**CODE OF DISCIPLINE POLICY**

## Code of Behaviour and Roles of Key Personnel in Code of Behaviour – Using Restorative Justice.

### The Subject Teacher

In order to elicit co-operation and effort from the students, praise and commendation, both written and verbal are vital in raising each student's self-esteem and confidence. The Subject Teacher should aim to build a positive and vibrant work ethic in the classroom. His/her approach to classroom management should be firm, fair, inclusive and consistent.

**Achievements and positive contributions of students can be recognised in a variety of ways:**

* Words of praise and encouragement
* Note to parents – placed in the student’s journal
* Each – Certificate of Achievement
* Extra responsibility given
* A display of their work
* Inform Class Tutor/Year Head, who will reinforce achievement in a number of ways
* Nomination for awards.

**In the event of the non co-operation of a student, the following procedures may be useful:**

* Take time to talk to the student in a calm atmosphere. Remember to listen to what they have to say. Try to reason with them while making sure that they understand the consequences of their actions for everyone involved.
* Any sign of improvement needs to be met with approval.
* Verbal reprimand may suffice.
* Be critical of the behaviour, not the student.
* Consider change of location within the class ( in consultation with Class Teacher).
* Send note to parents in Student Journal or speak with parent/guardian.
* Issue extra work assignments( Proportionate to the level of indiscipline).
* Consider removal of privilege.
* Place student on Learning Opportunity through the Year Head, (with 24 hour written notification in Student Journal.
* Formal Notice of Concern sent to parents through Year Head.
* Formal Referral to Year Head(Student Referral Form/ Card system).
* Formal Referral to Deputy Principal in the case of Gross non-compliance.

**Note:** Any problems should, where possible, be resolved at Subject Teacher level before being passed on to the Class Teacher, Year Head etc.

### Class Tutor:

* Has responsibility for the Pastoral Care of each member of the class.
* Ensures that each student feels cared for.
* Develops an awareness of the needs of individual students.
* Motivates students and builds a sense of class pride.
* Monitors class progress and liaises with Subject Teachers.
* Rewards excellence and effort.
* Consults with Year Head.
* Pays particular attention to standards of homework, punctuality, uniform, pupil files, reports and assessments, tidy classroom.
* Use Restorative approach.

Year Head:

* Pays careful attention to every aspect of the Year group, which contributes to the learning environment of the school.
* Supports Class Teachers in the execution of their pastoral responsibilities.
* Liaises with students, teachers, parents, and management.
* Takes action in consultation with others.
* Monitors and reviews progress of the Year Group.
* Helps to build a positive spirit.
* Discusses matters of concern.
* Acknowledges and rewards achievements.
* Leads Year Assembly.
* Consults with Deputy Principal on serious matters.
* Ensures that all School Procedures and Systems operate effectively in the Year Group.

**On receipt of a Referral on a pupil from a member of staff the Year Head may adopt a form of the following course of action:**

* Consultation with Class teacher / Deputy Principal/Principal.
* Use Restorative approach.
* Meet Pupil. Listen. Gather facts.
* Counsel / Warn / Impose sanction / Note in Journal.
* Place student on Learning Opportunity- Green Card (24hrs. notice given).
* Request Parent-Teacher meeting.
* Place pupil on Yellow Card (Report 2 Notification sent to parents).
* Refer for counselling.
* Monitor progress and review.

### Further Forms of Affirmation by Year Head:

* Recognition of achievements at Year Group Assembly
* Rewards
* Nomination for Special Merit Awards.
* Nomination for School Awards.
* Arrange reward trips/outings/activities

### The Deputy Principal:

* Has responsibility to the Principal for managing the Pastoral Care System in the school.
* Contributes generally to the educational and personal development of students.
* Encourages and fosters learning in students.
* Forms a direct line of communication between all groups in the school and the Principal.
* Supports teachers in the execution of their Pastoral responsibilities.

**Sanctions Imposed by Deputy Principal:**

* Placing pupil on Learning Opportunity.
* Placing pupil on Report.
* Withdrawal of pupil from class.
* Referral for counselling and / or assessment.
* Referral of serious cases to Principal.

### The Principal:

* Has overall responsibility for the Pastoral and Disciplinary System in the school.
* Takes under serious review any cases referred.
* Consults with Year Heads at meetings and offers support, advice where needed.
* Emphasises the on-going development of a positive, affirming atmosphere in the school, in line with the school ethos and vision.
* Establishes a culture of continuous improvement.
* Manages the implementation of all policies that support and affirm the endeavour and success of all students.
* Promotes the co-operation between school and the community it serves.

### Extra Sanctions Imposed by Principal:

* Suspension and Permanent Exclusion or expulsion in accordance with legislative guidelines and provisions.

Suspension and exclusion are a last resort and are only applied after repeated or very serious misbehaviour. All the specified procedures will be followed before such actions are taken, and the co-operation of parents/guardians will have been earnestly sought.

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### The School Chaplain:

The School Chaplain provides an important pastoral service for the whole school community, including:

* Spiritual Direction
* Pastoral counselling
* Support in crises
* Trauma Management
* Bereavement Support
* Liturgical Celebrations
* Prayer Experiences

### The School Counsellors:

* Support troubled members of the school community in times of need.
* Listen carefully and supportively.
* Offer advice on many areas of / issues.
* Students must have Subject Teacher's permission to attend meeting with counsellor and must follow Appointment Procedure.
* Any teacher who feels that a particular student needs or would benefit from a form of counselling should first consult with Year Head / Deputy Principal/Principal.

Pastoral Care Support Team links in with other support agencies in order to give assistance to our students.

**School Rules and Guidelines for Good Behaviour:**

**Guiding Principle:** The ethos of the school is to promote the welfare of all.

1. Students shall show respect and courtesy for each other, for their teachers, for the staff of the school and for all members of the wider community. Staff shall treat the student body with dignity and respect at all times.
2. In order not to interfere with the rights of other students and in order to achieve their own full potential, students shall present themselves for class on time, equip themselves with all necessary class materials, complete all allocated homework and class work and follow the guidelines and directions given by teachers.
3. Students shall respect all school property, their own property and the property of others.
4. Students shall wear the school uniform at school and on all school outings.
5. Bullying will not be tolerated and will be dealt with according to the school anti-bullying policy.
6. School Policy on substance abuse, as circulated, must be strictly observed.
7. Under the Health and Safety Act smoking is forbidden in the school. It is also forbidden on the school grounds.
8. If a student arrives late for school that student shall enter his/her name in the late book and report to the Principal / Deputy Principal in order to get a late admission slip for class.
9. An explanation, written or phone call, from a parent / guardian is required if a student is absent from school or will be absent from school for part of the day.
10. Before leaving the school for any reason during the school day, students must complete an entry in the Absences Book, inform the Principal / Deputy Principal or Teacher in Charge. The student must also enter the time of returning to school. The school cannot take responsibility for students who absent themselves from school without complying fully with the above procedure.
11. Notices may not be displayed on the notice board without the prior permission of the Principal.
12. In the interests of Health and Safety students are forbidden to bring to school items deemed dangerous
13. It is absolutely prohibited for students to use mobile phones in any capacity in a classroom situation. Mobile phones will be confiscated if used other than at break times and will be returned only at the end of the year.
14. Students must co-operate fully with School Management at all times.

**Class Room Rules for Students:**

* Carry all books, copies, notes, rulers, pencils and pens needed for the class before class begins.
* Be on time for class and ensure you have your proper uniform before entering the room. Come into the room quietly and sit in the place assigned to you. If the teacher asks you to move to a different place, you must move without discussion.
* No moving out of your seat without permission. No interrupting, speaking out of turn or talking across the classroom to other students.
* Students must write all homework (written, learning and practical) into the Homework Journal before the end of each class.
* Homework is to be handed in on time and class work is to be done well.
* If you have been absent from school or away at matches etc., you are expected to find out what your homework is and do it. When homework or class work is corrected in class, students should make the appropriate correction in their own copies.
* No talking when another person is speaking or when class is working quietly.
* If you have a question, raise your hand.
* Listen to the teacher’s instructions.
* Do no throw papers on the floor and do not write on desks, chairs, walls, radiators, partitions etc.
* No food or drink in classroom. No chewing gum.
* No bad language. Swearing is against school policy and can lead to a student being left at home.
* Have respect for the classrooms, practical rooms, laboratories and all school equipment.
* When you leave classroom, straighten table and put chair underneath.
* Last class of day – put chair on top of table.

**Learning Opportunity**

The learning Opportunity Facility is now operating in room 1 from 1.40-2.10, Monday to Thursday.

*Due process must be followed before a student is included in the Learning Opportunity:*

**Only** student on a GREEN CARD are included in the Learning Opportunity after teachers have exhausted the White Card system and internal class discipline.

Teachers are asked to submit copies of White forms, which details corrective measures applied by teachers themselves, along with the Green Forms to ensure clear and chronological documentation of persistent misdemeanours.

Internal Class Discipline is the remit of individual class teacher; teachers should enforce their own discipline procedures before accessing Learning Opportunity.

Teacher must allow students time to correct their behaviour i.e. a student should not incur anymore than one White Form in any one class period.

*In cases of serious breeches of discipline students can automatically go to Green.*

The Green Card process must be followed:

1. Green Card completed
2. Year Head Notified
3. The Year Head must be given the opportunity to deal with the issue
4. Green Card sent home.

As a result, students on a Green Card will not be included in Learning Opportunity for at least two days following the issuing of the Green Card

Teachers issuing Green Cards must provide work for the students in Learning Opportunity-revision work is useful and beneficial.

A roll must be kept for the Learning Opportunity and supervising teachers need to know who is included, therefore students cannot be instructed to go to Learning Opportunity at lunchtime without the Green Card process being followed.

Students will be told by their Year Head the day they are to start Learning Opportunity.

Once due process is followed a student will be in Learning Opportunity for a minimum of four days.

Teachers are asked to apply a uniform and consistent approach to lateness (morning, after breaks, between classes) – students are to be sent to the office to sign the late book; this will be monitored for a pattern of behaviour and sanctions applied.

Learning Opportunity should not be applied for one – off minor offences but to correct a pattern of misbehaviour.

**Learning Opportunity Assignments:**

To be completed and attached to Green Form by the Teacher submitting the Green Form to the Year Head

Teacher:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Student:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Class: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |
| --- | --- | --- | --- |
| DAY 1 | DAY 2 | DAY 3 | DAY 4 |
|  |  |  |  |

**Procedure In Case of Suspension or Expulsion:**

The Articles of Management for Community Schools 10(i) state that the Principal shall have power, for any cause which he or she judges adequate to dismiss, subject to the approval of the Board, or to suspend pupils from attendance but on the dismissal or suspension of any student the parent shall be informed that he or she has the right of appeal to the Board.

**A Suspension:**

1. The student is interviewed by the Year Head, Deputy Principal, and/or Principal and/or members of the Discipline Committee and if it is decided that suspension should take place the following procedure is invoked.
2. The parent/guardian is informed by the Principal / Deputy Principal by registered letter that the student is being suspended and state
3. the reason for the suspension
4. the requirements which must be fulfilled to gain reinstatement
5. that they have the right of appeal to the Board of Management
6. that advice of an appeal should be made in writing to the Board of Management citing the grounds of appeal
7. that the Board would consider the appeal at its next meeting.
8. Pending the implementation of suspension, the student may be withdrawn from class.
9. If the parents /guardians indicate that they do not intend appealing to the Board, and if the period of suspension is for a period of not more than five school days the suspension may proceed with immediate effect.
10. In the event of an appeal to the Board of Management and or if the period of suspension exceeds five school days, the following procedure will be followed
11. the Principal will outline to the Board the reasons for suspension and then withdraw from the meeting.
12. the parent’s / guardian’s appeal is then heard after which he/she withdraws from the meeting. [ in the event of an oral submission]
13. the Principal may then, at the invitation of the Board, enter the meeting and clarify matters arising from the appeal. He must then withdraw from the meeting to allow the Board to make its decision.
14. the Board makes its decision and communicates it in writing to the parent.
15. The Principal will report all suspensions to the Board of Management for noting and review.
16. If the student is suspended for a period exceeding five school days, the Board of Management must inform the Department of Education and Science of the suspension and of the details of same.

**B Expulsion**

In accordance with the Deed of Trust, the Principal has power, for any cause which he or she judges adequate, to dismiss a pupil, subject to the approval of the Board and the provisions of the Education (Welfare) Bill, 1999. The process of expulsion shall conform in every way to the requirements of natural justice and should be conducted in the presence of a witness and contemporaneous notes should be kept. The parents are entitled to seek access to the student’s file and to documentation relevant to the expulsion. If the Principal, for whatever reason, refuses to hand over copies of documentation, the parents may seek a Court Order of Discovery.

1. The case against the student should be put to him/her and he/she should be given an opportunity to respond.
2. The Principal suspends the student and informs him/her of his **intention** to expel him/her subject to the approval of the Board.
3. The parents/guardians should be informed of the grounds upon which the action to expel was being made, the nature of the evidence being relied upon and be provided with an opportunity to controvert the evidence and to offer evidence to rebut it.
4. To ensure its independence as the appeal authority, the Board of Management must not be involved in the process leading to the decision of the Principal to expel the student.
5. Having considered all aspects of the case, if the Principal decides to expel the student subject to the approval of the Board, he/she must inform the student’s parents/guardian in writing of the decision, the reasons for it and of their right of appeal to the Board of Management against his/her **intention** to expel the student.
6. This appeal must be received by the Secretary of the Board of Management within two weeks from the date of the Principal’s letter.
7. The parents are entitled to seek access to the student’s file and to documentation relevant to the expulsion.
8. If the parent decides to appeal against the intention of the Principal to expel the student from the school, arrangements should be made for the Board to hear the appeal at the earliest possible date. The student stands suspended from school until that date.
9. At the Board meeting the Principal will outline to the Board the reasons for recommendation and then withdraw from the meeting.
10. The parent’s / guardian’s appeal is then heard after which he/she withdraws from the meeting. [ in the event of an oral submission]
11. The Principal may then, at the invitation of the Board, enter the meeting and clarify matters arising from the appeal. He must then withdraw from the meeting to allow the Board to make its decision.
12. If the appeal is upheld, it is a matter for the Board to decide on what conditions, if any, the student will be allowed back to school.
13. If the appeal fails, the Board is then deemed to have taken the decision to expel from the school.
14. The Board communicates its decision in writing to the parent of its intent to expel.
15. The Board before expelling the student informs the educational welfare officer who has been assigned functions under the Education (Welfare) Bill, 1999 in relation to the school, by notice in writing, of such decision and the reasons therefore and the student concerned shall not be expelled from the school unless

(a) he/she has been registered in another recognised school

 or (b) arrangements have been made to ensure that the student otherwise receives a prescribed minimum education

1. The Board of Management must inform the Department of Education and Science of the expulsion and of the details of same.

**Section 29 Appeals**

**Information Note for Parents**

**What can a parent appeal?**

Section 29 of the 1998 Education Act allows an appeal to be made to the Secretary General of the Department of Education and Science[[1]](#footnote-1) in respect of a decision by a Board of Management, or by a person acting on behalf of the Board of Management;

1. to refuse to enrol a student in the school,
2. to permanently exclude a student from the school, or
3. to suspend a student from the school for a period which would bring the cumulative period of suspension to 20 school days in any one school year,

**What is the Nature of the Appeal?**

The High Court has recently issued a number of judgments involving appeals taken under Section 29 of the 1998 Education Act. These rulings have brought greater focus to the scope of an appeal taken under Section 29 of the 1998 Education Act. While this note does not serve to be legal interpretation of these judgments the main scope of section 29 appeals now relate specifically to the following:

* Parents have a right to apply to their school of choice but they **do not** have an absolute right to have their child enrolled in that school. Hence parental school of choice alone is not grounds for lodging an appeal.
* Schools have published policies on enrolment and codes of behaviour. Section 29 committees may only review decisions made by school boards of management to consider whether the board reasonably followed its own lawful policies and procedures.
* If the Section 29 appeal committee finds that a school has followed its own procedures, then a committee cannot overturn a decision taken by a Board of Management, on management issues, including for example if the school considers itself to be full.
* Section 29 Committees having reviewed the issues involved in the case, can ask that a school reconsider its original decision. It will in these circumstances be a matter for the school to make a final decision on whether to enrol or remove an expulsion or suspension. Once taken that will conclude the appeal process.
* Specifically on enrolment, it is **not** the function or role of a Section 29 committee to:
* find places for students in local schools,
* to judge a school’s enrolment policy,
* consider information that was not made available to the Board of Management, unless it is material that should have been before the Board when it was making its decision.

**What Do Parents have to Do When Making an Appeal?**

The Section 29 appeal application form asks parents to set out their grounds of appeal. Parents are asked to explain the grounds of appeal as to whether the school acted reasonably.

In relation to enrolment appeals, you are asked to state:

1. Why you believe the school was not reasonable in how it dealt with you.
2. Where you consider the school did not correctly and reasonably apply their enrolment policy.

In relation to appeals against a suspension or expulsion of a child, you are asked to state:

1. Why you consider the school was not reasonable in how it dealt with you and/or your child.
2. Where you consider the school did not correctly apply its rules on expulsion and suspension contained in its Code of Behaviour.

**What Happens after Parents Lodge an Appeal?**

Parents and schools are encouraged to resolve the issue of the appeal. Failing that a facilitator may contact you to discuss the issues surrounding the appeal. They will also make contact with the school and aim to resolve the issue surrounding the appeal. Where this is not possible the appeal will be heard by a Section 29 committee. This hearing will take place in the Department of Education and Science offices. A member of the Department’s staff will be in contact with you to arrange a date and time for this hearing.

**Will the Nature of these Appeals Change and When?**

The recent High Court judgments are the most authoritative pieces of legal opinion on the nature and scope of Section 29 appeals. In order to secure full legal clarity to the nature of these appeals, the Minister of Education and Science is appealing one of the High Court judgments to the Supreme Court.

Until the Supreme Court hears and makes on ruling on this judgment, or until other legislation in this area is brought forward, the current nature of appeals will remain.

**Where Do I get Further Information?**

If you would like further information on the Section 29 appeal process you should contact any of the staff working on these appeals at 0906 48 3600.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school placement for their child and your local Educational Welfare Officer can provide assistance in this regard. The NEWB can be contacted at 01-

**Monitoring the Implementation**

Feedback on the Code of Discipline and on its implementation shall be sought from students, staff and parents and the Principal in conjunction with the Vice-Principal shall monitor the implementation of the Code of Discipline and report on it on a regular basis to the Board of Management.

**Reviewing**

Policy is reviewed by staff annually in term staff meetings, parents and students after 1-2 years.

1. In the case of a school which is established or maintained by a vocational education committee (VEC), the appeal against the decision of the board of management of the school shall be made, in the first instance, to its (VEC). [↑](#footnote-ref-1)