



LARGY COLLEGE

COLÁISTE LEARGA

Clones, Co. Monaghan, Ireland

PRINCIPAL: Ms. Sharon Magennis – DEPUY PRINCIPAL Mr. Michael Killen
Telephone: 047 51132 E-Mail: info@largy.ie Fax: 047 51375 Website: www.largy.ie

Code of Behaviour for students attending Largy College

Preamble

Largy College expects its students to conduct themselves with behaviour of the highest standard. The rules and regulations of the College are clear and strictly enforced. No student will be permitted to disadvantage another or to interfere substantially with the constitutional right of all students to education.

This code of Behaviour has been adopted by the teaching staff, the Board of Management and sanctioned by the Governing Body.

1. *The right to education in a calm and productive environment.*

- (a) An adequate Code of Behaviour is vital for the efficient organisation of a school. It is a matter for the College authority to ensure that a fair and efficient Code of Behaviour prevails within the College.
- (b) Effective learning requires a high level of attentiveness and participation on the part of students and a ready acceptance of the rules governing behaviour within Largy College.
- (c) The ethos of a school is a major factor in establishing and maintaining high standards of behaviour and discipline. This will involve a strong sense of community within Largy College and a high level of co-operation among staff and between staff, students and parents.
- (d) Largy College should be viewed as an extension of the home and thus it should reflect the characteristics of a good home. It should provide a caring, concerned and supportive environment for all within the College community.
- (e) Parents and a supportive home environment play a crucial role in shaping the attitudes which produce good behaviour in the College.
- (f) Societal problems arising from rapid changes in lifestyle and the pressures of modern living can adversely affect discipline in schools. The absence of a clear consensus in society and among parents as to what constitutes appropriate behaviour makes it more difficult for teachers to maintain high standards of discipline.
- (g) The overall responsibility for behaviour within Largy College rests with the Principal, subject to the authority of the Board of Management. Each teacher has responsibility for the maintenance of discipline

within his/her class while sharing a common responsibility for good order within the College premises and its environs.

- (h) The creation of an ordered atmosphere in which teaching can be carried out and where learning takes place is the goal of every teacher. The individual teacher in the classroom must be seen by the students as the controller of classroom activity and the College discipline system must be seen as supportive of this role.
- (i) In devising this Code of Behaviour, consideration has been given to the particular needs and circumstances of this particular College. The aim is to provide a framework for reasonable and responsible behaviour by all concerned, staff, parents and students alike, and to ensure that every reasonable effort is made to accommodate the individuality of each student, while acknowledging the right of all students to an education in a disruption free environment.
- (j) Age, range of abilities, levels of aspiration of students, as well as particular demands of certain classes and classrooms, such as laboratory classes and classes in other specialist rooms (e.g. Health and Safety standards), are factors that have to be taken into account in classroom discipline.
- (k) Largy College, in recognising the variety of differences that exists between students, will strive to accommodate these differences. All reasonable efforts will be made to match the curriculum to the abilities, aptitudes and interests of each student.
- (l) Largy College, in so far as resources are available, will endeavour, through provision of counselling, compensatory education and pastoral care, to facilitate and foster good behaviour and where appropriate, outside support services will be sought.
- (m) Parents have a responsibility to familiarise themselves with the Code of Behaviour and to co-operate with the College with regard to the administration of the relevant rules and regulations.
- (n) A high level of co-operation and an adequate **two-way flow of information** between the College and parents is essential for the maintenance of good behaviour and discipline.
- (o) An effective Code of Behaviour serves primarily the student. It is vital in the social context - students are required to behave appropriately and to recognise the rights of others. The student, as well as having rights, has duties and obligations.

Disciplinary Procedures

2. Preamble

The College places greater emphasis on rewards than on sanctions in the belief that this will in the long run give the best results. Therefore, positive techniques of motivation and encouragement will be utilised by teachers. However, despite the best efforts of teachers, a minority of students will present ongoing behavioural problems. The purpose of the Disciplinary Procedures is to ensure that these students conform to the accepted Code of Behaviour within a short period of time. Consequently it is necessary to have a sanctions procedure. Central to the disciplinary procedures outlined below, will be a recording of serious instances of misbehaviour of students by teachers and also of improvements in the behaviour of such students.

(A) Immediate and firm reprimand by the teacher-in-charge of class or by the teacher present on any other occasion should be the general procedure for a single minor incident of indiscipline. The breach of discipline should be recorded by the teacher.

(B) If there is a repetition of the misconduct, then the student should be interviewed privately by the teacher and the following strategies may be used:-

- Reasoning with the student.
- Reprimand (including advice on how to improve).
- Temporary separation from friends within the classroom.
- Prescribing additional work.
- Communication with parents, initially by using the homework journal.

In the event that the above strategies are not working, the matter should be referred to the Year Head using the forms provided.

YEAR HEAD:

(C) For repeated incidents of misconduct the student may be put on lunchtime detention, or on Report, or on both, initially for one, two or three days; then for a week. The Year Head, Deputy Principal or Principal may interview the student in private and stress the seriousness of his/her present position.

(D) If an improvement in the student's behaviour is not shown, then the parents will be informed of this in writing or in person by the Year Head, Deputy Principal or Principal and the student put on after school detention for one hour.

(E) If further action is necessary, the parent(s) may be required to meet with the Year Head, Deputy Principal or Principal and/or teacher in

question at the College to discuss the student's conduct. The student may also be requested to attend. The **active co-operation of the parents** towards improving the student's behaviour will be sought. The student may be suspended for a period pending this discussion.

- (F) If it is necessary to request the parents to meet with the school authorities on a second occasion, the student may be suspended for a temporary period. An undertaking that the student will behave in an acceptable manner in the future will have to be given by student and parent(s). This undertaking will be reviewed on an ongoing basis to ensure conformity with accepted Code of Behaviour.
- (G) In the event of the parent(s) or the student failing to give an acceptable undertaking, the Principal/Deputy Principal will inform the parent(s) by letter that the student cannot be re-admitted until such an undertaking is given.
- (H) For serious misbehaviour inside or outside the classroom, e.g. Disregard for School Rules, Fighting, Vandalism, Insolence etc. - immediate suspension may be imposed. A written assurance that such behaviour will not recur must be given by parent(s) and student. Deliberate damage to property must be made good. If such assurances are not forthcoming, the Principal may suspend the student until such time as these assurances are given in accordance with the procedures in 2F.
- (I) For less serious misbehaviour outside the classroom, the procedures as outlined for classroom conduct will be followed.
- (J) For gross misbehaviour or repeated instances of very serious misbehaviour (as in 2H), the Principal/Deputy Principal may sanction immediate suspension and pending a discussion of the matter with the parents, the Principal may recommend expulsion. Aggressive, threatening or violent behaviour (including foul language) towards a teacher is regarded as serious or gross misbehaviour.
- (K) Where misbehaviour is such that the Principal/Deputy Principal is of the opinion that it clearly puts the safety of others at risk or where the behaviour is so disruptive as to interfere substantially with the constitutional rights of others to education, expulsion may be recommended.
- (L) Because expulsion has such serious consequences, the student and parents should get a fair hearing before the decision to expel is recommended. Accordingly, a period of suspension should be imposed while consideration is being given to expulsion. The matter should be placed before the Board of Management at the earliest opportunity and the parents should be notified in writing of their right to meet with the Board or its nominee(s). Expulsion should be resorted to only in the most extreme cases of indiscipline and only after every effort of rehabilitation has failed and every other sanction has been exhausted. It should only be in this context of having provided an opportunity for a scrupulously fair hearing that any decision to expel should be taken by the Board.

(M) Parents of an expelled student shall have the right of appeal to the Governing Body of Largy College and ultimately to the Minister of Education. Section 29, Education Welfare Act

COLLEGE REGULATIONS REGARDING ATTENDANCE

1. Parents do **not** have discretion with regard to the attendance regulations for students. Both parent and student signed an enrolment form agreeing to abide by the College regulations. In addition, it is a legal requirement that students under a certain age must attend school. The National Education Welfare Board will be notified if students do not attend regularly.

2. All absences must be accounted for in writing.

If such is caused by illness, then a note (on Largy College absence note form), explaining same and submitted to the College when the student returns to school will suffice.

If the student's absence is predictable, then a note should be submitted in advance to the College authorities.

3. Students do not have permission to leave the College early unless a written request to do so is received in advance by the College authorities. This also applies to the taking of half days.

4. It is unreasonable to expect the College and its teaching staff to take responsibility for the education, welfare and physical safety of its students if those students are not in regular attendance at the College.

5. The College authorities are under legal and moral obligation not to sign Social Welfare Benefit forms to certify that a student is in full-time education at the College when such is clearly not the case.

Code of Dress & Neatness of Appearance

Largy College reflects the diversity of socio-economic backgrounds that exists in its catchment area. Some students cannot afford fashionable attire and, so as not to disadvantage such students further, the College believes that all its students should wear a uniform.

Furthermore, the College authorities wish to encourage a sense of community among its students and the wearing of a school uniform helps achieve these aims.

Students are required to wear full school uniform at all times.

Students are required to maintain a neatness of appearance commensurate with the fact that they attend a College of high standards. Therefore, hair should be neat and well groomed and fall within the natural colour range. Clothes should be clean and of an appropriate size. Excessive jewellery is not permitted. Students are permitted only to wear discreet earrings/studs (one per ear). Other facial jewellery is not permitted.

The Board of Management may impose further restrictions, within reason, so that the high standards that already exist in Largy College in this regard are maintained.

UNIFORM

The Uniform for Largy College consists of:

- Jade V-Neck Jumper with Crest.
- White Shirt with collar (polo shirts not permitted)
- Navy Blue Trousers/Skirt (appropriate length) i.e. standard uniform trousers (no variations)
- School Tie.
- Black flat leather type shoes (boots, platforms, pumps or canvas shoes are not permitted).
- Navy Dubarry type shoes **are permitted.**

The above will be on sale in shops in Clones. The complete uniform is **compulsory.**

1. Students are only permitted to go to lockers/toilets etc. at Break and at Lunch

Parents must check homeworks regularly and sign diaries on a daily basis.

MOBILE PHONES

The use of mobile phones is not permitted in school during class time. Mobile phones may only be used in school during break time and lunch time. Any phone that is used outside these periods may be confiscated for one week.

Illegal use of phones will result in confiscation by class teacher or member of staff and the phone may be held for one week by the Principal/Year Head.

Additional Notes

Examinations and reports

1ST YEARS **House Exams:** December and May
Reports: Mid 1st Term, Christmas, Summer

2ND YEARS **House Exams:** December and May
Reports: Christmas, Summer

3RD YEARS **House Exams:** Early 2nd Term (i.e. Pre's)
State Exams: (Junior Cert.) June
Reports: Christmas, March

**4TH YEARS
(TYP)** **House Exams:** May. Continuous assessment
E.C.D.L. Computer exam, TYP Modular tests.
Reports: Christmas, Summer

5TH YEARS **House Exams:** December and May
Reports: Christmas, Summer

6TH YEARS **House Exams:** Early 2nd Term (i.e. Pre's)
State Exams: (Leaving Cert.) June
Reports: Christmas and March

PRIZE GIVING: Prizes will be awarded to the best all-round student in each subject area on prize-giving day. Factors of consideration are: Attendance, Attitude, Homework, Effort, Neatness of appearance and Presentation of school and homework.

Separate awards are presented to each yearly cohort of students.

PHYSICAL EDUCATION, GAMES AND SPORTS

PE is compulsory for **all** students. Exercise is necessary for successful study and coping with examination stress and so PE remains compulsory during examination years (3rd and 6th).

All students are encouraged to participate in a wide range of games, sports and activities. It is desirable educationally and necessary socially.

It is a consequence that some minor disruption to classroom activities will take place as a result (as is the case in **all** schools). We therefore endeavour to hold inter-school competitions during 1st term.

Students are required to wear full school sports gear for all PE classes.

Students must be respectful of all sports equipment. Any deliberate damage will result in appropriate fines and sanctions as per general Code of Behaviour.

Students of Largy College must adhere to all policies that have been adopted by Largy College Board of Management and Cavan and Monaghan ETB. They include:

- Social Media Policy
- Homework Policy
- Anti Bullying Policy
- Educational Tours and Field Trips Policy
- Health and Safety Policy
- ICT Acceptable Usable Policy
- Basic School Rules

This list is not exhaustive.

Appendix 1 : Basic Rules

SUSPENSION AND EXPULSION POLICY AND PROCEDURES

1. Policy Statement

- 1.1. The suspensions and expulsions policy applies to all schools established and maintained by Cavan and Monaghan Education and Training Board.

2. Legal framework

- 2.1. Cavan and Monaghan 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 Largy College 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. Largy College 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. Largy College recognises the Right to Appeal pursuant to Section 29 of the Education Act.
- 2.4. In regard to informing the Education Welfare Board, Largy College affirms its statutory obligation pursuant to section 21 (4) (a) of the Education Welfare Act.
- 2.5. Largy College affirms that data collected in relation to students and parents is in compliance with the Data Protection Acts 1988 and 2003.

3 Suspensions

- 3.1 The Board of Management of Largy College 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 Cavan and Monaghan ETB to the Boards of Management of each of the schools under its control.
- 3.2 Cavan and Monaghan ETB recognises that the Boards of Management of Largy College may delegate this authority to the Principal of Largy College. 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 Largy College recognises that suspension is only one strategy within the Largy College Code of Behaviour in response to inappropriate behaviour.
- 3.4. Largy College 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. Largy College works closely with parents to assist a suspended student to re-join the school community successfully.
- 3.5. Largy College 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 students 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. Largy College affirms that all suspensions must be notified to the Board of Management of Largy College.
- 3.7. Largy College affirms that the Education Welfare Services of the Child and Family Agency (Tusla) should be Informed of suspensions in the following circumstances:
- Where the period of suspension is for 6 or more consecutive school days.
 - Where the aggregate number of days on which a student has been suspended /absent in any school year is 20 or more days.
- 3.8. Largy College 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 Largy College 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 Largy College affirms that students attending Largy College may be suspended as follows pending investigation and /or discussion with parents. The following list is not exhaustive:
- For serious misbehaviour
 - For an unacceptable level of repeated misbehaviour
 - For bullying, insulting, aggressive or violent behaviour towards others whether in person, by mobile phone or via social media or other electronic means; in the school, or when identifiable with the school
 - For the supply/possession /use of alcohol and /or illegal drugs
 - For the supply /possession /use of weapons/ hazardous materials
 - For behaviour that may be a danger to self or others
 - For racist behaviour /supply of racist behaviour/use of racist material
 - For behaviour that is contrary to the terms of the Equal Status Act 2000
 - For sexual harassment and/or the possession/supply /use of pornographic material.

- 3.10. Largy College 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 Largy College. 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. Cavan and Monaghan ETB recognises that the Board of Management of Largy College 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 Largy College 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 periods. Any such suspension would be regarded as a de-facto expulsion.

5 Procedures in respect of Suspension.

- 5.1 Cavan and Monaghan ETB affirms that Largy College 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. Cavan and Monaghan ETB recognises that the Board of Management of Largy College 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 Cavan and Monaghan ETB recognises that the Board of Management of Largy College 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.
- 5.3 Cavan and Monaghan ETB affirms the Boards of Management of Largy College 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 Largy College 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 Board of Management of <Insert Name> College.
 - The provision to appeal to Cavan and Monaghan ETB.
- 6.2 In the case where Parents do not agree to meet with the Principal, Cavan and Monaghan 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 Largy College decides to remove the suspension for any reason.

7 Appealing the suspension to the Board of Management

- 7.1 A parent/guardian has 7-10 days in which to lodge an appeal from the date of receipt of letter informing him/her of the suspension.

- 7.2 If the student appealing suspension is 18 years or older, he or she may appeal in their own right.
- 7.3 The grounds for the appeal must be made in writing to the Secretary of the Board of Management.

8 Procedures in respect of Suspension Appeal

- 8.1 Upon receipt of written correspondence concerning the suspension appeal, the Principal should:
- Inform the student and parents/guardians in writing that the Board of Management meeting is arranged to consider the suspension appeal
 - Ensure that parents/guardians, or a student aged 18 or over 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 the imposed suspension.
 - Provide the Board with the same comprehensive records as are given to the parents/guardians, or a student aged 18 or over.
 - Notify the parents/guardians/student over 18 in good time of the date of the hearing with the Board of Management and invite them to that hearing.
 - Advise the parents/guardians/student over 18 that they can make a written and oral submission to the Board of Management.
- 8.2 It is the responsibility of the Board of Management of <Insert Name> College to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures.
- 8.3 The Board of Management should undertake its own review of documentation and all circumstances of the case.
- 8.4 The Board of Management should ensure that no party who has had any involvement with the circumstances of the suspension is part of the Board's deliberations.
- 8.5 Where the Board of Management of Largy College decides to consider a suspension appeal for a student, it must hold a hearing and this meeting should be properly conducted in accordance with Board procedures.
- 8.6 Parents/Guardians may be accompanied at the Board hearing. The nature of appeal hearings is such that legal representation is not required. The Board Secretary should be informed in writing who shall be attending this meeting at least two days prior to the meeting taking place.
- 8.7 At the start of the meeting the Chairperson shall enquire whether any member has a conflict of interest in respect of the matter being considered by the Board. Where the Board is satisfied that a conflict of interest exists, the member(s) involved shall withdraw from the meeting.

- 8.8 At the hearing both the Principal and the parents/guardians, or a student aged 18 or over, will 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.
- 8.9 Once the Principal and the parents/guardians, or a student aged 18 or over, have made their cases, they will withdraw from the meeting.
- 8.10 When both sides have been heard the Board should ensure that the Principal and Parents are not present for the Board's deliberations.
- 8.11 Should the Board require the professional advice of the Principal, the Principal may be invited to return to the meeting briefly for that purpose only. While the Principal is present, there will be no discussion on the merits of the particular case being considered.
- 8.12 In the conduct of the hearing the Board must take care to ensure at all times that they maintain their impartiality between the Principal and the parents/guardians, or a student aged 18 or over.
- 8.13 In hearing and determining an appeal 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.

9 Board of Management deliberations and actions following the hearing

- 9.1 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 the imposed suspension is a proportionate sanction.

When the Board of Management having considered all the facts of the case, is of the opinion that the student should be suspended, the Board will instruct the school principal to communicate the decision of the Board of Management to the parents/guardians, or student aged 18 or over and to uphold the decision to impose a school suspension

10 Section 29 Appeal against Suspension

- 10.1 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.
- 10.2 Parents and the student should be informed about their right to appeal to Cavan and Monaghan ETB
- 10.3 Where an appeal to Cavan and Monaghan ETB is concluded, Parents and the student may appeal to the Secretary General of the Department of Education and Skills.

11 Expulsion

- 11.1 Cavan and Monaghan 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 Cavan and Monaghan ETB to the Board of Management of Largy College.
- 11.2 Expulsion should be a proportionate response to the student's behaviour. Largy College acknowledges that expulsion of a student is a very serious step and one that should only be taken by the Board of Management of Largy College in extreme cases of unacceptable behaviour.
- 11.3 The Board of Management of Largy College affirms that Largy College 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 Education Welfare Services, HSE Child and Adolescent Mental Health Services. National Behavioural Support Service JLO, NEPS, NCSE.
- 11.4 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.
- 11.5 Before expulsion is considered schools authorities must satisfy themselves that all possibilities have been exhausted for changing the student's behaviour.
- 11.6 'Automatic Expulsion'
- The Board of Management of Largy College 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.
- 11.7 Expulsion for first or once-off offence
- There may be exceptional circumstances where the Board of Management of Largy College 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

12 Factors to Consider before proposing to expel a student

- 12.1 The Board of Management of Largy College 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

12.2 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.

13 Procedures in respect of expulsion

13.1 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.

13.2 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.

13.3 A meeting should be arranged between the student and their parents and the Principal of Largy College before a sanction is imposed.

13.4 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

13.5 Where the Principal of Largy College 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.

13.6 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.
- 13.7 It is the responsibility of the Board of Management of Largy College to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures.
- 13.8 The Board of Management should undertake its own review of documentation and all circumstances of the case.
- 13.9 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.
- 13.10 Where the Board of Management of Largy College decides to expel a student it must hold a hearing and this meeting should be properly conducted in accordance with Board procedures.
- 13.11 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.
- 13.12 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.
- 13.13 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.
- 13.14 Once the Principal and the Parents have made their cases, they will withdraw from the meeting.
- 13.15 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.
- 13.16 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.

- 13.17 When both sides have been heard the Board should ensure that the Principal and Parents are not present for the Board's deliberations.
- 13.18 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.

14 Board of Management deliberations and actions following the hearing

- 14.1 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.
- 14.2 When the Board of Management having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Education Welfare Officer in writing of its opinion and the reasons for this opinion pursuant to section 24 91) of the Education Welfare Act 2000. The Board should refer to the Child and Family Agency Education Welfare Services reporting procedures for proposed expulsions.

- 14.3 The student cannot be expelled before the passage of 20 school days from the date on which the EWO receives this written notification.
- 14.4 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.

15 Consultations arranged by the Educational Welfare Officer

- 15.1 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.
- 15.2 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.

16 Confirmation of the decision to expel

- 16.1 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.
- 16.2 Parents should be notified immediately that the expulsion will now proceed. Parents and the student must be informed of their right to appeal to Cavan and Monaghan ETB.

17 Section 29 Appeal against Expulsion

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

17.1.1 Parents and the student should be informed about their right to appeal to Cavan and Monaghan ETB and they should be supplied with the standard form on which to lodge an appeal.

17.2 Where an appeal to Cavan and Monaghan ETB is concluded, Parents and the student may appeal the decision to the Secretary General of the Department of Education and Skills.

18 Review of use of Expulsion

18.1 The Board of Management of Largy College should review the use of expulsion in the school at regular intervals.

19 Implementation and Review of Policy

19.1 The Principal and Board of Management of Largy College will be responsible for the implementation of this policy.

19.2 This policy shall be reviewed periodically, in light of emerging legislation and circulated Guidelines from the Department of Education and Skills from its official adoption by the Cavan and Monaghan Education and Training Board and Largy College Board of Management.

This policy was adopted by Cavan and Monaghan Education and Training Board on 13 November 2013.

This policy was reviewed in May 2015 and adopted by Cavan and Monaghan Education and Training Board for incorporation into school's Codes of Behaviour on 13 May 2015.

This Code of Behaviour has been ratified by Largy College Board of

Management on: 10th November 2015

This Code of Behaviour has been considered and confirmed by Cavan and

Monaghan ETB on: _____

Proposed: Paul Rehill 10/11/15
Seconded: [Signature] 10/11/15

Review Date : NOV 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;

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;

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“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;