



# Coláiste Mhuire, Mullingar, Co. Westmeath

Code of Behaviour  
August 2020



## **Code of Behaviour for the Academic Year 2020-2021**

### **1. Type of School**

Coláiste Mhuire is a Catholic, voluntary, post primary school for boys under the trusteeship of the Edmund Rice Schools Trust (ERST).

It was established in 1856 and serves Mullingar and surrounding areas. It also has a special Repeat Leaving Certificate year for boys and girls. It provides a Catholic education, with a wide range of subjects and programmes. The College has a very experienced teaching staff, a broad based curriculum and a wide range of extra-curricular activities. It is situated in College Street, Mullingar and has a school gymnasium and playing fields.

Coláiste Mhuire encourages each student to strive to achieve his or her full potential as a person academically, physically, morally, socially and spiritually.

### **2. Characteristic Spirit**

The characteristic spirit of our school is based on the vision and values of the ERST Charter. The five characteristics of an Edmund Rice school underpin the operation of Edmund Rice Secondary School, namely:

- Nurturing faith, Christian spirituality and Gospel-based values,
- Promoting partnership
- Excellence in teaching and learning
- Creating a caring school community
- Inspiring transformational leadership

The College Board of Management, parents, staff and students, working together as a school community within the resources available, aim to provide a Catholic education in the best possible environment to cater for the cultural,

educational, moral, physical, religious, social, linguistic and spiritual values and traditions of all its students.

Coláiste Mhuire is committed to excellence. The school provides a caring and disciplined environment in which all students are challenged to reach their academic and personal potential.

We show special concern for the disadvantaged and we make every effort to ensure that the uniqueness and dignity of each person is respected, and responded to, especially through the pastoral care system in the college.

We realise too, that we must cater for the changing needs of today's world and, towards that end, we frequently review our various programmes.

Being keenly aware of the ever increasing effect of outside influences on the lives of our students, we are even more concerned to maintain Catholic values and practices. We work under the five key elements of the Edmund Rice Schools Trust;

- Nurturing faith, Christian spirituality and Gospel-based values means that at Coláiste Mhuire we live our Catholic Faith, experience God, respect the beliefs and values of each member of the school community and work for social and ecological justice.
- Promoting partnership means that at Coláiste Mhuire we make everyone feel welcome, build a Christian community with a shared vision and mission, recognise the voice of staff, students and parents and are involved in our community.
- Excellence in teaching and learning means that at Coláiste Mhuire we have high expectations of our teachers and students, nurture the development of all aspects of our lives, respond to a changing world, use technology responsibly and creatively to enhance our learning and promote learning as a lifelong enterprise.

- Creating a caring school community means that at Coláiste Mhuire we show care and compassion as exemplified in the life of Jesus, respect and celebrate the dignity of each person, seek to help those who are disadvantaged or in need in society and speak up for those whose voice is not heard.
- Inspiring transformational leadership means that at Coláiste Mhuire we motivate people to work towards the vision of Blessed Edmund, inspire the minds and hearts of our students to have courage and confidence to stand up for what we believe in, led by giving good example and take responsibility for our actions.

### **3. Operating Context**

Coláiste Mhuire operates within the legal context of

- Relevant sections of:
  - Education Act, 1998
  - Education Welfare Act, 2000
  - Equal Status Acts, 2000-2011
  - Education for Persons with Special Educational Needs Act, 2004
  - Disability Act, 2005
  - Education Act, (Miscellaneous Provisions) 2007
  - Data Protection Acts, 1988 and 2003: The school is a Data Controller under the Data Protection Acts. Data provided to Coláiste Mhuire in respect of an application for admission is subject to the terms and provisions of the Data Protection Act (1998) and the Data Protection (Amendment) Act (2003). We rely on Parents/Guardians to provide us with accurate and complete information and to update us in relation to any changes in the information provided. Should you wish to

update or access your child's personal data, you should write to the School Principal.

Coláiste Mhuire also operates within the regulatory, legal and financial context of:

- The regulations of the Department of Education and Skills
- The rights of trustees as set out in the *Education Act, 1998*
- The Edmund Rice Schools Trust Charter
- The Articles of Management of Catholic Secondary Schools
- The regulations of the Department of Education and Skills and the curricular programmes so prescribed which may be amended from time to time in accordance with Sections 9 and 30 of the *Education Act, 1998*.
- The funding and resources available to the school at any given time. The financial and teaching resources of the school are provided by a combination of grants and teacher allocations from the Department of Education and Skills, voluntary contributions, and occasional fundraising. Implementation of the school plan and school policy has due regard to the resources and funding available.
- National Educational Welfare Board *Developing a Code of Behaviour: Guidelines for Schools, 2008*

Within this operating context, Coláiste Mhuire is a school that:

- Is inclusive and welcomes students with different values, beliefs, traditions, languages and ways of life and seeks to meet their particular needs, subject only to available resources and support for the ethos of the school in its intake
- Supports the principle of equality of access to and participation in education
- Recognises and supports the rights of parents to choose with regard to admission in secondary school.

#### **4. Scope**

This code of behavior applies to Coláiste Mhuire students at the following times:

- During school time, including before and after class
- At break times and lunch times
- While wearing the Coláiste Mhuire school uniform
- While travelling to or from school or using school transport
- While on school trips, tours or student exchanges
- While supporting school teams or school activities.

#### **5. Principles of the Code of Behaviour**

(From NEWB *Developing a Code of Behaviour: Guidelines for Schools*, 2008)

In Coláiste Mhuire, our Code of Behaviour is one that is built on the following principles:

- Creating a climate that encourages and reinforces good behaviour
- Creating a positive and safe environment for teaching and learning
- Encouraging students to take personal responsibility for their learning and their behaviour
- Helping young people to mature into responsible participating citizens
- Building positive relationships of mutual respect and mutual support among students, staff and parents
- Ensuring that the school's high expectations for the behaviour of all the members of the school community are widely known and understood.

## **6. Aim**

At Coláiste Mhuire we aim to help students develop their skills and knowledge to the highest levels and to grow as individuals to become respectful, responsible and honest with a commitment to excellence. Coláiste Mhuire endeavours to balance warmth and empathy with objectivity, professionalism, fairness and consistency.

## **7. Objectives**

1. To promote good behaviour and encourage achievement
2. To enable effective learning and teaching
3. To support the students in learning self-discipline
4. To teach students to understand, accept and tolerate differences in individuals.
5. To create a safe and secure environment for pupils and staff

## **8. Positive Behaviour in Coláiste Mhuire**

The active promotion of good behaviour is central to the ethos, policies and practices in Coláiste Mhuire. We, as the adult community, strive to create a healthy and respectful atmosphere for our students, through their experience of the life lived here. Students are encouraged to behave in a manner that supports their learning and development. School management and teachers consistently implement strategies to promote positive behaviour and mutually respectful relationships for the whole-school community. The following strategies are used to promote positive behaviour and relationships:

- Students are given responsibility in the school and have been involved in the development of the Code of Behaviour. The standards of behaviour are clear, fair and widely understood.

- A comprehensive pastoral and guidance team adopt an open, collaborative and consultative approach to the behaviour of individual students.
- Students are taught the skills and knowledge to behave well through communication with Year Heads and in class subjects.
- Positive behaviour is reinforced through praise, encouragement, feedback and mutually respectful relationships. Praise is based on the effort of each individual student.
- The annual elections of the Student Council and Prefects encourage responsibility and positive relationships between staff and students.
- A mentoring system is in place whereby first year students and senior prefects are paired up. This promotes positive relationships among students.
- We endeavour to update the school website and social media to acknowledge positive achievements of our students.
- A student may be instructed to carry and complete a Behaviour Report Card if there is a need for improvement in their behaviour. The Deputy Principal gives the student his card each morning. It is the responsibility of the student to ask teachers to fill in categories on their card regarding their behaviour. This promotes responsibility and self-motivated behavioural improvement.
- Parents/guardians are provided with a copy of the Code of Behaviour on the school website or in the school office. A declaration of compliance must be signed for on the enrolment of their child. This promotes understanding and compliance with the high behavioural standards expected in the school.
- Teachers provide constructive comments to parents/guardians about each students' behaviour and attainment in regular reports. Written communication in student journals and annual parent-teacher meetings

allow for constructive communication regarding both behaviour and attainment. If there is a particular behavioural concern or concerns in relation to attainment, appropriate contact will be made.

- The school arranges informative talks to support parents/guardians with challenges that may face their son/daughter. These talks may be arranged in conjunction with the Parents Council.

The high quality of behavioural standards and relationships is evaluated and reviewed regularly.

### **High Expectations in Coláiste Mhuire**

The successful education of all students is dependent on an active, consistent and mutual partnership between students, staff and parents. It is built on a foundation of mutual trust where each partner must embrace their rights, responsibilities and expectations.

#### **Students are expected to:**

- Treat all members of the school community with respect and courtesy
- Behave in a manner that facilitates learning for all
- Be aware of the school rules and behave in a responsible way, both in school and when travelling to and from school
- Attend every class, every day. Students may not leave the school grounds during school hours without permission from the Principal or Deputy Principal. Students must sign in at the office when arriving late or leaving the school within school hours
- Be punctual at all times
- Report to the school office immediately if he/ she is feeling sick
- Wear full school uniform at all times
- Share responsibility for the school environment by respecting school property
- Be proud of our school and the good name of the school. Have pride in the history and achievements of others in our school

- Work to the best of their ability and complete all course requirements
- Complete homework and assignments on time.

**Staff members are expected to:**

- Treat all members of the school community with respect and courtesy
- Be professional and show respect for the interests and welfare of students
- Provide a quality education to all students in a safe and secure environment
- Provide an education based on high expectations.
- Provide regular class work and homework that is appropriate to the age and ability of each student.
- Promote positive attitudes regarding self-worth, social justice and equality.
- Provide equality of opportunity without discrimination based on any of the following nine grounds: gender, marital status, family status, sexual orientation, religion, age, disability, race or membership of the travelling community.
- Communicate with parents through written reports, at parent / teacher meetings and at any other appropriate time if necessary.
- Teachers have a professional duty of care to address bullying in accordance with the Anti-Bullying Policy.
- Maintain a well-disciplined school environment.
- Consistently implement the rewards and sanctions of the Code of Behaviour with impartiality and using fair procedures.

**Parents/Guardians are expected to:**

- Treat all members of the school community with respect and courtesy.
- Encourage their children to attend school in a way that derives maximum benefit from their time in school. Necessary appointments should be made for students outside school hours where possible. Parents should inform the school appropriately if their child will be

absent and provide a note on the child's return. (See Attendance Strategy).

- Ensure that their son/ daughter is punctual for school commitments.
- Encourage and support their son/ daughter with school work.
- Check the progress of their child's homework assignments and sign any notes sent by teachers.
- Provide their son/ daughter with the required textbooks and resources necessary for school.
- Communicate effectively with the school where appropriate. Parents are expected to attend parent / teacher meetings and / or any special appointments if requested.
- Support school policies.

## **9. Attendance**

At Coláiste Mhuire, we:

- Expect students to attend every day for the entire duration of the school day (9am to 4pm, 9am to 1:15pm Friday only).
- Arrive in school before 8.40am in order to organise themselves and ensure that they are set up for the day ahead.
- Highlight full attendance amongst students and parents to improve the educational welfare of our students.
- Positively enforce punctual attendance morning and evening and at each class throughout the day.
- Maintain an effective attendance record-keeping system through our VS Ware system.
- Develop suitable intervention strategies to further improve school attendance and punctuality.

The school has a set of procedures to be followed in the event of student absences.

**On every day of absence:**

- The parent/guardian is expected to contact the school on the first morning of absence to inform the school and provide a reason, where appropriate. A school answering machine service is in operation for such messages. The school administrator inputs this information into VS Ware.
- Where no contact has been made, a text message is sent to the nominated parent/guardian on the morning of absence. Included in this text message is a request for the parent/guardian to contact the school to confirm and explain the absence. Again, the school administrator inputs this information into VS Ware. The responsibility lies with the parent/guardian to ensure the school is supplied with the correct contact details.

**Subsequent Days following absence:**

- The Attendance and Punctuality Coordinator will be available in a designated location from 8.50am each morning to sign notes from students who have been absent. The Attendance and Punctuality Coordinator inputs this information into VS Ware.

**Following 5 days absent:**

- The Tutor will speak to the student. Teachers and tutors will encourage students to inform the Attendance and Punctuality Coordinator (each day at 8.50am) of any absences and provide a letter of explanation.

**Following 10 days absent:**

- The Attendance and Punctuality Coordinator will send a note home for the attention of the parent/guardian in the students' journal. The Year Head will also receive notification.

### **Following 14 days absent:**

- The Attendance and Punctuality Coordinator will send a letter home for the attention of the parent/guardian by post. The Schools' legal responsibilities are outlined to the parent/guardian at this time. The Year Head is also notified. The Year Head will make phone contact with the parent/guardian if further action is deemed necessary.

### **Following 18 Days:**

- The Year Head will contact the parent/guardian to arrange a meeting within the school. This meeting will focus on putting strategies into place to prevent further absenteeism.

### **Following 20 Days:**

- The Attendance Officer makes a referral to the Educational Welfare Officer to discuss the individual situation and a joint decision is made on further action to be taken. If required the Attendance Officer makes a referral to TUSLA. The nominated parent/guardian are made aware of the referral where the student is under 16 years of age.
- At any point in the process the Attendance Officer may seek the advice of the Educational Welfare Officer with regards to repeated absenteeism to ensure best practice is adhered to.

## **10. Punctuality**

In Coláiste Mhuire, we encourage students to be punctual and have the necessary books and equipment in order to participate fully in classes.

In this regard, students should:

- Arrive in school before 8.40am in order to organise themselves and ensure that they are set up for the day ahead.

- Arrive at their locker at 1.45pm so that they have the necessary time to get ready for afternoon classes.
- Late arrival for school/ class will be noted.
- A reason for lateness should be given by parent/ guardian in an instance of late arrival to school and the student should notify the office on their arrival in school.
- In cases of recurrent issues with punctuality, the circumstances will be considered and the matter may be referred to the pastoral care team or Year Head.

## **11. Uniform**

Coláiste Mhuire students are encouraged to take pride in themselves and in their school. They should be mindful that when they wear their uniform, they are ambassadors for our school and represent the school accordingly.

- Full school uniform must be worn at all times, except in specific circumstances sanctioned by the Principal.
- The full school uniform consists of:

*Juniors:* Blue crested jumper, dark grey trousers, dark grey shirt.

*Seniors:* Plain navy blue jumper, dark grey trousers, dark grey shirt.

*6R:* Plain navy blue jumper, dark grey trousers, white shirt.

**(Note:** All students must wear full black runners/ shoes with a full black sole. No white or coloured markings are permitted).

- The wearing of jewellery in the school or on the school grounds is prohibited. This includes all piercings and if a student presents to school with a piercing, we will ask that the piercing be removed. This is for health and safety reasons.

- Watches are permitted if they have no recording facility or internet access.
- Hats, caps and hoods should be removed on arrival to the school building.
- Headphones are not part of our school uniform and should not be worn while in school.
- The wearing of inappropriate clothing/accessories in the school or on the school grounds is prohibited e.g. face coverings.

## **12. Student Journal**

The student journal is issued to all students on commencement of the academic year. It is the “Passport” for school and should be available on the student at all times. It is the first point of contact between parent/guardian and the school and is an essential method of communication.

In this regard, it is the parents’ responsibility to monitor the journal regularly.

It is paramount that homework is recorded accurately when it is set and students are encouraged to make their best effort to complete the work.

## **13. Health and Safety**

In Coláiste Mhuire we want to promote healthy lifestyles in line with our recognition as a Health Promoting School. In compliance with the Health and Safety at Work Act, 2005 and the Equal Status Act, 2000 (revised 2018), we are committed to creating a safe environment for everyone. A breach of any of the following may result in consequences up to and including expulsion.

Our school is a school for all and it is a space shared by all.

- Smoking and vaping are prohibited on the school grounds, its environs or when in school uniform.
- Illegal drugs, addictive substances, alcohol, non-prescribed drugs and legal drug substitutes are strictly prohibited. Details of any necessary medication must be communicated to management.
- The misuse of all legal and illegal substances is strictly forbidden, and each case will be dealt with in accordance with the schools Substance Abuse Policy. In the event of a breach of this rule, the school is obliged to inform parents/guardians and the relevant authorities.
- We encourage students to treat the school and its property with care and respect which is good practice for life after school. In the event of damage to school property, students may have to compensate the school for the damage caused or replace the property that has been damaged.
- Students should respect their surroundings and not litter the school buildings or outside.
- The school Internet Acceptable Use Policy is in place to protect all students. It is important that students are familiar with what is acceptable and that they practice responsible behavior when using the internet.
- All forms of harassment, including sexual harassment, are strictly forbidden.
- Coláiste Mhuire has a very comprehensive Anti-Bullying Policy. Bullying is unwanted negative behaviour, verbal, psychological or physical conducted, by an individual or group, against another person (or persons) and which is repeated over time. The school recognises the very serious nature of bullying and the negative impact that it can have on the lives of pupils and is therefore fully committed to preventing and tackling bullying behaviour.
- Junior students (1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> Year) are not permitted to leave the school environs at lunchtime for their safety.

- Students should not eat or drink in class. Chewing gum is also not allowed.
- Students should follow all public health advice provided to schools to maintain a safe learning and work environment. Protocols may change during national health emergencies namely the Covid-19 pandemic. It is vital to follow the correct respiratory hygiene/ cough/sneeze etiquette, to maintain a safe learning and work environment.

#### **14. Mobile Phones/ Smart Devices**

Coláiste Mhuire is a “phone free zone” and runs a “switch off to switch on” campaign for students. This means that mobile phones/smart devices must be powered off (not on silent) when in the school building or its environs. This is for the safety of students and staff and to encourage students to give their full attention to their school day. We expect all students to adhere to this and parental support helps to enhance this campaign.

Phones that are seen or heard will be confiscated. Confiscated phones will be held until 4pm the next day (Friday confiscation is a Monday return).

All communication between parents/ guardians and students should be done through the school office.

As the school is a “phone free zone” for students, Coláiste Mhuire is not responsible for the loss or damage of mobile phones/smart devices etc. and it is the student’s responsibility to ensure that their mobile phone/ smart device is safe.

## **15. Equipment**

Students who wish to succeed always bring the right equipment to the school, for the right reasons, every day. We wish to develop our students' organisational skills for success in future life. For any important role in life, we need the right tools and students need to make sure they have all they need to succeed.

- Students can store their equipment and books in their personal lockers. These lockers are available to rent annually for a small fee.
- Students are responsible for coming to class appropriately prepared. They should bring all necessary books and equipment, including sports kit, to class and should use their time at their locker (morning, break time, lunch time) to ensure that they have all they need for classes.

## **16. The Consequences of Unacceptable Behaviour**

### **Responses and Sanctions**

The aim of sanctions is to create a climate that encourages and reinforces good behaviour, encouraging students to take personal responsibility for their learning and their behaviour. A problem-solving approach is used in response to inappropriate behaviour. At all times, the focus is on the behaviour and not the student as the problem.

Responses to behaviour are detached and objective, but empathetic. Sanctions range from a word of warning to expulsion. It is expected that students will accept and respond positively to correction from members of staff, be it inside or outside the classroom. All behavioural problems are addressed as early as possible and agreed strategies are implemented

consistently. The initial sanctions are effective for the majority of pupils. However, a small number of students may require further attention.

Any form of bullying is not acceptable. If breaches to the Anti-Bullying Policy occur, actions will be taken to deal with the situation appropriately. The suspected victim, suspected bully and any relevant witnesses will be communicated with. If any degree of bullying is identified, help and support will be provided, as is appropriate to both the victim and the bully. (See Anti-Bullying Policy).

Strategies for sanctioning have been developed in a manner that incorporates impartiality and fair procedures. Responses are kept as local as possible. The following ladder of intervention sets out the structures and fair procedures used and it also indicates how the situation will be dealt with when such a need arises.

- **Minor Incidents/ Breaches**
  - Teacher imposes their own classroom sanctions (Examples include reprimanding a student, reasoning with them, temporary separation from peers or assigning extra work)
  - The primary communication between the parent/ teacher is the student journal.
  
- **Recurring Incidents/ Breaches**
  - For more serious offences/ disturbances or recurring minor incidents the teacher makes a note on VS Ware.
  - The Year Head will be informed and they may take action to help the student to address the behaviour.
    - They may require a student to explain any behaviour pattern of a particular incident. Students are therefore involved in the problem-solving approach when dealing with behavioural issues.

- The Year Head may decide to communicate with parents if appropriate. Other students may also be communicated with depending on the context of the incident.
- Relationships between students are managed as well as their behaviour. This is done in order to understand the context and factors that may be affecting behaviour.
- Detention after school may be set by Year Head/ Deputy Principal/ Principal. A note will be entered in the student journal to notify parent/ guardian at least 24 hours prior to detention. This note to be signed by parent/ guardian and checked at detention.
- Following the detention after school, if the behaviour persists, the Year Head may place the student on a daily report where their behaviour is monitored in each class. This report is available to parents/ guardians and they will be notified if this action is being considered.
- **Serious Incidents/ Breaches or Exhaustion of previous steps**
  - If the previous sanctions have been exhausted, and the breaches are still occurring, the student will be referred to the Deputy Principal or Principal.
  - Serious incidences/ breaches will be referred to the Deputy Principal or Principal immediately. The other sanctions will be bypassed in some cases, depending on the seriousness of the incident.
  - If a serious incident/ breach occurs, the matter may then be referred to the Board of Management for expulsion to be considered.

In most cases, these levels of sanction follow one another. However, in certain cases, the degree of disrespect or disregard for school rules shown by a single act may warrant that a student be immediately referred to the Deputy Principal, the Principal or be suspended or expelled without going through the process of minor sanctions.

## **Suspension**

Schools are required by law to follow fair procedures when proposing to suspend a student. The school observes the following procedures;

- Inform the student and their parents about the complaint.
- Give parents and student an opportunity to respond.
- In the case of an immediate suspension parents will be notified, and arrangements made with them for the student to be collected.

Suspension will be considered in the case of the following serious matters:

- a pattern of persistent incidences of misconduct or
- a serious once-off incident.

The issue will be fully investigated by the Principal or Deputy Principal, or a person with delegated responsibility, other than the offended party. In most cases the following procedures will be followed:

1. Witness to the event(s) may be interviewed. A written record of the investigation will be kept.
2. The student against whom the complaint is made will be given an opportunity to present their side of the story. The student may be asked to give an account in writing.
3. Parents will normally be advised in writing, and/or by phone, of a decision to suspend. The letter and/or phone call will include the following:
  - a. Notification of the decision and reason(s) for same.
  - b. The effective date and duration of the suspension.
  - c. A clear statement that the student is under the care of the parents/guardians for the duration of the suspension.
  - d. Expectations of a student while on suspension.
  - e. If the National Education Welfare Board has been informed, this will be stated.

- f. Rights of appeal under Section 29 of the Education Act - Appeal if applicable.
- g. If consideration is being given to expulsion as a sanction in this instance, the letter will state this unambiguously.

**Note:**

- A student will not be suspended for more than three days except in exceptional circumstances. If a suspension longer than three days has been proposed by the Principal, the matter will be referred to the Board of Management for consideration and approval. The Board of Management will normally place a ceiling of ten days on any one period of suspension imposed by it. The Board will 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 year to twenty days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998.
- Where a proposal to suspend is before the Board of Management and a student is involved in a further serious disciplinary incident, that student may be required to stay at home or be suspended until the Board of Management reaches a decision on the matter. In that event, the Board will take the further incident into account in reaching its decision.
- Following a suspension, the parents/guardians (or student over 18 years) may seek a meeting with the Principal to discuss the matter further and to make further representations. Where the school is satisfied that new circumstances have come to light that have a bearing on the matter, the decision to suspend may be reviewed (by those who made the decision) and an alternative sanction imposed if deemed appropriate.
- The Principal will report all suspensions to the Board of Management with the reasons for and duration of each suspension. The Principal will

report all suspensions in accordance with the NEWB reporting guidelines (Education (Welfare) Act 2000, section 21 (4)(a)).

### **Grounds for removing a suspension**

A suspension will 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 the Education Act 1998. A period of suspension will end on the date given in the letter of notification to the parents about the suspension. The school will have a plan to re-integrate the student back into the school. When the suspension is completed, a student is given the opportunity and support for a fresh start.

## **Expulsion**

In Coláiste Mhuire the ultimate sanction imposed by the school is expulsion and is imposed only by the Board of Management.

These procedures regarding expulsion are approved by the Board of Management having been developed in consultation with all the educational partners (parents, students, staff and the wider community). The policy and procedures have been developed in accordance with the NEWB *Developing a Code of Behaviour: Guidelines for Schools*, 2008.

A student is expelled from school when the Board of Management makes a decision to permanently exclude him from the school, having complied with the provisions of section 24 of the Education Welfare Act, 2000.

### **Grounds for Expulsion**

In Coláiste Mhuire, we recognise that expulsion of a student is a very serious step which will be taken by the Board of Management only in extreme cases of unacceptable behaviour. Normally a range of other interventions to address the misbehaviour will have been tried before a decision to expel is made:-

- Meeting with parents and the student to try to find ways to help the student to change their behaviour
- Making sure that the student understands the possible consequences of their behaviour, if it should persist
- Ensuring all other possible options have been tried
- Seeking the support of outside agencies such as the National Educational Psychology Service or the Educational Welfare Officer.

Expulsion may be considered in the following cases:

- A 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 safety; their own or the safety of other members of the school community.
- The student is responsible for serious damage to property.

The grounds for expulsion may be similar to the grounds for suspension but the seriousness and the persistence of the behaviour are the key difference. Up to the consideration of expulsion, all interventions for changing the student's behaviour have been exhausted.

### **Forms of expulsion**

Expulsion can be in one of two forms:

1. Automatic expulsion: The Board of Management have decided, as part of the school's policy on sanctions, and following the consultation process with the school partners that particular named behaviours incur automatic expulsion as a sanction. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code include:
  - A serious threat of violence against another student or a member of staff
  - Actual violence or physical assault against another student or a member of staff
  - Supplying illegal substances to other students in the school
  - Use or misuse of illegal substances in school
  - Sexual assault
2. The ultimate sanction: Up to this point all disciplinary options under the Code of Behaviour have been applied and documented, and all appropriate services within the school and outside have either been offered or involved. Discussions with parent/s or guardian/s relating to

the serious misbehaviour will have taken place and they will be aware of the interventions that will have been put into place up to this point. If the interventions and sanctions have failed to produce positive results, then expulsion may be recommended by the Principal to the Board of Management.

**In the case of automatic expulsion, due process and fair procedures will be followed by the Board of Management.**

### **Procedures in respect to Expulsion**

**Step 1:** A detailed investigation will be carried out by the Principal

- Parents/guardians and students will be informed in writing about the details of the alleged serious misbehaviour and the proposed investigation.
- Parents and students will be given every opportunity, including meeting with the Principal, to respond to the complaint. If parents refuse to meet with the Principal, they will be invited to a rescheduled meeting and advised that the school authority has a duty to make a decision in response to inappropriate behaviour in a timely manner.

**Step 2:** A recommendation to the Board of Management by the Principal.

The Principal will:

- Inform the parents and the students that the Board of Management is being asked to consider expulsion.
- Ensure that the parents have records of the allegations against the student and written notice of the grounds on which the Board of Management is being asked to consider expulsion.
- Provide the Board of Management with the same records as are given to the parents.

- Notify the parents of the date of the hearing by the Board of Management and invite them to the hearing.
- Advise the parents that they can make a written and oral submission to the Board of Management and also that they may be accompanied at the hearing.
- Ensure that the parents have enough notice to allow them to prepare for the hearing.

**Step 3:** Consideration by the Board of Management of the Principal's recommendation and the holding of a hearing.

It is the responsibility of the Board to ensure that the investigation has been properly conducted. When the Board of Management decides to consider expulsion it will hold a hearing. In this hearing the following will take place:

- The Principal, parents or a student over 18 years put their case to the Board in each other's presence. Each party will be allowed to question the evidence of the other party directly.
- The parents/student over 18 years can make a case for a lessening of the sanction. In the conduct of the hearing, the Board will take care to ensure impartiality, as between the Principal and the student.
- After both sides have been heard, the Principal and parents/student will withdraw from the meeting before the Board's deliberations commence.

**Step 4:** Board of Management deliberations and actions following the hearing.

Having heard from all parties, the Board will decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction. If the Board of Management decides to expel the student, it will:

- Notify the Educational Welfare Officer (EWO) in writing of its opinion, and the reasons for this opinion.
- The student will not be formally expelled for 20 school days from the date on which the EWO receives written notification of the proposed expulsion.
- The Board will inform the parents in writing about its conclusions and that the EWO has been informed.

**Step 5:** Consultations arranged by the Educational Welfare Officer.

Within 20 days of receipt of a notification from the Board of Management of its opinion that a student should be expelled, the Education Welfare Officer will:

- Make all reasonable effort to meet with the Principal, parents and the student, and anybody else who may be of assistance.
- Convene a meeting of those parties who agree to attend.
- These consultations may result in an agreement that would avoid expulsion, or it may focus on alternative educational possibilities.

Pending these consultations the Board may decide to suspend the student, if their presence poses a threat to the safety of other students or would interfere seriously with the learning and teaching of other students.

**Step 6:** Confirmation of the decision to expel

- When the 20 day period following notification to the EWO has elapsed, and where the Board of Management is still of the view that the student should be expelled, the Board of Management will formally confirm the decision.
- Parents will be notified immediately that the expulsion will now proceed.
- Parents and students will be told of their right to appeal to the Department of Education and Skills.

- A formal record will be made of the decision to expel the student.

### **Appealing an Expulsion**

A parent, or a student aged over 18 years, may appeal a decision to expel to the Secretary General of the Department of Education and Skills (Education Act 1998 section 29). An appeal may also be brought by the National Educational Welfare Board on behalf of the student.

### **17. Consultation and Review**

This policy has been drawn up by the Board in consultation with parents, staff and students. It is operative for the school year 2019/20. It will be reviewed by the Board of Management annually.

### **18. Ratification and Publication**

This policy was ratified by the Board of Management on 25<sup>th</sup> August 2020.

## **Appendices**

From NEWB *Developing a Code of Behaviour: Guidelines for Schools*, 2008)

### **The objective of a sanction is to help the student to learn.**

#### **The purpose of sanctions**

The purpose of a sanction is to bring about a change in behaviour by:

- helping students to learn that their behaviour is unacceptable
- helping them to recognise the effect of their actions and behaviour on others
- helping students (in ways appropriate to their age and development) to understand that they have choices about their own behaviour and that all choices have consequences
- helping them to learn to take responsibility for their behaviour.

A sanction may also:

- reinforce the boundaries set out in the code of behaviour
- signal to other students and to staff that their wellbeing is being protected.

In instances of more serious breaches of school standards, sanctions may be needed to:

- prevent serious disruption of teaching and learning
- keep the student, or other students or adults, safe.

## 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 or 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?

## Factors to consider before proposing to expel a student

### The nature and seriousness of the behaviour

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been and over what period of time?
- 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 or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- 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?

### 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 these 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?
- 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 Mental Health services)?
- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?

### Whether expulsion is a proportionate response

- Is the student's behaviour sufficiently serious to warrant expulsion?
- 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 expulsion

- To what extent may expulsion exacerbate any social or educational vulnerability of the student?
- Will the student be able to take part in, and benefit from, education with their peers?
- In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?



# Coláiste Mhuire An Muileann gCearr

## Code of Behaviour



The Board of Management formally adopted this policy on the 24<sup>th</sup> September 2020.

It shall be reviewed in August 2021.

Signed: Maire Mahon  
**Ms. Moira Mahon**  
**Chairperson of the Board of Management**

Date: 24/9/2020.