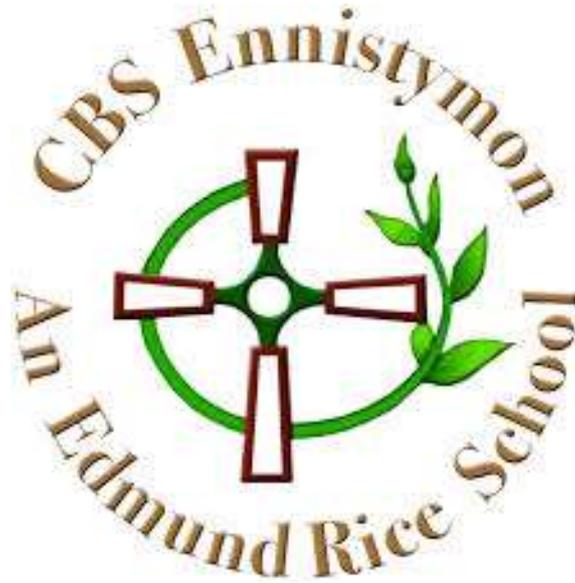


# CBS Ennistymon

## Code of Positive Behaviour



Reviewed	Ratified by the Board of Management	Review Date
	10-06-2021	June 2023

## **Meánscoil na mBráithre**

### **Christian Brothers School, Ennistymon**

**School Name:** Christian Brothers Secondary School Ennistymon

**School Address:** Monastery Lane, Ennistymon, Co Clare.

**School Management:** The Board of Management of Meánscoil na mBráithre is a statutory Board appointed pursuant to the provisions of the Education Act 1998.

#### **Mission Statement**

We are a voluntary Catholic Secondary School for boys under the trusteeship of the Edmund Rice Schools Trust (ERST), focusing on the importance of a value-based Christian education in the Catholic tradition.

We endeavour to educate our students so that as emerging adults they will have the confidence and skills necessary to participate fully:

- In community life
- In family life
- In their work life
- In leisure

#### **Ethos**

The characteristic spirit of our school is based on the vision and values of the Edmund Rice Schools Trust Charter. The five elements 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

# Code of Positive Behaviour

## Introduction

C.B.S. Ennistymon Mission Statement believes in the provision of a positive learning experience that nurtures mutual respect and personal responsibility within a safe, fair, and caring environment. We are committed to the pursuit of excellence in all of our activities so that as emerging adults our students will have the confidence and skills to participate fully in family and community life, in work and in leisure. The ethos of CBS is based on Christian values, acknowledging the rights and responsibilities of each individual, and sensitive to the needs of others.

In the CBS Ennistymon we are striving to embed Restorative Practices into our daily routines. Restorative Practices help us develop and sustain strong and happy school communities by actively developing good relationships, preventing the escalation of conflict and handling conflict & behaviours in a creative and healthy manner.

### 1) The Aims of the Code of Positive Behaviour

- \* To provide a caring and supportive learning environment
- \* To protect every student's right to benefit fully from school
- \* To develop in our students their academic and intellectual abilities
- \* To foster and promote social skills
- \* To provide students with self-worth, self-esteem and self confidence

### 2) Principles Underpinning the Code of Positive Behaviour

A school community comprises a variety of individuals and groups, each with their own values and expectations. For a school to operate effectively as a learning organisation, certain principles must underpin the interaction and relationships between these individuals and groups. If these principles are to be consistent with the aims of the school, they must emphasise the value of co-operation and respect among all the partners.

C.B.S. Secondary School Ennistymon believes that its code of positive behaviour should be framed in such a way as to encourage co-operation and respect.

We propose therefore to promote a **positive approach** to fostering co-operation and respect by:

- \* Continually improving the quality of learning, teaching and assessment
- \* Reinforcing positive behaviour on the part of students
- \* Improving the extent, quality and effectiveness of communication between all stakeholders
- \* Teaching students the social skills they need to be successful
- \* Providing support to staff in their implementation of this code
- \* Utilising the Restorative Practice approach to prevent and reduce conflict

### 3) **Scope of the Code of Behaviour**

The Code of Behaviour applies when students are on the school premises, travelling to and from school, during lunch break, outside school grounds and on any extra mural activities relating to school. The Board of Management reserves the right to apply the Code of Positive Behaviour to address misbehaviour during timetabled classes, at social times and when wearing the school uniform outside the school premises. Abuse (physical, verbal, or through social media) of a member of the school community during or outside of the school day is unacceptable and appropriate sanctions will apply. *This policy applies to and must be followed in conjunction with all other school policies.*

### 4) **Objectives of the Code of Positive Behaviour**

The following objectives have been adopted and will be acted upon by the partners to ensure that the standards, qualities and values are upheld consistently and are subject to evaluation:

Objectives of the Code of Positive Behaviour	This means
<b>1. To acknowledge the right of each student to education in a positive learning environment</b>	<ul style="list-style-type: none"><li>• Mutual <b>respect</b> between student and teacher and teacher and student.</li><li>• Help students to reach their potential in both academic and personal pursuits.</li><li>• Co-operate in class so that classes are not unduly interrupted by teachers having to correct students.</li><li>• If it is necessary to be absent from school, inform the school.</li></ul>

<p><b>2. To promote the values of fairness, mutual respect, consideration, courtesy and tolerance for others</b></p>	<ul style="list-style-type: none"> <li>• Treat other as you would like to be treated.</li> <li>• Do not bully others.</li> <li>• Report any incidents of bullying to a teacher.</li> <li>• Accept others who are different from you.</li> <li>• Use only respectful language in class and out of class.</li> <li>• If you are out of school on school activities, conduct yourself in a respectful manner.</li> <li>• Observe all laws and regulations in relation to substance use e.g., tobacco, drink, drugs and internet use.</li> </ul>
<p><b>3. To foster commitment to work and learning.</b></p>	<ul style="list-style-type: none"> <li>• Work to your potential in class.</li> <li>• Have all your equipment with you for each class.</li> <li>• Be in class and ready to start class on time.</li> <li>• Cooperate during class.</li> <li>• Complete all assigned homework to the best of your ability and on time.</li> </ul>
<p><b>4. To foster self-discipline and good order.</b></p>	<ul style="list-style-type: none"> <li>• Take responsibility for your own books, equipment, and possessions.</li> <li>• Ensure that mobile phones and any other electronic equipment are always switched off while in class.</li> <li>• Always wear the school uniform in school and on school business.</li> </ul>
<p><b>5. To reward and reinforce positive behaviour.</b></p>	<p><b>Teachers should</b></p> <ul style="list-style-type: none"> <li>• Acknowledge good behaviour.</li> <li>• Acknowledge effort.</li> <li>• Write positive comments in Vsware.</li> <li>• Teach the code of behaviour at appropriate times during the school year.</li> <li>• Organise events and activities to encourage participation and positivity.</li> </ul>
<p><b>6. To cultivate respect for the school environment.</b></p>	<ul style="list-style-type: none"> <li>• Not eating or drinking during class.</li> <li>• Ensuring that all waste and rubbish is disposed of properly in the bins provided.</li> <li>• Ensuring that all furniture and school property is treated in a respectful manner.</li> <li>• Reporting any accidental damage to a teacher.</li> <li>• Accepting responsibility for any damage caused.</li> <li>• Ensuring that no litter is thrown on school grounds or in the town before, during or after school.</li> </ul>

## **5) Board of Management**

The Board of Management is responsible under law for the management of the school in accordance with education legislation and the rules of the Department of Education and Skills. The Board is committed to this Code of Positive Behaviour and acknowledges its role in providing the support necessary for this Code of Positive Behaviour. The Board of Management has a key role in suspensions, expulsions and the appeals process. See Appendix 2 on Suspensions and Expulsions.

## **6) Parents and Teachers**

Parents and teachers are the significant adults in the lives of the young people at school and it is important for them to be able to respect and support each other. It is hoped that through open communication, parents, students and teachers will work together in the school community.

### **6.1. Parents**

In order to uphold the aims and objectives of the Code of Positive Behaviour, parents must be aware of the significance of their role in the school community. It is very important that parents support their children in relation to school attendance, schoolwork and school activities.

Some practical examples of how parents can support their sons are:

1. Familiarise yourself with the culture, Code of Positive Behaviour and procedures in CBS Ennistymon
2. Encourage your child to have a positive attitude to their education
3. Ensure that they attend school regularly and are punctual

4. Ensure that your child makes good use of their journal
5. Check VSware weekly
6. Provide a quiet place for them to study or attend evening study
7. Ensure that your child comes to school; in full uniform and with the correct equipment for school
8. Attend parent teacher meetings
9. If you have a concern, you should contact the school to arrange a meeting with the Principal, Deputy Principal or Year Head
10. You should maintain contact with the school by ensuring that secretarial staff are updated on any change of contact information for you (mobile phone, email, or address)
11. Students should only be contacted (when absolutely necessary) through the school office and not via their personal mobile phones during school hours

## **6.2. Subject Teachers.**

Teachers should treat their students fairly and with respect. Teachers in their actions should:

1. Utilise the ERST charter to develop a nurturing environment within the classroom
2. Adopt the ethos of the school in teaching and learning
3. Use restorative language and practice in their classroom
4. Offer words of praise and encouragement
5. Build a relationship with each student
6. Promote class spirit and cohesion
7. Make positive affirmations
8. Recommend the student to the Awards Day Committee
9. Praise students and class groups on achievements and improvements
10. Record merits and demerits fairly on VSware
11. Provide a link with the Class Tutor, Year Head and the Counsellor, as necessary

### **6.3. Class Tutor**

A Class Tutor undertakes the role of promoting student wellbeing and instilling the Code of Positive Behaviour in the everyday life of a student in the CBS.

#### **The Class Tutor**

1. Builds a relationship with each student.
2. Promotes class spirit and cohesion.
3. Explains the Code of Positive Behaviour on a regular basis.
4. Monitors VSware (regarding academic progress, behaviour and attendance) and refers students of concern to the **Jr. or Sr. Year Head**.

### **6.4. Junior and Senior Year Head**

The Year Heads have a leading role to play in the holistic development of their year groups.

#### **The Year Heads role includes:**

1. Implementing the Code of Positive Behaviour in co-operation with the Principal and the Deputy Principal
2. Providing support and encouragement to students on a one-to-one basis to promote positive behaviour
3. Liaising with Class tutors and subject teachers and responding appropriately to referrals
4. Recording and monitoring VSware
5. Communicating with parents /guardians where there are particular concerns
6. Meeting regularly with the Principal & Deputy Principal in the Management meetings to discuss any issues that arise

### **7) Students**

As students are enrolled in the school on the basis that they agree to be compliant with the Code of Positive Behaviour, the school expects that students will, at all times, do their best to uphold the Code of Positive Behaviour of the school. This Code of Positive Behaviour is the support system to enable students to reach their potential from their time at school.

## **Expectations of Students**

### **7.1 Attendance and Punctuality**

Attendance and punctuality are a vital part of the success of all members of the school community. Regular attendance is one of the biggest contributors to school success.

- Students are expected to be in attendance from 8.55am and to be punctual for all classes
- If a student is absent, a signed and dated note from the parent/guardian is required (Orange slip in the journal)
- If a student is late for school, they must check in at reception on arrival to be recorded as late on VShare. Persistent unexplained lateness will lead to a demerit
- Students may only leave school during the day if they have a note (orange slip in the journal) or if their parent/guardian calls to reception to sign the student out
- In the event of a student becoming ill, a guardian or parent will be contacted

### **7.2 School Uniform**

Our school uniform provides each student with a CBS Ennistymon identity and it should be worn correctly and with pride. Failure to comply with the school dress code is a breach of our school Code of Positive Behaviour and will be sanctioned accordingly.

<b>Pants</b>	<b>Shirt</b>	<b>Jumper</b>	<b>PE</b>
<b>Grey-generic</b>	<b>Grey-generic</b>	<b>Wine Crested jumper from local supplier.</b>	<b>Crested half -zip and black tracksuit pants.</b>

### **7.3 Lockers (Post Covid 19)**

Students should use the lockers assigned to them solely for storing their school materials and personal items necessary for school. It shall be the responsibility of each student to keep the assigned locker clean and tidy. The school charges a fee for the maintenance of the lockers.

- First year students are issued with a padlock and key and the spare key is kept by their Class Tutor
- It is the student's responsibility to replace lost keys by getting a new key cut.
- Lockers can only be accessed at the following times: (i) before 1<sup>st</sup> class, (ii) during morning break (iii) during lunchtime, (iv) after school. At these times you bring all the materials needed for the classes that follow ensuring you are at class on time.
- Management is not responsible for items lost or stolen. Any valuables /property found should be handed into the office.

### **7.4 School Environment**

Everybody benefits from working and learning in a pleasant and clean environment. The school participates in the Green Schools Programme on an annual basis. Littering either within the school or in the school grounds is not acceptable and is regarded as anti-social behaviour. All litter must be placed in the bins provided.

- In order to maintain an orderly learning environment, students are expected to keep their classrooms and social areas clean and tidy and to help pick up litter when they are asked
- Students are expected to put their chairs on the desks at the end of the day
- Students should refrain from eating and drinking during classes

## **7.5. Out of Class Behaviour**

Good behaviour is expected outside the school premises e.g., on school outings, work placement, when representing the school at games and other activities and when wearing the school uniform outside school hours. Students are expected to observe all school rules and behave in a responsible way, when travelling to and from school, at lunch time and after school. This also applies to those who remain for study or extra-curricular activities. Behaviour in breach of school rules will be subject to sanctions.

- Be respectful - inappropriate attitude or comments are not acceptable
- Do not use disrespectful language
- Name calling and bullying will not be tolerated
- Be polite when dealing with members of the public in town

## **7.6. Health and Safety**

- It is our expectation that the school building, school equipment and the property of others are to be treated with care
- It is expected that all students will be vigilant at all times to ensure their own health & safety, the safety of the other members of the school community or any visitors to the school
- It is expected that students will not interfere or damage school safety equipment
- Students are encouraged to maintain a healthy lifestyle by eating a balanced diet and avoiding fizzy soft drinks and energy drinks
- In accordance with the public Health Tobacco Acts 2002 and 2004, smoking/vaping is strictly forbidden within the school environment and at school events
- The use or possession of illegal substances is strictly prohibited

## **7.7 Internet/Mobile Phones**

- The Acceptable Use Policy and Mobile Phone Policy must be signed by parents/guardians before students can use Mobile Phones and ICT in school
- Use of the Internet is for study or for school authorised/supervised activities only, including Saturday and evening study

- Unauthorised use of devices to photograph or record during school time or events is strictly prohibited
- ICT resources, as authorised by the teacher, must NOT be used for personal purposes
- Students are expected to respect the work and ownership rights of people outside the school as well as other students or staff. This includes abiding by copyright laws
- Unapproved games may not be downloaded or played on any School ICT equipment
- Students need to be aware that e-mails and attached data, sent and received as part of classroom activity are subject to monitoring
- All mobile phones must be on silent and left out of sight during class time
- Phones should be left on the teacher's desk if the student has to leave the room e.g. - to use the bathroom
- Students may be required to use their mobile phones or devices in class for educational purposes under the supervision of the teacher
- Parents should refrain from phoning students during class time
- The school accepts no responsibility for replacing lost, stolen or damaged mobile phones/digital devices. The safety and security of mobile phones/digital devices is wholly a matter for students and their parents/guardians
- It is strongly advised that students use passwords to prevent unauthorised use of phones

**In summary**, we expect our students to live by the following statements.

### **RESPONSIBILITIES**

- I am responsible for my own behaviour and so I must work to ensure that all students feel safe and included in this school
- I am responsible for my learning and I am responsible for ensuring that I never prevent other students from learning

### **RIGHTS**

- I, and all other students, have the right to feel happy, safe, and included in this school
- I, and all other students have the right to learn and be taught in this school

### **RULES**

- I must always act and behave to ensure others feel safe and included in this school
- I must always behave in a way that promotes the learning of other students

**In the Classroom these ROUTINES illustrate the above statements**

- PUNCTUAL- I will be on time for every class
- POLITE- I will show respect to all people in the school
- PREPARED- I will make sure I have all my materials - books, copies, journal etc.
- PRESENTABLE- I will wear the correct uniform
- PRODUCTIVE- I will use my class time to learn and I will not prevent others from learning

## **7.8 Supports and Sanctions.**

**The Purpose of our Supports and Sanctions** are to bring about a change in behaviour by helping students to understand that:

- They have choices about their behaviour and that all choices have consequences
- Inappropriate behaviour is unacceptable
- Their actions and behaviour affect others
- They should take responsibility for their behaviour

The approach to student's inappropriate behaviour is a problem-solving approach where the teacher and school respond.

### **Supports**

- a) Signal/sign e.g., thumbs up
- b) Smile/nod of approval
- c) Verbal praise - private and public
- d) Specify why giving a compliment - "Good, you have waited your turn to speak"
- e) Merit on VShare
- f) Positive comments on written work
- g) Written praise from the Subject Teacher/Tutor/Year Head
- h) Positive comment in homework journal
- i) Display of students work throughout the school
- j) Award at end of School Term/Year
- k) Public recognition at school assemblies
- l) Referral of praise to Principal/Deputy Principal/ Year Head
- m) Participation in extra-curricular, trips and social occasions
- n) Nomination for award on Annual Awards Day

\*Please note this list is illustrative and not exhaustive

***Sanctions may include:***

- a) A verbal warning
- b) extra work
- c) demerit on VSware (See Note below)
- d) change of seating position in class or placement in another class
- e) cleaning classroom or other area of the school
- f) withdrawal from class to enable other students to learn without disruption
- g) withdrawal of certain privileges e.g., permission to leave school grounds at lunchtime.
- h) being put on Report
- i) telephone call/email to parents from Year Head
- j) informal meetings with Year Head
- k) Restorative Practice Discussion
- l) lunch time detention at the discretion of the teacher
- m) detention after school (See rules for After School Detention)
- n) exemption from school related events e.g., trips etc
- o) suspension for a defined period
- p) expulsion from the school as per Section 23 of the Education Act 2003, Requires prior sanction of the Board of Management

***Note in VSware Demerits***

Teachers may give a demerit, **with an explanation in notes**, if they feel it is necessary following consultation with the student and finding no improvement in the following areas:

- Disruptive behaviour
- Homework consistently not done
- Books, equipment not available
- Poor punctuality

***Rules of After School Detention***

1. Parents will be notified of detention by email in advance and must arrange to pick up their son on the day indicated and at the time stated
2. A return email or phone call will be required to confirm receipt of notification
3. Detention to be supervised by the teachers and homework **not** to be done at this time
4. The Principal or Deputy Principal must be informed by the Year Heads when a student is due to go on detention

# Ladder of Referral

## Principal/ Deputy Principal

- Holds weekly in-school management meeting, to include review of student progress.
- Holds monthly CARE Team Meetings.
- Meets with referred students.
- Liaises with parents where necessary.
- In conjunction with other staff members engages in restorative practice to resolve issues.
- Follows procedure outlined in the event of a Suspension
- Refers cases of expulsion to BOM.

## Junior/Senior Head

- Liaises with Subject Teacher and Tutors.
- Meets with referred students.
- Liaises with parents where necessary.
- Refers students to Deputy Principal/Principal where necessary
- In conjunction with other staff members engages in restorative practice to resolve issues.
- Monitors student progress on VSware and takes appropriate action
- Recommends student be placed on report and/or after school detention where appropriate.

## Class Tutor

- Builds relationship with class group.
- Monitors attainment, attendance & behaviour on VSware
- Refers issues the Year Head

## Subject Teacher

- Uses a variety of classroom strategies to create a positive learning environment.
- Rewards good behaviour using a variety of methods.
- Records persistent poor behaviour on VSware.
- Refers persistent poor behaviour to Junior/Senior Head using escalation tool on VSware.
- In the case of a serious breach of the Code of Positive Behaviour refer to Junior/Senior Head.

**Pillar of Support**  
**Restorative Practice Techniques**  
**All teachers, Guidance Counsellor, Parents, External Agencies**

## RESPONSES TO INAPPROPRIATE BEHAVIOUR



## Appendix 1

### 1. Suspension & Expulsion Policy & Procedures

#### 1.1 Suspension

For the purpose of this policy, suspension is defined as:

Requiring the student to absent himself from the school for a specified, limited period of school days. During the period of a suspension, the student retains his place in the school.

The purpose of suspension is to allow pupils the time, under the supervision of their parents/guardians, to reflect on their unacceptable behaviour; to accept responsibility for the behaviour that led to the suspension, to think about the link between their action and its consequence and to change their future behaviour to meet the reasonable expectations of the school. Suspension can provide a respite for staff and other students.

The Board of Management formally delegates authority to the principal to suspend a student for a period up to and including three days. If a suspension for longer than three days is being proposed, the matter must be referred to the Board. In such a case, having sought approval from the Chairperson of the Board, the Principal may suspend for up to five days to allow for time to convene a Board meeting.

The Board of Management will not normally impose a suspension of more than 10 consecutive school days.

Suspension will normally be imposed for an extreme violation, as defined in the School Code of Positive Behaviour.

However, where in the opinion of the Senior Management Team including the Principal and Deputy Principal, detention or other school sanctions are inadequate disciplinary responses to serious offences, or in the case of repeated offences that have not been rectified by usual school interventions, the sanction of suspension may also be imposed.

Other than in the case of immediate suspension, the principal will consider:

- The seriousness, frequency and context of the behaviour
- The impact of the behaviour on the other members of the school community – students & staff
- The interventions that have already been implemented with the student involved including school-based interventions and referral to outside agencies
- The impact of the suspension on the pupil

#### 1.2 Suspension Procedures

1. The alleged incident will be investigated by the Deputy Principal and/or the Year Head to determine the facts of the situation. This will involve an interview with the student(s) in question and any persons witnessing the incident. The principles of a fair hearing and natural justice will apply to all aspects of the investigation and any subsequent meeting(s).
2. If, in the opinion of the Principal following consideration of the investigation report, suspension should be imposed, the following procedures will apply:

3. Contact will be made with the student and his parents to arrange a meeting to discuss the matter. Parents/Guardians are required to ensure that a working contact number is available to the school at all times for immediate communication. All reasonable efforts will be made to contact parents to facilitate this meeting at a time acceptable to all. However, if the student/parents/guardians fail to make themselves available to attend such a meeting and fail to provide a reasonable explanation for not doing so, the matter may be decided in their absence and the suspension imposed.
4. Where a suspension is applied, the student and parents/guardians will be informed in writing that the suspension has been applied, the date from which the suspension takes effect and the period of the suspension. This letter will specify the reason for the suspension, the school's expectations of the student while on suspension. The student will be required to write a short reflection on their learning from the event. On re-entry to the school following the period of suspension they may be required to take part in a Restorative Discussion with the Principal, Deputy Principal, or the Year Head.
5. Parents/guardians will be informed in the notification letter of their right to appeal the decision to suspend to the Board of Management.
6. A suspension is understood to mean that the student does not have permission to be present in the building and is under the care of his parents/guardians for the day/s in question. It is considered an extreme violation of the School Code of Positive Behaviour if a student enters the school while on suspension.

### **1.3 Immediate Suspension**

Without prejudice to the above procedures, where the Principal or Deputy Principal has been notified of an alleged extreme violation of the School Code of Positive Behaviour and/or where immediate suspension is deemed necessary for Health and Safety reasons, the Principal or Deputy Principal (as per TUSLA guidelines), following an initial report & investigation and without notice to the student/parent/guardian, is authorised to suspend a student with immediate effect for such a period as is deemed appropriate, pending a full investigation of the alleged offence.

Where a suspension is applied, the student and parents/guardians will be informed in writing that the suspension has been applied, the date from which the suspension takes effect and the period of the suspension. This letter will specify the reason for the suspension, the school's expectations of the student while on suspension and the procedures for re-entry to the school following the period of suspension. Parents/Guardians will be informed in the notification letter of their right to appeal the decision to suspend to the Board of Management.

Following application of suspension, the Principal will notify the Board of Management of the suspension at its next meeting. If a student is suspended for a period of not less than six days, the Principal will inform the Educational Welfare Officer in writing of the suspension. (Section 21(4) of the Education [Welfare] Act, 2000).

## **2. Expulsion**

A student is expelled from a school when a 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. Only the Board of Management has the authority to expel a student. The Principal may not authorise the expulsion of a student.

Expulsion of a student is a very serious step and will only be taken by the Board of Management in extreme cases or as a last resort after all interventions have failed:

1. Where there is significant and continuing disruption to the learning of others or to the teaching process
2. Where there is a serious threat to the health and safety of the student himself, other students, or members of staff
3. Where the student is uncontrollable and is not amenable to any form of school authority
4. In cases of specific behaviours such as:
  - Physical assault, sexual assault
  - The possession, supply, or distribution of illegal substances
  - Deliberate serious damage to school or personal property
  - Serious misuse of technology
  - Bullying/harassment/intimidation of a member of the school community

Before the Board of Management will consider expulsion, the school will have taken significant steps to address the student's behaviour. These steps may include:

- The application of procedures outlined in the school Code of Positive Behaviour;
- Meeting with parents and the student to endeavour to find ways of helping the student to change/adapt their behaviour
- Ensuring that the student and his Parents/Guardians understand the possible outcome/consequences of his behaviour, should it be persistent
- Applying other interventions/strategies to bring about an improvement in behaviour through a Targeted Behaviour Intervention (TBI).
- Referral to appropriate external agencies which may include but is not limited to: National Educational Psychological Service (NEPS); Child and Adolescent Mental Health Services (CAMHS); Health Service Executive Community Services & Social Work Department; the Special Education Support Service (SESS); the National Behavioural Support Service (NBSS); the National Council for Special Education (NCSE).

However, there may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first grave offence. The procedures of fairness and natural justice will be observed in any such case.

CBS Secondary School Ennistymon is required by law to follow fair procedures as well as procedures prescribed under the Education (Welfare) Act 2000, when proposing to expel a student. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation carried out under the direction of the Principal
2. A recommendation to the Board of Management by the Principal

3. Consideration by the Board of Management of the Principal's recommendation ; and the holding of a hearing
4. Board of Management deliberations and actions following the hearing
5. Consultations arranged by the Educational Welfare Officer
6. Confirmation of the decision to expel

These procedures assume that the Board of Management is the decision-making body in relation to expulsions.

## 2.1

### **A detailed investigation carried out under the direction of the Principal**

In investigating an allegation, in line with fair procedures, the Principal will:

- Inform the student and his parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.
- Give Parents/Guardians and the Student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed. Parents/Guardians will be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know.

This also ensures that Parents/Guardians are very clear about what their son is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

Parents/Guardians and the student will have every opportunity to respond to the complaint of serious misbehaviour before a decision is made about the veracity of the allegation and before a sanction is imposed.

Where expulsion may result from an investigation, a meeting with the student and his Parents/Guardians is essential. It provides the opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts.

It may also be an opportunity for Parents/Guardians to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour. If a student and his Parents/Guardians fail to attend a meeting, the Principal will write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour. The school will record the invitation issued to Parents/Guardians and their response.

## 2.2

### **A recommendation to the Board of Management by the Principal**

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion.

The Principal will:

- Inform the parents and the student that the Board of Management is being asked to consider expulsion.

- Ensure that parents have records of the allegations against the student; the investigation; 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 comprehensive records as are given to parents.
- Notify the parents of the date of the hearing by 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 that parents have enough notice to allow them to prepare for the hearing.

### 2.3

#### **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 review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. The Board will undertake its own review of all documentation and the circumstances of the case.

It will ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).

Where the Board of Management decides to consider expelling a student, it will hold a hearing. The Board meeting for the purpose of the hearing will be properly conducted in accordance with Board procedures.

At the hearing, the Principal and the Parents/Guardians, or a student aged eighteen years or over, 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 meeting may also be an opportunity for Parents/Guardians to make their case for lessening the sanction.

In the conduct of the hearing, members of the Board will take care to ensure that they are, and are seen to be, impartial as between the Principal and the student.

Parents/Guardians may wish to be accompanied at hearings and the Board will facilitate this, in line with good practice and Board procedures. There is no right to legal representation at this meeting.

After both sides have been heard, the Board will ensure that the Principal and Parents/Guardians are not present for the Board's deliberations.

If the student or his Parent/Guardian fail to attend the meeting with the Board of Management and fail to provide a reasonable explanation for not attending, the B.O.M. will determine the matter in their absence. Before making a decision to expel the student, the Board will notify, in writing, the Educational Welfare Officer of its opinion and the reasons therefore, in accordance with Section 24(1) of the Education (Welfare) Act, 2000.

### 2.4

#### **Board of Management deliberations and actions following the hearing.**

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

Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board will notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. [Education (Welfare) Act 2000, s.24 (1)].

The Board of Management will refer to TUSLA reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification [Education (Welfare) Act 2000, s.24 (1)].

In the interim, the Board may, in accordance with section 5 of the Education (Welfare) Act 2000, suspend or make other arrangements to ensure that 'good order and discipline are maintained in the school'.

An appeal against an expulsion under section 29 of the Education Act 1998 will automatically succeed if it is shown that the Educational Welfare Officer was not notified in accordance with section 24(1) or that twenty days did not elapse from the time of notification to the Educational Welfare Officer to the implementation of the expulsion (Education (Miscellaneous Provisions) Act 2007, s4A).

The Board will inform the parents in writing about its conclusions and the next steps in the process.

Where expulsion is proposed, the parents will be told that the Board of Management will now inform the Educational Welfare Officer (EWO).

## **2.5**

### **Consultations arranged by the Educational Welfare Officer**

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

- make all reasonable efforts to hold individual consultations with the Principal, the Parents/Guardians and the student, and anyone else who may be of assistance.
- Convene a meeting of those parties who agree to attend (Education (Welfare) Act 2000, section 24).

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement about an alternative intervention that would avoid expulsion. However, where the possibility of continuing in the school is not an option, at least in the short term, the consultation will focus on alternative educational possibilities.

Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained, and that the safety of students is secured.

(Education (Welfare) Act 2000, s.24 (5)). A Board may consider it appropriate to suspend a student during this time. Suspension will only be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others or represent a threat to the safety of other students or staff.

## **2.6**

### **Confirmation of the decision to expel.**

Where the twenty-day period following notification to the Educational Welfare Officer has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management will formally confirm the decision to expel (this task might be delegated to the Chairperson and the Principal).

Parents/Guardians will be notified immediately that the expulsion will now proceed. Parents/Guardians and the student will be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record will be made of the decision to expel the student.

### **3. Appeals**

#### **An Appeal to the Board of Management**

The parent/guardian of a student, or, in the case of a student who has reached the age of 18, the student, may appeal to the Board of Management against a decision of the Principal that the student has committed a violation of the school Code of Positive Behaviour and /or any decision of the Principal to apply a sanction up to and including suspension.

**Level 3**

- Any behaviours of a persistent nature
- Any illegal activity
- Abuse of any kind
- Possession &/or use of illegal substances
- Tampering with safety equipment
- Personal graffiti
- Inappropriate language
- Any audio/visual recording of a teacher or student
- Fighting or physical aggression or theft
- Vandalism
- Failure to attend detention
- Truancy

\*Please note this list is illustrative and not exhaustive.

**Level 2**

- Any Level 1 behaviour of a persistent nature
- Graffiti
- Damage to property
- Defiant attitude
- Truancy
- Forgery of a signature
- Bullying or harassment of others
- Inappropriate language

**Level 1**

- Talking out of turn
- Causing disruption
- Eating/chewing in class
- Defiant attitude
- Horseplay
- Uniform Violation
- Name calling
- Inappropriate language
- Inappropriate use of the Journal
- Lateness
- Not having necessary equipment

\*Please note this list is illustrative and not exhaustive.

