



# Faughart Community National School

## Code of Behaviour

## **1. Introduction**

Faughart CNS is a multi - denominational, co –educational primary school under the patronage of Louth and Meath Education and Training Board (LMETB), a leader in educational provision and the patron of the largest range of schools and educational programmes in Counties Louth and Meath. As a multi - denominational school, Faughart CNS accepts students of all faiths and of none. The medium of instruction at the school is English. Faughart CNS is a mainstream school with classes ranging from Junior Infants to 6<sup>th</sup> Class.

Our vision for Faughart CNS is of a welcoming, diverse and dynamic school that provides a quality learning experience with the learner as core. This vision is linked to the LMETB high level strategic goal included in LMETB’s Strategy Statement 2017 – 2021 ‘Excellence in Education and Training to Achieve, Progress and Innovate’.

Students at Faughart CNS will feel a sense of belonging and will develop a love of learning through a positive and happy school experience. Students will be motivated and provided with opportunities to become active and responsible participants in their own learning. The school community will work with all partners and stakeholders to prepare knowledgeable and socially responsible citizens for the future.

Faughart CNS will expect all members of the school community to treat one another with respect. The school will promote high standards of behaviour centred on respect including respect for self, staff, other students, visitors to the school and respect for property.

This Code of Behaviour has been prepared to comply with Section 23 of the Education (Welfare) Act, 2000.

## **2. Section 23 of the Education (Welfare) Act, 2000 Code of Behaviour**

Section 23 of the Education (Welfare) Act 2000, states that the Board of Management of a recognised school shall, after consultation with the principal, teachers, parents of students registered and the educational welfare officer assigned to that school prepare a code of behaviour in respect of the students registered at the school. The code of behavior will specify:

- 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 the school concerned
- The grounds for removing a suspension imposed in relation to a student
- The procedures to be followed relating

The Act also states that the Principal of a recognised school shall before registering a child as a student in the school in accordance with the Act provide the parents of each child with a copy of the code of behaviour in respect of the school and may as a condition of registering the child require his or her parents to confirm in writing that they shall make all reasonable efforts to ensure compliance with such code by the child. Parents/Guardians who wish to complete an application for enrolment at

Faughart CNS will be required to confirm in writing that they shall make all reasonable efforts to ensure compliance with such code by the child.

### **3. When the Code of Behaviour Applies**

The school's Code of Behaviour applies while students are on the school premises and grounds before, during and after school hours. It applies at all co-curricular and extra-curricular activities and classes, at swimming classes, sports day, school related events, at all fundraising and social events organised by the school or the Parents Association, at school concerts and on school tours.

### **4. The Code of Behaviour at Faughart CNS**

The Code of Behaviour at Faughart CNS has been developed to encourage positive behaviour, respect for self and respect for others. It is envisaged that by consistent implementation of the Code of Behaviour by all members of the Faughart CNS community that Faughart CNS will have the best possible environment conducive to teaching, learning and personal development of pupils attending the school.

There are four strands to the Faughart CNS Code of Behaviour:

1. School Charter
2. The Parent/ School Contract
3. Sanctions for Breach of the Code of Behaviour
4. LMETB Suspensions and Expulsions Policy and Procedures

#### **Strand 1: School Charter**

The School Charter for Faughart CNS recognises that all members of the community at Faughart CNS have rights and responsibilities. The Charter is made up of ten core statements of expected behaviour. These statements are in effect the school rules and are linked to our school values. They will be displayed prominently in each classroom and on corridors throughout the school.

The School Charter promotes positive behaviour and outlines rewards for those students who make a positive impact on school life at Faughart CNS through positive behaviour. At Faughart CNS there will be a strong emphasis on recognising and commending positive behaviour. Good attendance, co-operation with students and staff, academic results, cultural and sporting achievements, involvement in school committees, fundraising for voluntary organisations will be recognised and rewarded at Faughart CNS.

The following are examples of **positive reinforcement rewards** that teachers and SNA use to promote positive behaviour:

1. A quiet word or gesture to show approval
2. A visit to another class, staff member or to the Principal for commendation
3. A word of praise in front of a group or the class

4. A reward system - pupil of the week, star/reward charts, stickers, Dojo Points, homework passes, weekly lottery/raffle, lucky dip, group competition, Golden time, class treat or party
5. Success Cards/Special Recognition
6. Positive reinforcement of desired behaviours
7. A comment in a child's exercise book
8. Special mention at assembly
9. Positive Notice sent home on Aladdin
10. Delegating some special responsibility or privilege, extra responsibilities in class and in the school or nomination for various school committees
11. A mention to parents - either written or verbal communication
12. Phone call or postcard home.
13. Time on special activity
14. Photographs of award winners taken and displayed and Good News shared on school website
15. Homework pass
16. Extra free time at lunch

The School Charter recognises and reflects our school values and vision that were created in 2018 – 2019 by teachers, pupils and parents as follows:

**We care about our own wellbeing and the wellbeing of others.**

The promotion of a caring and positive school environment, where every pupil, their welfare, wellbeing and health is a priority in Faughart CNS. The uniqueness of each child is celebrated and individual needs identified and support personalised.

**We uphold high expectations for effort and performance in our learning and develop skills for the 21st century.**

Pupils are encouraged to have high expectations for effort and performance in their learning and work diligently and creatively to learn knowledge and skills to prepare them for a future of life-long learning.

**We are active members of our local and global communities.**

Faughart CNS fosters a positive school culture, where pupils have positive and respectful interactions with their teachers and peers. Pupils are active and valued members of our school community.

**We show respect and act responsibly.**

Pupils are nurtured to have respect for themselves and others, and be responsible for their behaviour and their learning.

The pupils also create list of desired behaviours and undesired behaviours in relation to each of our school values as follows:

**We care about our own wellbeing and the wellbeing of others.**



**Examples of Desired Behaviour**

- Healthy Lunchboxes
- Active play in the yard.
- Being kind to others.
- Helping others.
- Being respectful.
- Playing kindly
- Giving compliments
- Supporting others
- Eating fruit and vegetables
- Sharing with others

**Examples of Undesired Behaviour**

- Hitting people
- Bullying other people
- Treating people badly
- Hurting others peoples' feelings
- Rough play
- Mocking others
- Making others feel bad about themselves.
- Bringing unhealthy lunches to school
- Sitting down all of break time
- Making others feel stupid.

**We Show Respect  
And  
Act Responsibly**



**Examples of Desired Behaviour**

- We have manners we say please and thank you.
- We are helpful to everyone around us.
- We listen when we are being spoken to.
- We do our homework.
- Raise your hand if you ever want to ask a question.
- You should act kindly to everyone and show respect to your teachers.
- Listen to your teachers and others.
- Following directions
- Don't insult anyone.
- Respect others and their property.
- Treat people the way you would like to be treated.

**Examples of Undesired Behaviour**

- Ignoring others
- Being off task
- Name calling
- Taking, interfering with or damaging other people's belongings
- Not doing homework (forgetting)
- Distracting others during group work

## We are Active Members of our local and Global Communities



### Examples of Desired Behaviour

- Helping elderly people.
- Picking up litter.
- Helping people in your Community.
- Donating to local charities, schools and football clubs (etc.).
  - Always putting our rubbish in the bin.
  - We save paper.
  - We are good role models.
- Recycling
- Taking part in school events like concerts, football matches, end of year celebration, sport day etc

### Examples of Undesired Behaviour

- Littering
- Wasting paper
- We are bad role models
- Not Recycling properly
- Not making an effort to take part in school or community events



## We uphold high Expectations For effort and performance in our learning and develop skills for the 21st century.

### Examples of Desired Behaviour

- Putting in effort.
- Helping younger children.
- Doing homework
- Listening in class
- Being quiet when the teacher is speaking.
- We always try our best in school
- We listen.
- On task talking
- We pay attention.
- Give your best effort
- Do your homework
- Listen to your teacher
- Be alert when your teacher is talking

### Examples of Undesired Behaviour

- Not putting in effort.
- Not helping younger children.
- Leaving homework unattended.
- Ignoring the teacher.
- Talking in class.
- Not listening
- shout out
- Don't pay attention
- Walk around the classroom without a purpose
- Not doing your homework

## Core Statements of Behaviour:

1. **Respect:** at all times students at Faughart CNS must show respect for themselves, each other, members of staff and all visitors to the school. We expect all pupils of Faughart CNS to be helpful and mannerly at all times. Inappropriate language is not accepted at Faughart CNS. We expect our pupils to obey their class teacher's instructions and not to disturb classes. We also expect pupils to follow any instructions given by supervising teachers and other members of the school's management and staff. Faughart CNS will not tolerate any bullying of other by name calling, fighting or other aggressive behaviour. Bullying is a serious offence and will be dealt with in accordance with the school Anti – Bullying Policy
2. **School Uniform:** All students at Faughart CNS must wear the full school uniform at all times. Pupils should be proud to wear their school uniform. Details of the school uniform for Faughart CNS are included in the school's website. Personal hygiene must be of a high standard and your school uniform must be kept in good condition. For Health and Safety reasons, jewellery is forbidden????
3. **Attendance and Punctuality:** Students should attend school every day during the academic year. You must come to school unless it is unavoidable due to illness or family emergency. You are expected to be in class on time for roll call and classes to start at 08.50am. The school day ends each day at 1.30pm for Junior and Senior Infants and at 2.30pm for all other students
4. **Classwork & Homework:** Pupils should come to school properly prepared for all classes. This includes having all books, copies, pens, pencils, colours, rulers, notebook, folders and other resources and equipment as outlined by their class teacher with them at all times. Pupils at Faughart CNS should participate fully in class. Pupils must keep their homework diary in good condition and use it properly each day. Homework must be completed by all pupils. If pupils are experiencing any problems with their homework, parents should make an appointment to discuss these concerns with the class teacher.
5. **Mobile Phones:** Mobile phones and other such devices can act as a major distraction in the classroom environment and beyond. It is therefore strongly recommended that pupils at Faughart CNS do not bring them into school. Should the need arise, a pupil may use the school phone with the permission of a staff member to contact parents/guardians. Likewise, should parents/guardians wish to make contact with their child during the school day they can contact the school office.
6. **Pupil absences:** If a pupil is absent from school due to illness the parent/guardian must provide a note for the class teacher on the school Aladdin App. If a pupil misses 20 days or more in the school year, the Principal must report this to the Educational Welfare Services of the Child and Family Agency (TUSLA). Likewise if the Principal is concerned that a pupil is missing too much school the Educational Welfare Services section of TUSLA will be advised.

If a pupil needs to leave school early on a particular day, parents can enter this on the school Aladdin App in advance detailing the time student must leave school, reason for absence and details of who will collect the pupil.

Should a pupil arrive late to school, the class teacher will track this on the school Aladdin system and parents can add a note on the app.

7. **School Environment:** We expect our pupils at Faughart CNS to respect the school environment at all times. This means that our pupils must play their part in keeping our school safe and clean. We ask our pupils to put their litter into the bins provided in their classroom and around the school. Pupils should not deface or damage school property. Any deliberate damage to school property must be paid for. Chewing gum is not permitted in Faughart CNS
8. **Staying within School Boundaries:** Pupils at Faughart CNS must remain inside the school grounds at all times unless they have signed approval of their class teacher/Deputy Principal/Principal to leave the school grounds. In the event of a pupil leaving the premises without permission, parents/guardians will be contacted and the Gardai informed. Students must also ensure that they do not go into areas on school property which are out of bounds
9. **Substance Use:** Illegal drugs, unprescribed medication, medication unauthorised by parents/guardians, alcohol and tobacco are not permitted in Faughart CNS, on school grounds and in its immediate environs. You must never be in possession of these items for your own use and/or supply to others. Possession/Use/Supply of such items is a serious offence and will be dealt with in accordance with the school's Code of Behaviour.
10. **Behaviour around the Building:** Faughart CNS is a walking school. We expect our pupils not to be running inside the school. Our pupils should not climb on the walls and/or fences on the school premises and school grounds. We expect our pupils to use the pedestrian paths from the school to the car park and the school gate.

### ***Opening of School Gates each morning & Supervision***

School gates will open at 8.35am each morning and classes begin for all students at 08.50am. Pupils will be supervised in their classroom from 08.35am each morning. Please ensure that you collect your child on time at the end of the school day.

Please note that LMETB and the Board of Management of Faughart CNS accept no responsibility for pupils who are on the school premises outside these times unless they are engaging with and/or attending pre – approved after school activities with a member of the school staff of Faughart CNS.

## **Strand 2: Parent/School Contract**

It is recognised and acknowledged that parents/guardians are the primary educators of their child. As a partner in the educational provision provided by Faughart CNS, parents/guardians should ensure that:

1. Their child attends school and is on time
2. The school is informed of reasons for absences, late arrivals or early departures
3. They sign the Student Diary when requested and when their son/daughter has completed their homework
4. The child co-operates fully with the school's dress code
5. The child is supplied with all necessary books, equipment and materials for participation in all lessons
6. They, as parents/guardians, are familiar with the Code of Behaviour and other relevant policies of the school and that they understand and accept these



7. They maintain contact with the school and are supportive of school management and staff
8. They encourage their child to be supportive of and co-operative with the teaching and learning activities provided by the staff of the school
9. They make themselves available to support school management and staff when necessary
10. They sign to confirm acceptance of the Code of Behaviour of Faughart CNS

### **Strand 3: Procedures for responding to Inappropriate Behaviour and Sanctions for Breach of the Code of Behavior**

1. Pupils may bring behaviour issues to class teachers for resolution when they themselves are unable to resolve them. Teachers at Faughart CNS will encourage, support and show pupils how they may be able to resolve these issues, thus assisting the pupil in building up skills necessary for the resolution of issues. When the teacher judges it necessary, he/she will become involved and help resolve a behaviour issue. The vast majority of issues will be resolved at this point.
2. Minor misbehaviour should be dealt with by the class teacher/teacher on yard duty by way of warning and/or advice in the first instance. The pupils will be spoken to directly at an early stage and in many cases the issue is resolved at this point. Any sanctions applied will be in line with the school's Code of Behaviour.
3. Should the issue not be resolved, the advice of the Principal/Deputy Principal will be sought. This may result in a meeting with the class teacher and the Principal/Deputy Principal. The Principal will more than often not be involved in minor incidents of inappropriate behaviour. The Principal, may however may note of matters and offer advice at any time to members of staff dealing with inappropriate behaviour of any sort. In general sanctions will be associated with the misbehaviour e.g. misbehaving at PE may mean missing out on PE, not handing up homework may mean completing the work during break time, inappropriate behaviour in the school yard may mean sitting out for five minutes.
4. Non teaching staff such as SNAs, caretaker, cleaner, administration staff are asked to report any reports of inappropriate behaviour observed by them or mentioned to them, to the relevant class teacher and/or the principal.
5. The Principal should be informed of all persistent minor misbehaviours and the Principal will determine whether the matter will continue to be investigated by the class teacher or the Principal.
6. The Principal should be informed immediately of all observed/reported serious breaches of the code of behaviour. The Principal will determine whether the matter will continue to be investigated by the class teacher or the Principal.
7. Written reports and records will be kept of incidents reported using a standard template form on the Aladdin system by the class teacher.
8. Parents and Guardians will be kept informed of and consulted on all persistent breaches of code of behaviour and on serious breaches of the code of behaviour.
9. In addition to the application of sanctions for a breach of the code of behaviour support will also be offered/provided. This may include support for an individual, small group support, whole class support and/or whole school support. This could also include lessons dealing with respect, self esteem, bullying etc

## Strategies to Prevent Escalation of Misbehaviour

- A non-verbal signal such as a look or a frown
- Change in tone of voice
- Stop speaking and wait for attention
- Increased teacher proximity
- Overlook or ignore the undesirable behaviour
- Move the child to another seat
- Carrying out a useful task within the school
- Speak to the child, remind the child of the rule which is being broken and encourage him / her to keep the rule.
- School value reminder card
- Visual supports – social stories, wait cards, timers
- intervening early at the first signs of stress, distress or agitation
- explicitly explaining, teaching and prompting expected behaviours and procedures. Being clear about boundaries and rules in and around the school and classroom
- demonstrating a supportive approach through facial expressions and body language
- responding flexibly by adapting to the specific situational factors that may increase behavioural risk
- speaking calmly and clearly, even when a risk situation is emerging
- providing students with reasonable options; working in a solution focused way

## Strategies following Escalation of Misbehaviour

- Distraction with other task, job or activity
- Allow pupil time to regulate
- Offer sensory break in sensory room
- Refer to techniques and follow strategies taught during Wellbeing/Emotional/SPHE lesson

## Sanctions

The purpose of sanctions and other strategies is to promote positive behaviour and to discourage misbehaviour. Sanctions will be applied according to the gravity of the misbehaviour, with due regard to the age and emotional development of the child and teacher judgement of each individual situation.

Phase 1 Sanctions	
<ul style="list-style-type: none"> <li>• Verbal reprimand (including advice on how to improve)</li> </ul>	<ul style="list-style-type: none"> <li>• Reasoning with pupils including advising them about the consequences of their actions</li> </ul>
<ul style="list-style-type: none"> <li>• Value reminder cards /posters</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary removal from peers/group (within the class or on the yard)</li> </ul>
<ul style="list-style-type: none"> <li>• Reflection sheet to complete in school or for homework</li> </ul>	<ul style="list-style-type: none"> <li>• Reflection sheet to be signed by parent/Note in diary/Aladdin App from class teacher to be signed by parent</li> </ul>

Phase 2 Sanctions	
<ul style="list-style-type: none"> <li>• Supervision during lunch break in designated area</li> </ul>	<ul style="list-style-type: none"> <li>• Time out in another class/room/sensory room</li> </ul>
<ul style="list-style-type: none"> <li>• Verbal communication with parents/guardians</li> </ul>	<ul style="list-style-type: none"> <li>• Prescribing extra work</li> </ul>
<ul style="list-style-type: none"> <li>• Withdrawal of privileges, responsibilities or extra duties</li> </ul>	<ul style="list-style-type: none"> <li>• Recording instances of repeated misbehaviour on School Administrative System</li> </ul>
<ul style="list-style-type: none"> <li>• Referral to the Principal</li> </ul>	

Phase 3 Sanctions	
<ul style="list-style-type: none"> <li>• Formal written communication with parents/guardians</li> </ul>	<ul style="list-style-type: none"> <li>• Formal meeting with parents/guardians</li> </ul>
<ul style="list-style-type: none"> <li>• Referral to the Principal and the members of the Board of Management</li> </ul>	<ul style="list-style-type: none"> <li>•Suspension (LMETB Suspension and Expulsion Policy &amp; Procedures applies)</li> </ul>
<ul style="list-style-type: none"> <li>• Expulsion (LMETB Suspension and Expulsion Policy &amp; Procedures applies)</li> </ul>	

## ***Faughart Community***

## ***National School***

**UNDER THE AUSPICES OF**

**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 acknowledges 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 *Faughart Community National School* 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. *Faughart Community National School* 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. *Faughart Community National School* recognises the Right to Appeal pursuant to Section 29 of the Education Act.

2.4. In regard to informing the Education Welfare Board, *Faughart Community National School* affirms its statutory obligation pursuant to section 21 (4)(a) of the Education Welfare Act.

2.5. *Faughart Community National School* affirms that data collected in relation to students and parents is in compliance with the Data Protection Acts 1988 to 2018.

### 3 Suspensions

- 3.1 The Board of Management of *Faughart Community National School* 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 *Faughart Community National School* may delegate this authority to the Principal of *Faughart Community National School*. 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 *Faughart Community National School* recognises that suspension is only one strategy within the Code of Behaviour in response to inappropriate behaviour.
- 3.4. *Faughart Community National School* 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. *Faughart Community National School* works closely with parents to assist a suspended student to rejoin the school community successfully.
- 3.5 *Faughart Community National School* 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 *Faughart Community National School* affirms that all suspensions must be notified to the Board of Management of *Faughart Community National School*.

3.7 *Faughart Community National School* affirms that the Education Welfare Services of the Child and Family (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. *Faughart Community National School* 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 *Faughart Community National School* 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 *Faughart Community National School* affirms that students attending the school may be suspended as follows pending investigation and / or discussion with parents. The following 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 *Faughart Community National School* 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 Faughart Community National School. 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 *Faughart Community National School* 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 *Faughart Community National School* 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 defacto expulsion.

## 5 Procedures in respect of Suspension.

5.1 Louth and Meath ETB affirms that *Faughart Community National School* 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 *Faughart Community National School* 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 *Faughart Community National School* 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 *Faughart Community National School* 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 or 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 *Faughart Community National School* 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 *Faughart Community National School* 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](http://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 Faughart Community National School.
- 8.2 Expulsion should be a proportionate response to the student's behaviour. Faughart Community National School acknowledges that expulsion of a student is a very serious step and one that should only be taken by the Board of Management of Faughart Community National School in extreme cases of unacceptable behaviour.
- 8.3 The Board of Management of Faughart Community National School affirms that Faughart Community National School 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, school 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 Faughart Community National School 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 *Faughart Community National School* 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 *Faughart Community National School* 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 Faughart Community National School 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 Faughart Community National School 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 Faughart Community National School 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 *Faughart Community National School* 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 (Tusla) 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 for 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 for 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](http://www.education.ie).

## 15 Review of use of Expulsion

15.1 The Board of Management of *Faughart Community National School* 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 *Faughart Community National School* will 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 from its official adoption by the Louth and Meath Education and Training Board and Faughart Community National School 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.

## 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;



## **5. Consistency in Application of the Code of Behaviour at Faughart CNS**

If it is important that the Code of Behaviour is applied consistently by all staff at the school. Training on the Code of Behaviour will be provided to pupils/staff and parents/guardians regularly. Discussions on implementation of the Code of Behaviour will take place at staff meetings. Written reports and records will be kept of incidents reported using a standard template form.

Underlying this reporting should be an ongoing positive two-way relationship between parents/guardians and the school that fosters good communications and maintains high levels of parental involvement in the interests of the child.

## **6. Accessing copies of the school's Code of Behaviour**

A copy of the school's Code of Behaviour will be available to download on the school's website [www.faughartcns.ie](http://www.faughartcns.ie). A hard copy of this policy will also be available on request from the school's main office.

## **7. Monitoring and Review of this Policy**

This policy will be reviewed annually or as required by legislation or Department of Education and Skills Circular.