform Issue • Poor Punctuality • Disruption of Teaching and Learning • Unpleasant behaviour to others • iPad Issues • Mobile Phone Issue • Bullying behaviour • Repeated behaviour of the above 	<ul style="list-style-type: none"> • Reminder of expectations • Firm reprimand • Extra written work • Move seating position • Speak to student after class • Clean up duty • Issue self-evaluation form • Note in dialann to be signed by a parent/guardian • Phone call to parent/guardian • Confiscate non uniform item • Confiscate iPad • Confiscate Envelope in office • Collected only by a parent/guardian from the office next day • Discipline form to Year head 	<ul style="list-style-type: none"> • Talk restoratively to the student. • Determine if the student needs support with homework, uniform, punctuality. • Acknowledge with student when effort is made and the issue is resolved eg: kind work, note, merit. • Alert student to behaviour that is unpleasant and the impact of it. • iPad to be Face down on desk when not in use. • Implement anti-bullying policy • Remind student of mobile phone policy
Stage 2: Teacher/Year head Response		

<ul style="list-style-type: none"> • HABITUAL simple class disorders as outlined in Stage One. • HABITUAL disregard for rights of others. • HABITUAL disregard for corridor/canteen/toilet/school regulations. • Habitual disruption of teaching and learning. • Bullying behaviour. 	<ul style="list-style-type: none"> • Extra homework • Self-evaluation form • Teacher based lunchtime detention • Consult Year head • Pass other report forms compiled to Year head. • Speak with student in Year Head's presence. • Interview student • Inform parent/guardian • Meeting with parent/guardian and student. • After School Detention. • Year head report form • Implement Ant-Bullying Policy 	<ul style="list-style-type: none"> • Set targets with student. • Reward effort. • Constant encouragement. • Communicate with parent. • Encourage good behaviour. • Set behavioural targets. • Reward effort. • Communicate improvement to parents. • Offer fresh start following disciplinary measure. • Offer Guidance and Counselling. • Determine if there is an AEN. • Restorative Practice
Stage 3: Year head Response		
<ul style="list-style-type: none"> • Severe disorder. • Severe disruption of teaching and learning. • Disrespectful to staff/Bad language to staff • Vandalism • Smoking/Vaping. • Truancy from class. • Truancy from school • Fighting • Inciting, recording, or filming bullying behaviour or other poor behaviour. • Ongoing Bullying, inclusive of racial and gender slurs. 	<ul style="list-style-type: none"> • Speak with student. • Phone Home. • Meeting with parents with student. • Detention. • Whole school day detention. • Suspension • Refer to Counsellor if appropriate. • Refer to EWO if appropriate. • Suspension • Meeting with parents • Implement Anti-Bullying policy • Inform parents • Suspension • Follow up checks 	<ul style="list-style-type: none"> • Restorative practice • School work provided on detention. • School work provided on suspension. • Meeting following suspension to support re-integration. • Reward improved behaviour. • Counselling service • Restorative practice • Counselling service • Restorative practice • Counselling service
Stage 4: Principal/Deputy Principal Response		

<ul style="list-style-type: none"> • Further recurrence of above. • Assault/Threatening a teacher • Assault/Threatening a student • Extreme impertinence to staff. • Substance abuse • Possession/Supply of illegal substances. • Supply/possession/use of weapons/hazardous materials. • Sexual harassment/use of pornographic material. 	<ul style="list-style-type: none"> • Referral to Deputy Principal/Principal • Contact parents. • Suspension. • Meeting with parents • Monitoring of student behaviour on return. • Contact Garda • Refer to the BOM 	<ul style="list-style-type: none"> • Work programme on suspension. • Refer to counsellor if appropriate. • Refer to outside agency if appropriate. • Ongoing contact and support for parents and student.

DRAFT



lmetb

*Bord Oideachais agus
Oiliúna Lá agus na Mí*
Louth and Meath Education
and Training Board

LOUTH AND MEATH EDUCATION AND TRAINING BOARD

SUSPENSION AND EXPULSION POLICY AND PROCEDURES

1. Policy Statement

1.1. The suspensions and expulsions policy applies to all schools established and maintained by Louth and Meath Education and Training Board.

2. Legal framework

2.1. Louth and Meath ETB acknowledge the duty of schools under its control to publish their policy concerning admission and participation in the school, including the policy of the school relating to the expulsion and suspension of students pursuant to Section 15 (d) of the Education Act 1998 and Section 23 of the Education Welfare Act 2000. The Code of Behaviour in Coláiste na Mí specifies:

- The standards of behaviour that shall be observed by each student attending the school
- The measures that may be taken when a student fails or refuses to observe those standards
- The procedures to be followed before a student may be suspended or expelled from a school
- The grounds for removing a suspension imposed in relation to a student

- The procedures to be followed relating to notification of a child's absence from school.

2.2. Coláiste na Mí affirms that its Code of Behaviour is prepared in accordance with the Guidelines issued by the Education Welfare Board 2008. The Code of Behaviour addresses:

- The standards of behaviour expected in the school
- The plan for promoting good behaviour
- The ways in which a school responds to unacceptable behaviour
- The plan for implementing the code of behaviour
- School procedures for the use of suspension and expulsion

2.3. Coláiste na Mí recognises the Right to Appeal pursuant to Section 29 of the Education Act.

2.4. In regard to informing the Education Welfare Board, Coláiste na Mí affirms its statutory obligation pursuant to section 21 (4)(a) of the Education Welfare Act.

2.5. Coláiste na Mí affirms that data collected in relation to students and parents is in compliance with the Data Protection Acts 1988 and 2003.

3 Suspensions

3.1 The Board of Management of Coláiste na Mí holds the authority to suspend a student. This authority is devolved under Section 44 (11(a)) of the Education and Training Boards Act 2013 by Louth and Meath ETB to the Boards of Management of each of the schools under its control.

3.2 Louth and Meath ETB recognises that the Boards of Management of Coláiste na Mí may delegate this authority to the Principal of Coláiste na Mí. The Board of Management should make a formal delegation arrangement taking due account of the provisions of the Education and Training Boards Act 2013.

3.3 Coláiste na Mí recognises that suspension is only one strategy within the Coláiste na Mí Code of Behaviour in response to inappropriate behaviour.

3.4. Coláiste na Mí recognises that when all other strategies have been exhausted, suspension affords a student time to reflect on their behaviour, to acknowledge and accept responsibility for their behaviour and to accept the need for the behaviour to change. Coláiste na Mí works closely with parents to assist a suspended student to re-join the school community successfully.

3.5. Coláiste na Mí acknowledges that suspension should be a proportionate response to the behaviour that is causing concern. 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.
- The student breaches the Code of Behaviour. (At the discretion of the Principal.)

3.6. Coláiste na Mí affirms that all suspensions must be notified to the Board of Management of Coláiste na Mí.

3.7. Coláiste na Mí affirms that the Education Welfare Services of the Child and Family Agency (Tusla) should be Informed of suspensions in the following circumstances:

- Where the period of suspension is for 6 or more consecutive school days.
- Where the aggregate number of days on which a student has been suspended /absent in any school year is 20 or more days.

3.8. Coláiste na Mí affirms that suspension may occur after the following factors have been considered:

- The nature and seriousness of the behaviour
- The impact and context of the behaviour
- The interventions tried to date
- That all discipline options under the Coláiste na Mí Code of Behaviour have been applied and documented
- That all actions /decisions taken are recorded and all correspondence copied.
- Discussion has occurred with the student and parent(s) regarding the specific behaviour which the school considers unacceptable, and which may lead to suspension.

3.9. The Board of Management of Coláiste na Mí affirms that students attending Coláiste na Mí may be suspended as follows pending investigation and /or discussion with parents. The following list is not exhaustive:

- For serious misbehaviour
- For an unacceptable level of repeated misbehaviour
- For bullying, insulting, aggressive or violent behaviour towards others whether in person, by mobile phone or via social media or other electronic means; in the school, or when identifiable with the school
- For the supply/possession /use of alcohol and /or illegal drugs
- For the supply /possession /use of weapons/ hazardous materials
- For behaviour that may be a danger to self or others
- For racist behaviour /supply of racist behaviour/use of racist material
- For behaviour that is contrary to the terms of the Equal Status Act 2000
- For sexual harassment and/or the possession/supply /use of pornographic material.

3.10. Coláiste na Mí acknowledges that a single incident of serious misconduct may be grounds for suspension. Such grounds may include where the continued presence

of the student in the school at the time would represent a serious threat to the safety or welfare of students, staff of the school or any other person.

3.11. A student may be suspended during a state examination and such suspension should normally be approved by the Board of Management of Coláiste na Mí. This type of suspension should only be used where there is:

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

3.12. Louth and Meath ETB recognises that the Board of Management of Coláiste na Mí may decide as part of the school's policy on sanctions and following consultation process with the Principal, parents, teachers and students, that particular named behaviour incur suspension as a sanction. This does not remove the duty to follow due process and fair procedures in each case.

4 Inappropriate use of Suspension

- Rolling suspension. A student should not be suspended again shortly after they return to Coláiste na Mí unless they engage in serious misbehaviour that warrants suspension, that fair procedures are observed in full and the standard applied to judging the behaviour is the same as that standard applied to the behaviour of any other student.
- Informal/ unacknowledged suspension. Exclusion of a student for part of the school day as a sanction is a suspension.
- Open-ended suspension. Students should not be suspended for an indefinite period. Any such suspension would be regarded as a de-facto expulsion.

5 Procedures in respect of Suspension.

5.1 Louth and Meath ETB affirms that Coláiste na Mí is required to follow fair procedures when proposing to suspend a student. The school should observe the following procedures

- The student and parent(s) should be informed about the complaint
- The student and parent(s) should be given the opportunity to respond
- In the case of 'immediate' suspension, a preliminary investigation should be conducted to establish the case for the imposition of the suspension. Parents must be notified and arrangement made for the student to be collected from the school. The school must have due regard for its duty of care for the student.

5.2 A student should not be suspended for more than 3 days except in exceptional circumstances. Louth and Meath ETB recognises that the Board of Management of Coláiste na Mí should provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than 3 days might be approved. If a suspension of longer than 3 days is being proposed the matter should be referred to the Board of Management for consideration and approval. However, Louth and Meath ETB recognises that the Board of Management of Coláiste na Mí may wish to authorise the Principal, with the approval of the Chairperson of the Board of Management, to impose a suspension of up to 5 days in circumstances where a meeting of the Board cannot be convened in a timely fashion. Such authorisation must be recorded in the minutes of meeting of the Board of Management and reviewed on an annual basis.

5.3 Louth and Meath ETB affirms the Boards of Management of Coláiste na Mí 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 20 days for more. Any such suspension is subject to appeal under section 29 of the Education Act 1998.

6 Implementing the suspension

6.1 The Principal of Coláiste na Mí should notify the Parent(s) and the student in writing of the decision to suspend. The letter will 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 to be followed.
- The arrangements for returning to school, including any commitments to be entered into by the student and the parents.
- The provision for an appeal to the Department of Education, in the case of a suspension which would bring the days suspended in one academic over 20 days.

6.2 In the case where Parents do not agree to meet with the Principal, Louth and Meath ETB confirms that written notice will serve as notice to impose a suspension.

6.3 A suspension may be removed if the Board of Management of Coláiste na Mí decides to remove the suspension for any reason.

7 Section 29 Appeal against Suspension

7.1 Where the total number of days for which the student has been suspended in the current school year reaches 20 days, the parent(s) or a student aged over 18 years, may appeal the suspension under Section 29 of the Education Act 1998 to the Minister for Education.

7.2 An appeal may be made by the parent of the student concerned, or by the student concerned where the student has reached the age of 18 years. In accordance with section 26 of the Education (Welfare) Act, 2000, the Child and Family Agency (Tusla)

may appoint a person, independent of that Agency, to appeal a decision of a board of management or person acting on behalf of the board of management to permanently exclude a student from a school.

- 7.3 An appeal must be made within **42 calendar days** from the date of the decision of the board of management or a person acting on behalf of the board of management.
- 7.4 Appeals must be made in writing on the Section 29 Appeal Form and submitted to the Section 29 Appeals Administration Unit which has been established within the Department of Education to provide administrative support to enable appeals committees perform their functions. The Section 29 Appeal Form may be downloaded from the Department's website or obtained directly from the Section 29 Appeals Administration Unit. Contact details for the Unit are available on the Department's website www.education.ie.

8 Expulsion

- 8.1 Louth and Meath ETB has the authority to expel a student. This authority may be delegated under Section 44 (11(a)) of the Education and Training Boards Act 2013 by Louth and Meath ETB to the Board of Management of Coláiste na Mí.
- 8.2 Expulsion should be a proportionate response to the student's behaviour. Coláiste na Mí acknowledges that expulsion of a student is a very serious step and one that should only be taken by the Board of Management of Coláiste na Mí in extreme cases of unacceptable behaviour.
- 8.3 The Board of Management of Coláiste na Mí affirms that Coláiste na Mí needs to have taken significant steps to address the misbehaviour and to avoid expulsion.

Such measures may include:

- Meeting with parents and students to try and find ways of helping the student to change their behaviour.
- Making sure that the student understands the possible consequences of their behaviour should it persist
- Ensuring that all possible options have been tried.

- Seeking the assistance of relevant support agencies, e.g. Child and Family Agency (Tusla) Education Welfare Services, HSE Child and Adolescent Mental Health Services. National Behavioural Support Service JLO, NEPS, NCSE.

8.4 A proposal to expel a student requires serious grounds such as that:

- The student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process
- The student's continued presence in the school constitutes a real and significant threat to the safety and welfare of others.
- The student is responsible for serious damage to property.

8.5 Before expulsion is considered schools' authorities must satisfy themselves that all possibilities have been exhausted for changing the student's behaviour.

8.6 'Automatic Expulsion'

The Board of Management of Coláiste na Mí may decide in consultation with the Principal, parents, teachers and students that particular named behaviours would result in 'Automatic' expulsion. This does not remove the duty to follow due process and fair procedure.

8.7 Expulsion for first or once-off offence

There may be exceptional circumstances where the Board of Management of Coláiste na Mí decides that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the Code of Behaviour could include:

- A serious threat of violence against another student or member of staff
- Actual violence or physical assault
- Supplying illegal drugs to students in the school
- Sexual assault

9 Factors to Consider before proposing to expel a student

9.1 The Board of Management of Coláiste na Mí should take the following factors into consideration before considering expelling a student:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions already tried to change the student's behaviour
- Whether expulsion is a proportionate response
- The possible impact of expulsion

9.2 Expulsion would not be appropriate for the following:

- Poor academic performance
- Poor attendance or lateness
- Minor breaches of the Code of Behaviour

However, any behaviour that is persistently disruptive to learning or 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.

10 Procedures in respect of expulsion

10.1 A detailed investigation will be carried out under the direction of the Principal. The Principal should ensure that no party who has had any involvement with the circumstances of the case is part of the investigation.

10.2 The Principal should inform the student and his/her parents about the specific details of the alleged breach of behaviour, how it will be investigated and that it could result in expulsion. The Principal must ensure that the student and parents are given every opportunity to respond to the complaint of serious misbehaviour. The Principal

should communicate this in writing to ensure that parents have a permanent record of having been informed.

10.3 A meeting should be arranged between the student and their parents and the Principal of Coláiste na Mí before a sanction is imposed.

10.4 Should a student and their parent(s) fail to attend a meeting the Principal should write advising:

- the seriousness of the matter
- the importance of attending a re-scheduled meeting
- Failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour
- Record all correspondence

10.5 Where the Principal of Coláiste na Mí forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal shall make a recommendation to the Board to consider expulsion.

10.6 The Principal should:

- Inform the student and parents in writing that the Board of Management is being asked to consider expulsion.
- Ensure that parents have written records of (a) the allegation, (b) the investigation, (c) written notice of the grounds on which the Board of Management is being asked to consider expulsion.
- Provide the Board with the same comprehensive records as are given to the student and the parents.
- Notify the parents in good time of the date of the hearing with the Board of management and invite them to that hearing.

- Advise the parents that they can make a written and oral submission to the Board of Management.
- Ensure parents are given enough notice to allow them to prepare for the meeting.

10.7 It is the responsibility of the Board of Management of Coláiste na Mí to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures.

10.8 The Board of Management should undertake its own review of documentation and all circumstances of the case.

10.9 The Board of Management should ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations.

10.10 Where the Board of Management of Coláiste na Mí decides to expel a student it must hold a hearing and this meeting should be properly conducted in accordance with Board procedures.

10.11 Parents may be accompanied at the Board hearing but, as this is a lay forum; legal representation is not the normal practice, however it may be allowed due to the potentially serious consequences for the student. The Board Secretary should be informed in writing who shall be attending this meeting at least two days prior to the meeting taking place.

10.12 At the start of the meeting the Chairperson shall enquire whether any member has an objective bias in respect of the matter being considered by the Board. Where the Board is satisfied that an objective bias exists, the member(s) involved shall withdraw from the meeting.

10.13 At the hearing the Principal and the parents, or a student aged 18 or over, put their case to the Board in each other's presence and will be available to answer questions from Board Members. Each party should be allowed question the evidence of the other

party. Questions should be directed through the Chairperson at the end of each presentation.

10.14 Once the Principal and the Parents have made their cases, they will withdraw from the meeting.

10.15 Should the Board require the professional advice of the Principal, the Principal may be invited to return to the meeting briefly for that purpose. While the Principal is present, there will be no discussion on the merits of the particular case being considered.

10.16 In the conduct of the hearing the Board must take care to ensure they are and are seen to be impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board should facilitate this in line with good practice and Board procedures.

10.17 When both sides have been heard the Board should ensure that the Principal and Parents are not present for the Board's deliberations.

10.18 In hearing and considering a proposed expulsion the Board shall have regard to:

- (a) the nature, scale and persistence of any behaviour alleged to have given rise to, or contributed to, the decision made by or on behalf of the Board,
- (b) the reasonableness of any efforts made by the school to enable the student to whom the appeal relates (the 'student concerned') to participate in and benefit from education,
- (c) the educational interests of the student concerned and the desirability of enabling the student as far as practicable to participate in and benefit from education with his or her peers,
- (d) the educational interests of, and the effective provision of education for, other students of the school and the maintenance of a classroom and school environment which is supportive of learning among the students of the school and

ensures continuity of instruction provided to students in any classroom concerned and the school,

- (e) the safety, health and welfare of teachers, students and staff of the school,
- (f) the code of behaviour under section 23 of the Education (Welfare) Act of 2000 and other relevant policies of the school and -

- (i) in the case of that code of behaviour, the extent to which it is in compliance with that section 23 and any guidelines issued under subsection (3) of that section, and

- (ii) in the case of those other policies, the extent to which each of them is implemented, promotes equality of access to and participation in education and is in compliance with -

- (I) any enactment that imposes duties on schools or their boards,

- (II) any relevant guidelines or policies of the Minister,

- (g) the duties on schools or their boards imposed by or under any enactment

- (h) guidelines issued pursuant to section 22(7) of the Act of 2000, and

- (i) such other matters as the Board considers relevant.

11 Board of Management deliberations and actions following the hearing

11.1 Having heard from all the parties involved it is the responsibility of the Board to decide whether or not the allegation is substantiated and if expulsion is the appropriate sanction.

11.2 When the Board of Management having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Education Welfare Officer in writing of its opinion and the reasons for this opinion pursuant to section 24 91) of the Education Welfare Act 2000. The Board should refer to the Child and Family Agency Education Welfare Services reporting procedures for proposed expulsions.

11.3 The student cannot be expelled before the passage of 20 school days from the date on which the EWO receives this written notification.

11.4 The Board of Management should inform the parents in writing about its conclusions and where expulsion is proposed the parents should be informed that the Board of Management will inform the Education Welfare Officer.

12 Consultations arranged by the Educational Welfare Officer

12.1 Within 20 days of receipt of a notification from a Board of Management the EWO will make all reasonable attempts to hold individual consultations with the Principal, the parent and the student. The EWO will convene a meeting of those parties. These consultations will focus on alternative educational arrangements for the student.

12.2 Pending the consultations in 12.1 the Board of Management may consider it appropriate to suspend a student during this time. This should only be considered where the continued presence of the student during this time would seriously disrupt the learning of others or represent a risk to the safety and health of students or staff.

13 Confirmation of the decision to expel

13.1 When the 20-day period following notice to the EWO has elapsed and the Board of Management remains of the view that the student should be expelled, the Board of Management should formally confirm the decision to expel. The Board of Management may delegate authority to the Chairperson and Secretary to review this decision of expulsion after the twenty days has expired.

13.2 Parents should be notified immediately that the expulsion will now proceed. Parents and the student must be informed of their right to appeal to the Minister of Education.

14 Section 29 Appeal against Expulsion

14.1 The parent(s) or a student aged over 18 years, may appeal the expulsion under Section 29 of the Education Act 1998.

- 14.2 Parents and the student should be informed about their right to appeal to the Minister of Education.
- 14.3 An appeal may be made by the parent of the student concerned, or by the student concerned where the student has reached the age of 18 years. In accordance with section 26 of the Education (Welfare) Act, 2000, the Child and Family Agency (Tusla) may appoint a person, independent of that Agency, to appeal a decision of a board of management or person acting on behalf of the board of management to permanently exclude a student from a school.
- 14.4 An appeal must be made within **42 calendar days** from the date of the decision of the board of management or a person acting on behalf of the board of management.
- 14.5 Appeals must be made in writing on the **Section 29 Appeal Form** and submitted to the Section 29 Appeals Administration Unit which has been established within the Department of Education to provide administrative support to enable appeals committees perform their functions. The Section 29 Appeal Form may be downloaded from the Department's website or obtained directly from the Section 29 Appeals Administration Unit. Contact details for the Unit are available on the Department's website www.education.ie.

15 Review of use of Expulsion

- 15.1 The Board of Management of Coláiste na Mí should review the use of expulsion in the school at regular intervals.

16 Implementation and Review of Policy

- 16.1 The Principal and Board of Management of Coláiste na Mí will be responsible for the implementation of this policy.
- 16.2 This policy shall be reviewed periodically, in light of emerging legislation and circulated Guidelines from the Department of Education and Skills from its official adoption by the Louth and Meath Education and Training Board and Coláiste na Mí Board of Management.

This policy was reviewed and adopted by Louth and Meath Education and Training Board on 15 November 2018 for incorporation into school's Codes of Behaviour.

This policy was reviewed in November 2020 in light of commencement of changes to the Section 29 Appeals procedures under the Education (Admission to schools) Act 2018.

This policy was ratified by the College Board of Management on

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Definitions under the Education Act, 1998

"parent" includes a foster parent, a guardian appointed under the Guardianship of Children Acts, 1964 to 1997, or other person acting in *loco parentis* who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter;

"Principal" means a person appointed under *section 23*;

"school" means an establishment which-

- (a) provides primary education to its students and which may also provide early childhood education, or
- (b) provides post-primary education to its students and which may also provide courses in adult, continuing or vocational education or vocational training, but does not include a school or institution established in accordance with the Children Acts, 1908 to 1989, or a school or institution established or maintained by a health board in accordance with the Health Acts, 1947 to 1996, or the Child Care Act, 1991;

"student", in relation to a school, means a person enrolled at the school and in relation to a centre for education, means a person registered as a student in that centre;