



Educate
Together



Behaviour Code of ETSS Wicklow (ETSSW)

School Address: The Glebe, Wicklow Town

Roll number: 68345R

School Patron/s: Educate Together

INTRODUCTION

ETSSW is an inclusive, equality-based school operating under the patronage of Educate Together. Educate Together schools are co-educational, democratically run, child-centred and equality-based. ETSSW strives to create a safe and happy school environment promoting inclusion, honesty, dignity and respect. We want to inspire all of our students to pursue excellence both academically and in the interests they follow.

The mission statement of ETSSW is:

We are a school where students grow in diversity and democracy, as independent thinkers and lifelong learners, as citizens promoting dignity and fairness for all.

AIMS

- To develop a caring environment, a strong sense of identification in terms of our values and a strong sense of pride for what we stand for as a school;
- To provide a framework supported by all school partners, where the principles of fairness and natural justice apply to all aspects of school life;
- To ensure the efficient and effective operation of the school;
- To promote respect for each individual and for the school environment;
- To encourage self-discipline, consideration, respect and tolerance towards others;
- To promote interpersonal skills which help students work co-operatively, solve problems and resolve conflict situations;

- To provide clarity to everyone in the school community regarding the standards of behaviour expected by the school;
- To help students recognise the effect of their actions and behaviour on others;
- To help students understand that they have choices about their own behaviour and that all choices have consequences;
- To help students learn to take responsibility for their behaviour;
- To provide a safe and secure environment where students can reach their full potentials.

THE CODE OF BEHAVIOUR IS CONNECTED TO THE FOLLOWING SCHOOL POLICIES:

- The Child Protection Policy
- The Child Safety Statement
- The Anti-Bullying Policy
- The Substance Misuse Policy
- Health & Safety Policy
- Attendance Policy
- ICT Policy
- Social Media Policy

PRINCIPLES OF NATURAL JUSTICE

ETSS Wicklow is required by law to follow fair procedures - this Code of Behaviour has been drawn up with reference to the Tusla Guidelines and according to the principles of natural justice:

In the case of investigations into alleged breaches of the code, every student will have:

- (a) the right to be heard:** this includes the right to know that the alleged misbehaviour is being investigated and to know the details of the allegations being made and any other information that will be taken into account. The student must know how decisions will be reached and have the right to respond to allegations. In situations where the possible sanction is of a serious nature, the student has the right to be heard by the decision-making body.
- (b) the right to impartiality:** Freedom from bias entails ensuring that a person with an interest in the matter is not involved in the investigation or decision-making. If a person has pre-conceived opinions, a vested interest or personal involvement in the matter, they should not attempt to settle that matter. An impartial process is one that allows a decision to be made based on an unbiased evaluation of information and evidence.

BEHAVIOUR CODE PROVISIONS

Section 1.0: School Values

We ask all members of the school community to model politeness, courtesy and respect in their interactions in the school community and we expect a strong standard of loyalty from everyone to our school values. Our school values apply at all times during school life - in the classroom, on school excursions, on the way to school, returning home and in all electronic communications.

Section 1.1: Expectations for Students

- Work to the best of their ability
- Be guided by the advice and help of the staff and management
- Show respect for themselves and others
- Show care and respect for their own property and the property of others
- Show personal responsibility
- Help create a safe and caring environment where everyone can reach their full potential
- Show kindness to others

- Be fair
- Look for respectful ways of resolving difficulties and conflict
- Show forgiveness
- Have a good attendance record
- Be punctual
- Have all necessary materials for each class
- Work to the highest standards
- Participate in school activities and make the most of school life
- Use all school facilities respectfully (classrooms, toilets, grounds)
- **Do not bring valuable personal objects to school** (e.g. jewellery, mobile phones etc...) or large sums of money - the school will not be responsible for any such items brought to school by students

Section 1.2: Promotion of a Positive Learning Environment

ETSSW promotes self-discipline and a positive learning environment through encouraging and rewarding positive behaviour. Records of positive initiatives by students can be recorded by teachers in the VSWare system, allowing teachers to recognise the great contributions of students to school life. This positive school environment is created by:

- Setting high expectations for student behaviour
- Encouraging students to work to the best of their ability at all times
- Nurturing students as leaders
- Encouraging a happy school atmosphere
- Establishing class routines
- Providing positive feedback
- Communicating with parents/guardians
- Meetings with class groups and year groups
- Regular reports
- Celebrating with **Awards Night** in May
- School publications
- School website
- Celebrating student work through displays
- Provision of extra-curricular and co-curricular activities
- Requiring students to have appropriate materials for all subjects
- Rewarding and recognising good practice in numerous ways, including:
 - (a) Positive comments by teachers
 - (b) Notes home in the school journal
 - (c) A phone call home to parents recognising students' efforts
 - (d) Fun events in school e.g. quizzes, variety show, etc...
 - (e) Certificates recognising student achievement e.g. student of the month awards
 - (f) End of term celebrations

Section 1.3: Role of Parents/Guardians

Parents/guardians are responsible for emphasising the need for good behaviour and the importance of supporting the school's efforts to create and maintain a school climate where effective learning and teaching can take place. Parents/guardians are expected to work with the school in resolving any issues which arise.

Section 1.4: Role of the Subject Teacher

ETSSW encourages good relationships between staff and students. Teachers bring their professional abilities as teachers and classroom managers to promote learning and positive behaviour within the school community.

Breaches of discipline such as hindering teaching and learning, failure to do homework, not bringing in the correct resources and arriving late for class are in the first instance dealt with by the teacher.

In dealing with such issues, the teacher may employ strategies from the following range of options:

- A plan of measures in place to work through issues informally (e.g. informal discussions, explaining class rules, setting targets, warnings ...);
- A plan of measures in place for formal responses (e.g. change of seat, extra work, contact with parents, teacher detentions ...);
- Referral to Year Head or Deputy Principal for continued breaches of the code despite all reasonable efforts of subject teacher to resolve issues through informal and formal classroom management plans;
- Immediate referral directly to Year Head or Deputy Principal in the event of serious breaches of the Code of Behaviour inside or outside the classroom;

Section 1.5: Role of Year Heads and the Deputy Principal

The role of Year Heads and the Deputy Principal, in conjunction with subject teachers and the Principal, is to coordinate the implementation of the **Code of Behaviour**:

- Liaise with subject teachers and each other in dealing with persistent minor breaches of the **Code of Behaviour** or with a single serious breach of the code;
- Request regular reports/updates from subject teachers
- Meet parents/guardians/support services as necessary;
- With the permission of parents/guardians, contact previous schools (primary & secondary) and agencies involved with the student (past & present);
- Put the student on progress report;
- Put the student on report book;
- Organise a core team of teachers to work with the student concerned;
- Create an individual behaviour plan (IBP) and/or a student support plan (SSP);
- Draw up a contract with the student;
- Organise structured breaks (friends can be invited) where free time is the central cause of problems with the Code of Behaviour;
- Detain with prior notice given to parents/guardians (giving appropriate work/study with an educational basis for the period of detention);
- Organise training programmes for students aimed at (i) facilitating changes of attitude;
- (ii) reading the Code of Behaviour; (iii) working towards more successful educational experiences in the school; (iv) developing life skills/social skills;
- Conduct investigations and make recommendations about sanctions;
- Consult and inform the Principal on serious issues.

Section 1.6: Role of the Principal

The role of the Principal is to coordinate the implementation of the Code of Behaviour, specifically:

- Oversee the effective application of the Code of Behaviour throughout the school;
- Provide support and advice to the Deputy Principal, Year Heads and subject teachers;
- Consult with Deputy Principal and Year Heads about serious behavioural issues;
- Where appropriate, take a lead role in resolving serious breaches of the Code of Behaviour;
- Meet with parents/guardians/support services as required;
- Ask parents/guardians to obtain a psychological report or with their permission, refer the student to counselling or to an outside agency if this is deemed an appropriate means of supporting the student;
- In most serious cases, refer the student to the Board of Management with a recommendation for a suspension or expulsion;
- Lead the consultation process in the periodic review and development of the Code of Behaviour including students, parents/guardians and staff, under the direction of the Board of Management.

Section 2.0: Level of Awareness of Code of Behaviour at ETSSW

Students and parents/guardians are asked to read the Code of Behaviour before a child joins the school and both sign a form to indicate that this has been done. In inductions, students are given clear guidance on classroom rules and on how the Code of Behaviour works in practice through a set of key rules included in the school journal. Additional reminders take place in information sessions in tutor time, through awareness discussions in class assemblies and whenever needed in the ordinary course of school life. Students understand that the teaching staff and school management implement an agreed approach to behaviour management.

Section 2.1: Unacceptable Behaviour (Non-exhaustive list)

- Behaviour that is hurtful and/or harmful to members of the school community (including [a] bullying in all its forms at school or online, inside or outside of school hours; [b] harassment; [c] discrimination; [d] victimization)
- Behaviour that interferes with the quality of teaching and learning at the school
- Behaviour that interferes with the ability of other students to work effectively
- Behaviour that interferes with the work of other students during assessments, revision classes or exams
- Behaviour that compromises the psychological and/or physical safety of others
- Attacking another person (hitting, striking, kicking) or aggressive gestures towards others such as simulating an attack
- Bringing laser pens/pointers, pellet guns or any other instrument or device that may cause harm to a member of the school community
- Physical injury to others
- Damaging or attempting to damage school property or the property of any person(s) in the school community
- Truancy or leaving the school without permission
- Refusal to comply with a school policy or policies
- Possessing, consuming or distributing illegal substances
- Smoking and/or vaping
- Poor attendance and/or poor timekeeping
- Theft
- Lying or giving false information about incidents under investigation
- Bringing the school and/or the Code of Behaviour into disrepute
- Ongoing issues with homework (non-completion or partial completion)

Section 2.2: Policy re. Searches

- The school reserves the right to search the possessions of any student suspected of prohibited items such as drugs, weapons or alcohol
- The school will confiscate any items found and organise their disposal
- Students will be present during such searches and present their possessions (items in bag, pockets and locker)
- In cases where consent for a search is refused, authorities may be called to carry out the search

Section 2.3: Range of Sanctions for Unacceptable Behaviour (Non-exhaustive List)

- Verbal reprimands
- Additional written tasks (with educational value)
- Removal from the group activity to individual task (within a class group)
- Withdrawal of privileges
- Withdrawal from the particular lesson or peer group
- An individual programme for a specified period of time
- Carrying out a useful task in the school
- Detention
- Structured/Semi-Structured/Semi-Independent Break Times
- School community service
- Formal report to the Board of Management
- Suspension (in-school or out of school) and/or expulsion

Section 2.4: Strategies to Assist Students in Achieving Better Behaviour (Non-exhaustive List)

- Phoning parents/guardians
- Meeting parents/guardians
- Student put on report book programme for a set period of time
- Development of **Individual Behaviour Plans (IBPs)** and **Student Support Plans (SSPs)**
- Behaviour plans for class (if issue is a class group matter)
- Regular check-in meetings allowing opportunities to acknowledge improvements
- Training sessions
- Opportunities for the student to advocate for privileges to be restored where progress is evident as a result of a plan in place
- Working with a restorative justice approach where possible
- In-school counselling support
- Check-ins with member of support team
- SNA support
- Appeals Board (three person panel – P/DP/Year Heads)

Section 3.0: Attendance & Punctuality

- Regular attendance is expected and encouraged
- The school authorities have the discretion to allow for extenuating circumstances that have negatively affected attendance and punctuality
- The school authorities have the discretion to develop and improve systems for encouraging better attendance and punctuality according to the needs of the school

- If a student is going to be absent from school, families are asked to contact the school at the earliest opportunity. If no explanation has been received from the family, the school may contact the family by SMS and/or phone. At the latest, the student must provide a written note on their return to school in space provided in the **school journal** – confidential information can be communicated directly to the school management by email, by sealed letter, by telephone or by contact with the school office: reception@etsswicklow.ie
- The school is to be informed of medical and dental appointments at least one day in advance
- In the case of long-term absences, parents/guardians should notify school management by telephone, by email or in writing
- Students leaving the class to go to the toilet is an attendance issue if such requests are made too many times and become routine – students may normally use the toilets before 08.30 and at break times (morning break and lunch time). Students with a medical condition or in an urgent or emergency situation will be allowed to use the toilets as required and teachers will ensure that all students have access to toilets when needed – the general rule however is that all students should work to keep visits to the toilets to break times as much as possible
- Students out of class during lessons must have their school journals signed and timed by the relevant staff member
- Truancy is not tolerated and is seen as a serious breach of the Code of Behaviour

Section 3.1: Sanctions for Issues with Attendance & Punctuality

- Students who persistently fail to produce written notes when returning from being absent will be referred to school management for sanction
- Students who arrive late consistently will be subject to sanctions - if the situation persists, further more serious sanctions will be considered such as detentions/suspensions/appointments to discuss the situation with school management or the Board of Management
- If there is no improvement in attendance and/or punctuality over a prolonged period of time and despite the best efforts of the school to facilitate change, the Educational Welfare Officer will be notified
- Truancy, as a serious breach of the Code of Behaviour, will be dealt with directly by school management

Section 4.0: Care of the School

ETSSW is committed to maintaining a pleasant environment, free from litter and graffiti. Everyone at the school shares a responsibility for maintaining a clean and safe environment:

- Chewing gum is not allowed anywhere on school property
- Littering or graffiti are not acceptable
- Students are expected to respect the property of others and school property, including lockers
- Deliberate vandalism of school or student property is deemed a serious offence
- Students will have opportunities in projects and activities to help improve the school environment

Section 4.1: Sanctions for Damage to School Premises:

- Students will be required to make good any damage done to school property or to the property of other students, as well as facing potential serious sanctions such as suspension or even expulsion
- Any serious attempts to damage school property will lead to serious sanctions
- Students may also be asked to perform tasks in the school that deal directly with the misbehaviour (e.g. cleaning graffiti)

Section 5.0: Health and Safety

School is a place of safety for all. Everyone is encouraged to participate in creating awareness of health and safety issues within the school and at school activities away from the school.

- All forms of bullying are unacceptable at school or online and should be reported to a member of staff as per anti-bullying policy;
- Discrimination on grounds of gender (including transgender), family status, age, disability, sexual orientation, race, marital status, religion, and membership of the Traveller community is not acceptable at ETSS Wicklow;
- Safety notices are posted around the school buildings and should be adhered to at all times. Students are expected to be aware of these notices;
- Students are required to follow all safety instructions given by teaching or non-teaching staff;
- Students must pay attention to and obey all safety regulations. Science, PE, Art, Home Economics and lunch time sports activities all require a high level of awareness of safety;
- Interference with fire-fighting or any safety equipment, or any action that leads to the evacuation of the school is treated as a serious offence;
- The possession, consumption and/or supply of alcohol is expressly forbidden at all times and in all situations connected to school life – bottles of alcohol (full or empty) are not allowed on the premises;
- Cycling or skateboarding or scootering in the school grounds is strictly forbidden unless part of an agreed school activity - students must walk bicycles and carry skateboards and scooters in and out of the school to and from the designated areas;
- Bicycles must be locked at all times and never left in school when the school is closed - bicycles are parked in the school at the risk of the owners;
- Any behaviour which endangers the health and safety of any members of the school community is treated with the utmost seriousness by school management and the Board of Management;
- Any usage of technology or the internet which intrudes on the privacy and dignity of staff or the dignity of students and/or their families is deemed a serious breach of the school Code of Behaviour and/or Anti-bullying Policy. Students are reminded that the posting of offensive material or messages may result in the victim taking a legal case against the person who posted the material and/or the person(s) who control the account/site.

Section 6.0: Detention

A Teacher Detention (level one detention) is a sanction applied by subject teachers for reasons connected to classroom management (issues with homework/lateness/behaviour). The duration is fifteen minutes, and these detentions take place at lunchtimes;

A School Detention (level two detention) is a sanction applied by Year Heads, the Deputy-Principal or the Principal for a particular incident or particular incidents of serious misbehaviour, for patterns of misbehaviour in or out of class time and for any breaches of the Code of Behaviour judged to merit this sanction. Level two detentions take place for an hour or two hours on Wednesday afternoons;

A Management Detention (level three detention) is a sanction applied by the Deputy Principal or Principal for persistent behavioural issues or very serious breaches of the Code of Behaviour. These detentions take place on Saturday mornings and are four hours in length.

In the case of out of school hours detentions (Wednesdays and Saturdays), parents/guardians will be informed of the following:

- The reason for the detention
- The date, time and location of detention
- The work set for the detention (must be educational)
- Request for signature of a parent/guardian

Note: failure to attend detention without a satisfactory explanation is deemed a serious offence. Parents/guardians are expected to work with the school to put in place a suitable alternative arrangement if a student is unable to attend a particular detention for genuine reasons.

Section 7.0: Suspension

Grounds for suspension include:

- Serious disruption to the learning of others or the teaching process;
- Serious breach of a school policy;
- Threatening the safety of others (e.g. the student has assaulted another person/threatened violence or made inappropriate physical contact/the student has misused dangerous equipment);
- Causing serious damage or attempting to cause serious damage to property;
- Theft of property;
- Bringing the reputation of the school into disrepute;
- Serious breach of the Code of Behaviour;
- Truancy, including leaving the school grounds without permission or arriving excessively late due to wasting time;
- Showing gross disrespect to a member of the school community;
- Inappropriate use of technology;
- Inappropriate use of any social media platform or internet site;
- Repeatedly refusing to listen to instruction from staff;
- Smoking and/or vaping;
- Possession, consumption and/or supply of alcohol or evidence of drinking on the premises;
- Fraud – for example, forged notes or phone calls;
- Plagiarism;
- Cheating in exams;
- Behaviour, both inside or outside the school that affects the wellbeing and/or dignity of a member or members of the school community;
- Lying or giving false information about incidents under investigation;
- Bringing or using laser pens/pointers, knives, sharp objects, pellet guns or any other instrument or device that may cause harm to a member of the school community.

(Note: This is not an exhaustive list)

Section 7.1: Suspension Procedures (out of school suspensions)

1. The Principal or, in the absence of the Principal, the Deputy-Principal, has the authority to suspend a student. This sanction should be imposed with reference to the Code of Behaviour policy and to the specific incident or incidents;
2. Where an assessment of the facts confirms serious misbehaviour that could warrant suspension, the school will observe the following procedures:
 - (a) inform the student about the complaint and provide an opportunity to respond;
 - (b) Inform parents by telephone and give an opportunity to respond - where an immediate suspension is considered by the Principal to be warranted, arrangements need to be made for the student to be collected;

- (c) Issue an official letter from the school outlining the following:
 - The reason(s) for suspension;
 - The length and dates of the suspension;
 - If applicable, the provision for an appeal to the Board of Management;
 - The expectations in relation to work for the student while on suspension;
 - A statement of the importance of parental assistance in resolving the matter including any commitments to be entered into by the student;
 - Arrangements for the return of the student to school;
 - (d) organise a meeting with parent(s)/guardian(s) at the earliest opportunity if the facts are disputed and work out the path forward (clarifications, going through the evidence in place, further investigation, reduce the sanction ...);
 - (e) After a period of suspension, organise a meeting with parent(s)/guardian(s) and the student on the return day in order for the school to clearly outline expectations in relation to future behaviour and introduce planned supports, for the family to make commitments to work with the school to ensure better behaviour in future and for restorative justice to be employed where applicable;
3. The Board of Management will be informed if the suspension is for six or more school days or if the student has been suspended for an aggregate of twenty or more days in the school year;
 4. The Child and Family Agency (TUSLA) will be informed if the suspension is for **six or more school days** or if the student has been suspended for an **aggregate of twenty or more days in the school year**.

Section 7.2: Period and Type of Suspension

In imposing a suspension and in deciding its duration, the following factors will be considered:

- (a) The seriousness of the particular breach/breaches of school regulations;
- (b) The severity of the behaviour, the frequency and the likelihood of its recurring;
- (c) The behaviour of the student up to the time of suspension;
- (d) Previous interventions;
- (e) The age, state of health and special needs of the student;
- (f) The possible negative impact of the student's behaviour on other students in the school.

Section 7.3: Grounds for Removing a Suspension

A suspension may be removed in the following situations:

- (a) If the Board of Management decides to remove the suspension for any reason
- (b) The Secretary General of the Department of Education & Skills directs that it be removed following an appeal under section 29 of the Education Act 1998

Section 7.4: Appeals

- Parents/guardians (and students aged 18 years or more) may appeal a suspension to the Board of Management. They should furnish the Board in writing with full details of the appeal;
- If the parents/guardians are not satisfied with the decision of the Board of Management, they may appeal to the Department of Education and Skills under *Section 29 of the Education Act 1998*. Such an appeal regarding suspension can only be made where the suspension period brings the cumulative period of suspension to 20 school days or more in any one school year.

Section 7.5: Review of Use of Suspension

The Board of Management will review the use of suspension in the school at regular intervals:

- to ensure that its use is consistent with school policies;
- that patterns of use are examined to identify factors that may be influencing behaviour in the school;
- to ensure that the use of suspension is appropriate and effective.

Section 8.0: Expulsion

- Expulsion (Permanent Exclusion) is a sanction reserved for the most extreme cases of indiscipline or misbehaviour;
- The Board of Management has the authority to expel a student. A student is expelled when the Board of Management makes a decision to permanently exclude that student from the school, having complied with the provisions of Section 24 of the Education (Welfare) Act 2000
- Expulsion is the ultimate sanction available to the school. The grounds for expulsion may be similar to the grounds for suspension. Important factors are the degree of seriousness of a particular incident or the persistence of a behaviour or failure on the part of the student to change a behaviour following other interventions. Other considerations are the effect on other members of the school community and/or the good name of ETSS Wicklow;
- Extreme cases of unacceptable behaviour include (this is not an exhaustive list):
 - (a) Persistent significant disruption to the learning of others which has not changed despite positive initiatives to turn the behaviour around and escalating sanctions as the behaviour continued;
 - (b) The student's continued presence in the school constitutes a real and significant threat to the safety and wellbeing of others;
 - (c) The student is responsible for serious damage to property;
 - (d) The student is responsible for serious physical, emotional or psychological damage to a member or members of the school community (intimidation/threats/threatening behaviour ...)
 - (e) A single extremely serious breach of the Code of Behaviour - expulsion may be recommended in the event of such behaviours as listed below:
 - Violence or assault against a member or members of the school community (the school reserves the right to contact An Garda Síochána in cases of infringement against the law of the land);
 - A serious threat of violence against a student or students or member(s) of staff (the school reserves the right to contact An Garda Síochána in cases of infringement against the law of the land);
 - Possession, consumption and/or supply of alcohol and/or illegal drugs on the school premises or during school-related activities/excursions (the school reserves the right to contact An Garda Síochána in cases of infringement against the law of the land);
 - Behaviour, both inside school or outside the school grounds that brings the name of the school into disrepute (e.g. behaviour while going to or from school, on school tours or during activities outside the school, in the use of the technology inside and outside school hours);
 - Disregard of the Code of Behaviour to the point of bringing it into disrepute;
 - Being unmanageable to the point of undermining the ability of management to maintain order in the school;
 - Any usage of technology or the internet which intrudes on the privacy and dignity of staff or the dignity of students and/or their families.
 - Possession or distribution of pornographic images

Section 8.1: Expulsion Procedures

1. A detailed investigation will be carried out under the direction of the school management;
2. Parents/guardians will be informed in writing that the alleged misbehaviour could result in expulsion;
3. Both parents/guardians and students will be given the opportunity to respond;
4. Where expulsion may result from an investigation, a meeting with the student and their parents/guardians will be arranged to provide an opportunity for them to give their side and to ask questions, especially where there is a dispute about the facts. It may also be an opportunity for parents/guardians to make their case for modifying the sanction, and for the school to explore with parents/guardians how best to address the student's behaviour;
5. If parents/guardians and the student fail to attend a meeting, the principal will write advising them of the gravity of the matter and reschedule the meetings - if this plan does not work out, the family will be informed that the duty of the school authorities is to make a decision in response to the inappropriate behaviour;
6. Where school management forms a view that expulsion may be warranted, a recommendation to expel the student will be made to the Board of Management;
7. School management will inform the parent(s)/guardian(s) and the student that the Board of Management is being asked to consider expulsion and ensure the following:
 - (a) that the parent(s)/guardian(s) has/have all documentation related to the upcoming hearing;
 - (b) that the parent(s)/guardian(s) know the date of the hearing and are invited to attend;
 - (c) that the parent(s)/guardian(s) have enough notice to allow them to prepare for the hearing;
 - (d) that the parent(s)/guardian(s) are aware they are entitled to make written and oral submissions.

Section 8.2: Expulsion Hearings

1. When a hearing is requested by school management, the Board should undertake its own review of all documentation and the circumstances of the case;
2. The Board will ensure that no injured party from any case or person involved in the investigation of that case will be part of the Board's deliberations in deciding whether to go ahead with the expulsion hearing;
3. The Board of Management will consider the recommendation for expulsion in the light of this review and decide whether to proceed with a hearing or return the matter to school management;
4. In the event of a hearing, the following protocols will apply:
 - Chairperson will check that all parties are present
 - Chairperson will point out important rules (e.g. listening to the person who is speaking without interruption, being respectful at all times)
 - Chair will check that both parties have had access to all documents

 - The school management representative will present the case for expulsion
 - The family can respond with any questions
 - The family will be asked to present to the Board - this can be a written statement, an oral submission, a character reference, making a case for a lesser sanction, pointing out any mitigating circumstances, explaining any initiatives which have been taken that are likely to improve behaviour in future or any other evidence that is helpful for the Board in making its determination
 - The school management representative can respond with any questions
 - The Board of Management can ask questions to both parties

- Both parties will be asked whether they feel it has been a fair hearing and given an opportunity for any last clarifications/questions
 - Both parties and any party on the Board who has had an involvement in the case (e.g. in such cases where a teacher representative on the Board was involved in the investigation) will be asked to leave while the Board deliberates
5. For students aged eighteen or over, they have the right to put their own cases to the Board if they choose;
 6. The key requirement for the Board of Management is to be impartial and to be seen to be impartial in such hearings;
 7. Parents may wish to be accompanied at hearings and the Board will facilitate this, in line with good practice and Board procedures.

Section 8.3: Board of Management Deliberations and Actions Following a Hearing

1. In the deliberations, the Board has to decide whether or not the allegation(s) is/are substantiated and, if so, whether or not expulsion is the appropriate sanction;
2. 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 communicate its decision in writing to the parents and outline the next phase of the process involving the Educational Welfare Officer;
3. The Board must notify the Educational Welfare Officer immediately in writing of its opinion and the reasons for this opinion as per ***The Education (Welfare) Act 2000, section 24(1)***;
4. The Board of Management will not effect exclusion within 20 days of the Educational Welfare Board being notified. Suspension may be applied for this period. Work will be provided for the student during any suspension period;
5. Following the twenty-day notification period and intervention of the Educational Welfare Officer, and where the Board remains of the view that the student should be expelled, the Board will formally confirm the decision to expel in writing;
6. Parents/guardians and the student will be informed of the right to appeal under ***The Education Act 1998 Section 29*** and supplied with the standard form.

Section 8.4: Section 29 Appeals

A parent, or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the Department of Education and Skills (***Education Act 1998 Section 29***).

Section 8.5: Review of Use of Expulsion

The Board of Management will review the use of expulsion in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school and to ensure that use of expulsion is appropriate and effective.

Section 9.0: School Records

Information relating to students is kept in a secure location in accordance with ***The Data Protection Act 1988*** and ***The Data Protection (Amendment) Act 2003***.

Section 10.0: Review and Evaluation of Code of Behaviour – every year.

The Board of Management carried out this review on Thursday 16 December 2021.

The next planned review: **2022-2023**