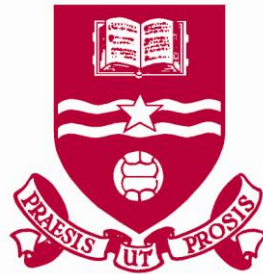


DE LA SALLE COLLEGE, WATERFORD
CODE OF BEHAVIOUR
2015-2016



**To be read and accepted by Parents/Guardians and Pupils.
Acceptance of pupils into the College is dependent on their adherence to
and acceptance of the College Rules.
The Form of Acceptance is part of the Application Form to the College**

Code of Behaviour

[Revised and updated in accordance with Education Act 1998, Education Welfare Act 2000, Circular M33/91 Department of Education]

De La Salle College is a Catholic Community, which shares the mission of the Catholic Church. It has as its main aims the spiritual formation, academic preparation and cultural development of its pupils. It is characterised by its concern for each student and by the emphasis it gives to the education of children who are disadvantaged.

It is important to put on record the appreciation of Management and Staff to the vast majority of our students whose courtesy, good behaviour and respect is a daily reminder of the goodness of young people.

The Code of Behaviour of De La Salle College is based on the following considerations:

- To create a caring, friendly, supportive and safe environment.
- To foster respect for and courtesy for all.
- To put in place a Code of Behaviour that is just, effective, positive and Christian and in accordance with natural justice.
- To ensure good order and to create an atmosphere conducive to learning and harmony.
- To establish the standards of behaviour to be observed by each student attending the school.
- To establish the measures to be taken when a student fails or refuses to observe those standards.

The Management and Staff of De La Salle College work with students to encourage inspire and motivate them. At all times we seek to work with the support and co-operation of our students parents/guardians. Teachers in their meetings in classrooms, on the corridors etc actively encourage students. Class tests, term reports, notes home, phone calls or letters are regular means of contact and sharing information. It is expected all parents/guardians will attend the parent teacher meeting with their son. Regular contact with, Year Heads, Guidance Counsellors, Deputy Principal, College Principal is also used to report, plan and help students. The school Chaplain and the Home School Liaison teacher is also available to students, parents/guardians.

Merit Award Scheme:

De La Salle College has in place an Awards Scheme at Junior and Senior Cycle. This scheme aims to recognise a pupil's contribution to class/school life, and is separate from any academic awards a pupil achieves.

Individual teachers, tutors, Year Head may reward individual classes in appropriate ways.

Duties of students:

- To be on time for all classes.
- To have appropriate texts and equipment.
- To make every effort to co-operate with the learning process in every class
- To attempt to the best of his/her ability all homework, revision etc given
- To avoid causing or participating in any disruption to the teacher during class
- To avoid any behaviour which may adversely affect the education of other students in class. [See General Rules]
- To wear full official uniform.
- To behave in a proper manner on school outings.
- To be careful and tidy with school property and the property of other students
- To be respectful, co-operative and courteous to all within the school environment.
- To move without delay from class to class, in good order and on the appropriate stairs.

Attendance:

- All students are expected to attend school each school day
- Permission to leave school at any time during the school day must be sought from Year Head who must sign the student's journal. In the absence of the Year Head, permission must be sought from the Principal, or a Deputy Principal, or in an emergency the School Secretary. Students must then 'Sign Out' in the College Office. A student must have a note in his journal signed by his parent / guardian if it is known that he will need to leave during the school day.
- Unauthorised absence from school or class will incur automatic detention.
- Where a child is absent from school during part of a school day, or for a school day or more than a school day, the parent/guardian shall notify the school in writing of the reasons for the child's absence (Ed.Welfare Act).
- If a student remains at home e.g. at lunchtime, the parent/guardian must inform the school authorities by telephone. Failure to inform the school will be taken as an unauthorised absence for which the sanction is detention. This absence must be confirmed in writing next day.
- Where the aggregate number of school days on which a student is absent from a recognised school during a school year is more than twenty (20), the College Principal shall inform the Educational Welfare Officer in writing. (Ed.Welfare Act 2000).
- All students are obliged to have an ID card and are required to scan in each day in order to record their attendance in school. Sanctions will be applied to students who fail to scan.

School Property:

- Students are obliged to respect and care for all school property and grounds. They are obliged to play in the designated areas and to use litter bins provided.
- Littering will be dealt with as a serious offence subject to sanctions. Damage to school property etc will require the payment in full by parents/guardians of the pupil(s) involved of –
 - (a) the cost of all labour and materials to restore the property or the cost in full of new replacement of the property.
 - (b) a fine in addition to costs at (a) may be imposed.
 - (c) the student may be suspended from school pending the completion of all work and payment of fine.
- Students are responsible for their own books, gear and personal property.
- Students are obliged to put their bicycles in the enclosure provided.
- Any bicycles left unattended elsewhere are left completely at owner's risk.
- While the College has a closed circuit t.v. system (CCTV) for added security, it is important that students co-operate with the authorities in the care of their property and possessions.

Drugs:

1. In so far as is possible, the school authorities aim to provide a safe environment for all.
2. The school is aware that illegal drugs are a serious threat to young people today.
3. Through Pastoral Care programmes, through Religious Education, through various agencies and people, and through the ethos of the school, students are made aware of the dangers from illegal drugs.
4. The school assumes the support of all parents/guardians in its continuing efforts to protect all students against the danger of illegal drugs.
5. Where any drugs related incident occurs on school premises or at any function directly connected with the school the procedure is:-
 - (a) Inform the College Principal or Deputy Principals.
 - (b) Investigate the matter diligently.
 - (c) Inform parents of those involved.
 - (d) Suspend students, if justified, pending a meeting of the Board of Management
 - (e) Inform Staff
 - (f) Parents have a right to be heard by the Board of Management before any decision is taken by the Board.
 - (g) Parents have a right to appeal any decision of the Board of Management.
 - (h) Where a student (or students) is (are) clearly identified with the possession, purchase, sale or use of an illegal drug, the Board of Management has the power to expel a student as constituting a risk to the students in the school.

School Uniforms:

- Students must wear full school uniform in school and on school grounds on school days.
- The uniform requirements are specified below.
- Within classrooms students should not wear outer covering clothing to hide school uniform.
- No head covering to be worn within school building at any time

School Uniform Requirements

Students must wear full uniform at school at all times.

The uniform consists of:

De La Salle Sweater with College crest

Grey Shirt

Tie with College Motif

Grey Trousers

Dark Socks

Black shoes (**no boots or runners**)

No jewellery or piercings of any kind may be worn during school hours. (except watches).

Please Carefully Note The Following:

- College pullover, shirts and tie, are available in, and exclusively from, the College shop. All of these items may be purchased during normal hours in the College shop or when you come in for your books in August.
- Please make provision for wet/inclement weather, to avoid situations where pupils have to be sent home.
- The wearing of tops over the school uniform is not allowed in the school building.
- No jackets/hoodies to be worn in class. Full uniform to be visible at all times.
- From time to time, students hair may distinguish them from the majority of their fellow students. The College Authorities may suspend a student where appropriate, until the hair conforms with the norm and standards of the school. Bright, vibrant, unnatural hair colours and/or bizarre and unconventional hairstyles, are not acceptable.

The wearing of full uniform is part of the overall discipline in the College and any failure to co-operate with the College authorities will lead to sanctions.

Sanctions:

- A student not in full uniform must have a written explanation from parents/guardians.
- After two warnings re incomplete uniform, one demerit will be issued on the 3rd occasion.
- A further demerit will be issued for each further infringement.

Demerit/Detention System

A Schedule of Sanctions:

This schedule of sanctions has been devised to meet the particular needs of De La College. The aim of the sanctions is to support the provision of education to each student of the College in a relatively disruption free environment.

Teachers will keep a written record of all instances of misbehaviour along with a record of improvements among disruptive students. Teachers will ensure that a student is aware that it is the behaviour rather than the student which attracts the sanction. Therefore students must be made aware of the reason(s) for each sanction.

The following list of sanctions may be used.

- Discussion with the student.
- Reprimand (warning) both verbal (informal) and recorded.
- Additional homework relevant to the subject and suited to the age and ability of the student.
- Communication with parents by
 - (i) Note from Teachers.
 - (ii) Letter from the Year Head.

Referral

- (i) to the Year Head
- (ii) to the Deputy Principal
- Demerit after reprimand and / or written work has already been given.
- Detention after 4 demerits.
- Board of Discipline after 3 detentions.(Year Head and Deputy Principal).
- Referral to the College Principal.
- Referral to the Board of Management.

Implementation of the Demerit System.

1. Demerits are awarded for serious breaches of the Code of Behaviour where reasoning with and reprimand of the student have failed to modify a disruptive student's behaviour.
2. A demerit is proposed by the class teacher and awarded by the Year Head.
3. A single demerit will usually be awarded other than in cases where the behaviour has been exceptionally abusive or disruptive.
4. A student who has received 4 demerits will be required to attend for detention on the designated day.
5. The programme and conditions for detention will be laid down by the College Principal.
6. Parents will be informed by letter of the time and date of the detention along with the reasons for the detention. Attendance at detention is compulsory. No exceptions made.
7. Parents are expected to involve themselves fully in the correction of a disruptive student's behaviour by arranging to meet the Year Head at the earliest opportunity.
8. A student may clear a detention from his record by avoiding further detentions over a continuous period of 7 school weeks.

9. After acquiring a second detention the following procedure will apply:-
 - (i) The student's parents will arrange to meet the Year Head, who will provide a report on the student's progress.
 - (ii) The student may be referred to a Guidance Counsellor.
 - (iii) The student may be placed 'on report' to the Year Head for a period of time, agreed with the parents.
 - (iv) A student may earn the cancellation of outstanding demerits for good behaviour, at a rate to be decided by the Year Head, while on report.

10. After acquiring a 3rd detention the student will be interviewed by the Board of Discipline in the company of his parents. The Board, which consists of a Deputy Principal and the student's Year Head, may impose a period of suspension subject to the approval of the College Principal. The Board, when considering a case, will give due weight to the opinion and report of the Year Head, as the member most aware of the student's needs and progress.

11. The Board of Discipline may again meet the student and parents/guardians after 4th detention. A further period of suspension may be imposed subject to the approval of the College Principal. The Board of Discipline may refer the case to the College Principal who may ask the Board of Management to consider a student's file for the continuation of or expulsion from De La Salle College.

12. Where the Board of Management decides to expel a student the student's parents will be advised of their right of appeal under the Education Act. (Section 29).

In order to introduce a measure of flexibility to the Code of Behaviour and, following consultation with the teachers, and in what he/she considers to be exceptional circumstances, the Year Head:

- Where a student has acquired 4 demerits over a significant period of time, may decide not to send a student for detention.
- Where a student has up to 3 demerits on his record at the end of a school year, may decide to clear these from the student's record.
- The Year Head may decide to delay a detention, held over from the previous school year, pending improved behaviour, with a view to cancellation.

General Rules:

- Students will show respect for teachers and for each other at all times and in all places. Any action which offends against courtesy, good taste, common sense or honesty or which brings discredit on the name of the College will be deemed to be a breach of school rules. Appropriate discipline measures will be decided by the School Authorities.
- Offensive, aggressive and/or threatening behaviour towards teachers, their families and other College employees, either in or outside school is a very serious breach of discipline. Appropriate discipline measures will be decided by the School Authorities.
- Fighting will be deemed to be a very serious breach of the Code of Behaviour. A student who strikes another student will be suspended and such suspension placed on his/her school record. Pre-arranged fights either within or outside the school will merit suspension and/or expulsion for those involved.
- Bullying, either physical or psychological will be deemed a very serious breach of the Code of Behaviour. Each reported incident will be investigated, parents/guardians will be informed. Please refer to our anti-bullying policy.
- Any student, whose persistent misbehaviour disrupts class and adversely affects the work of the teacher and other students, may be removed from class at the discretion of the College Principal.
- Students must enter/leave classrooms in an orderly manner. If waiting for a teacher, students must stand outside classrooms in an orderly manner. No pushing, shoving or disorderly behaviour will be tolerated.
- In accordance with public health law, smoking is forbidden either in school, on school grounds or in proximity of the school. If caught smoking, a full detention will be imposed.
- The school shall not be responsible for any injury, loss or damage suffered by the students while on or in motor vehicles either on or off school premises.
- Students are not allowed to park their cars in School Grounds.
- Possession of or involvement with alcohol, or carrying a weapon e.g. a knife, is regarded with the same gravity as drugs, and will be dealt with accordingly.
- Behaviour outside the school is equally important. Any misconduct on school buses, around the town, on the way to or from school, will be dealt with as appropriate by the School Authorities.

- **Mobile Phones:**

While we recognise that very many students have mobile phones, the school requires that :-

(a) all phones be turned off and out of sight while in school building/class **at all times.**

(b) that if a class/teacher is interrupted by a mobile phone then;

- The phone will be confiscated by the teacher and handed into the office and held for three school days
- The student may collect phone from the College Office at the end of the third school day
- Electronic devices will be dealt with as with Mobile Phones
- The possession of magazines, literature or any material of a vulgar or offensive nature will result in confiscation of material, sending home material to parents/guardians of pupil, and a full detention may be imposed.
- All students are encouraged to respect the property and amenities of Waterford City Council. Any act of vandalism will be investigated and referred to the appropriate authority.
- Any form of harassment including sexual harassment, will be deemed a very serious breach of the Code of Behaviour.
- Any student who is shown to bring the school into disrepute during lunch/free time will be returned to the care of his parents each school day from 1.10 until 1.50 pm.
- As every eventuality cannot be covered by specific mention in the Code of Behaviour, the school authorities will interpret and decide in specific situations.

Swiping In

Students must swipe in every morning and afternoon. The Swipe In machines are located in the Foyer on the A Floor and on the B Floor. The machines operate from 8.05am–9.00am and from 1.00pm-1.50pm.

Procedure When A Student Is Unwell In School

The school, following Department of Education and Skills guidelines, does **not under any circumstances** give medication to the students.

A student who feels ill must first report to his Year Head who will assess whether the student needs to go home or not. With the Year Head's signed permission to go home, the student must then report to reception where the Secretary will contact a parent / guardian. The student must sign out at reception and get his journal stamped.

Parents / guardians are required to collect their son from reception, or to arrange for another responsible adult to do so. All arrangements with parents must be made through reception.

Reception is open from Monday to Friday 8.30 a.m. to 1.30 p.m. and 2.00 p.m. to 4.30 p.m.

In the case of an emergency, the school will call a doctor or bring the student to hospital, if the parents cannot be contacted.

Fire Or Other Emergency

In an emergency the alarm bell will sound, If you hear the alarm, follow the emergency code;

- Stop what you are doing and switch off any equipment you are using.
- Listen to the instructions of the classroom teacher.
- Leave the building by the specified exit that is displayed in the room you are in and make your way quickly and quietly to the assembly point that is also displayed in the room.
- Do not run.
- Do not waste time collecting your possessions.
- Line up quietly and wait for your teacher to take the roll.
- Wait patiently and quietly until you receive further instruction.
- No one should return to the building until the all clear is given.

A number of Fire Drills take place each year.

IT Appropriate Use

Parent

As the parent or legal guardian of a pupil, I agree to my son accessing the Internet. I understand that Internet access is designed for educational purposes. I also understand that the school cannot be held responsible if pupils access inappropriate areas, but that every reasonable precaution has been taken by the school to provide for online safety.

School Website and Documentation

I understand that, if the school deems it appropriate, my son's schoolwork and activities may be chosen for inclusion on our school's World Wide Web pages, College Prospectus, Journal and Internal Digital Notice Board. My son's work and activities may also be published on the school website. No personal details will be given with these work activities. The pupil continues to own the copyright on any work published.

SUSPENSIONS AND EXPULSIONS –

Relevant Legislation

The Board of Management shall... (Education Act 1998 – Section 15 (2))

- Consult with and keep the patron informed of decisions and proposals of the Board
- Publish, in such manner as the Board with the agreement of the patron considers appropriate, the policy of the College concerning admission to and participation in the College, including the policy of the College relating to expulsion and suspension of students and admission to and participation by students with disabilities or who have other educational needs, and ensure that as regards policy principles of equality and the right of Parents to send their children to a College of the Parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the College and the constitutional rights of all persons concerned, are complied with.

Code of Behaviour

Education Welfare Act 2000 (Section 23)

- The board of management of a recognised College shall, after consultation with (College Principal, Teachers, Parents, Educational Welfare Officer) prepare a code of behaviour in respect of the students registered at the College.
- A code of behaviour shall specify –
 - a. the standards of behaviour that shall be observed by each student attending the College
 - b. the measures that may be taken when a student fails or refuses to observe those standards
 - c. the procedures to be followed before a student may be suspended or expelled from the College concerned
 - d. the grounds for removing a suspension imposed in relation to a student; and
 - e. the procedures to be followed relating to notification of a child's absence from College
- The College Principal of a recognised College shall, before registering a child as a student at that College ...provide the Parents of such child with a copy of the code of behaviour in respect of the College and may, as a condition of so registering such child, require his or her Parents to confirm in writing that the code of behaviour so provided is acceptable to them and that they shall make all reasonable efforts to ensure compliance with such code by the child.

(Section 24)

- Where a board of management or a "person acting on its behalf" believes that a student should be expelled it must before doing so inform the welfare officer of this belief and the reasons for so believing.

- The welfare officer must consult with the College Principal (or his / her nominee), the student and his/her Parents and other appropriate persons, and convene a meeting of those willing to attend.
- A student may not be expelled for twenty College days after the welfare officer receives this notification
- A board has the right to take such reasonable measures as it considers appropriate “ to ensure that good order and discipline are maintained... and the safety of students is secured” during this twenty-day period”.

Equal Status Act 2000

Section 3

“..discrimination shall be taken to occur” where a person is treated less favourably than another on any of the grounds set out in Section 5.

Section 5

The prohibited grounds of discrimination are: Gender, marital status, family status, sexual orientation, religion, age, disability, race, membership of the Travelling Community, victimization.

Educational establishments

Section 7 (2)

An educational establishment shall not discriminate in relation to:

- a) the admission or the terms or conditions of admission of a person as a student to the establishment,
- b) the access of a student to any course, facility or benefit provided by the establishment,
- c) any other term or condition of participation in the establishment by a student, or
- d) the expulsion of a student from the establishment or any other sanction against the student.

GENERAL PRINCIPLES

1. Students have a statutory obligation to attend school up to age 16. Accordingly students have a right to attend school up to that age.

2. Having been admitted to De La Salle College, all students have the right to learn in an orderly and caring environment. De La Salle College establishes and maintains high expectations of student behaviour. All members of the College community should be aware of these expectations, and participate in their development.

3. All students and teachers of De La Salle College have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination.

4. There will be cases of unacceptable behaviour where it will be in the best interests of the College community and/or the student involved, for the student to

be removed from the College for a period of time or completely. Suspension and expulsion are the options available to the College Principal and /or the Board of Management of De La Salle College in these situations. [Examples of “unacceptable behaviour” are contained in the College’s Code of Behaviour].

5. Collaboration between Board of Management, College staff, students and Parents is an important feature of Behaviour Management in De La Salle College. All should be fully aware of the suspension and expulsion procedures and their place in the context of the College’s Code of Behaviour.

6. Suspension is only one strategy within our College’s Code of Behaviour. It is most effective when it highlights the Parents’/Guardians’ responsibility for taking an active role, in partnership with the College, to work with their child to enable the child’s behaviour to change. De La Salle College will work with Parents / Guardians with a view to assisting a suspended student to rejoin the College community as quickly as possible.

7. Suspension allows students time to reflect on their behaviour, to acknowledge and accept responsibility for the behaviour which led to the suspension and to accept responsibility for changing their behaviour to meet the College’s expectations in the future. It also allows time for College Authorities to plan appropriate support for the student to assist with successful re-entry.

8. The College Principal has authority, under the Articles of Management for Secondary Schools, to suspend “any pupil for a limited period and shall report any such suspension to the Board of Management at its next meeting”. [Article 19(b)]

9. If, in the judgement of the College Principal, a pupil should be expelled, the College Principal shall refer the matter to the Board of Management for decision. [Article 19 (c)]

10. The Board of Management and the College Principal will exercise this authority having regard to their responsibilities to the whole College Community and to the Principles of Natural Justice.

11. In implementing these procedures, the College Principal and Board will ensure that no student is discriminated against on any of the following grounds :

- gender
- marital status
- family status
- sexual orientation
- religion
- age
- disability
- race
- membership of the Travelling Community.

12. The Board of Management will also ensure that the implementation of these procedures will take into account such factors as:

- a) The age and state of health of the pupil

- b) The pupil's previous record at De La Salle College
- c) Any particular circumstances unique to the pupil which might sensibly be taken into account in connection with the behaviour, e.g.; strained or traumatic domestic situations
- d) The extent to which Parental, peer or other pressure may have contributed to the behaviour
- e) The degree of severity of the behaviour, the frequency of its occurrence and the likelihood of its recurring;
- f) Whether or not the behaviour impaired or will impair the normal functioning of the pupil or other pupils in De La Salle College.
- g) Whether or not the behaviour occurred on College premises or when the pupil was otherwise in the charge of the College staff or when the pupil was on the way to or from College. An important consideration in cases of doubt is the extent to which behaviour away from the College had a serious impact on the life of the College;
- h) The degree to which behaviour was a violation of one or more rules contained in the College's Code of Behaviour and the relative importance of the rule(s);
- i) Whether the incident was perpetrated by the pupil on his or her own or as a part of a group.

13. Depending on the nature and extent of the misbehaviour the support of other agencies such as the National Education Welfare Board (NEWB) or the National Educational Psychological Service (NEPS) may be sought by the Board of Management.

14. The Principles of Natural Justice are fundamental to the implementation of these procedures. [See Appendix 1]

SUSPENSION

1. Reasons for the suspension of a pupil must be linked with the Code of Behaviour, of which the student and Parents/Guardian have copies in a student's diary/journal, be familiar with its contents, and have signed that they have read and understood the Code prior to a student's enrolment into De La Salle College.

2. Suspension will usually only occur after the College Principal has :

- ensured all discipline options under the Code of Behaviour have been applied and documented
- ensured all appropriate support personnel (internal and external) have been involved
- ensured that discussion has occurred with the student and Parent / Guardian regarding specific misbehaviour which the College considers unacceptable and which may lead to suspension
- ensured that diagnostic assessments have been carried out where appropriate (i.e. NEPS), particularly where unacceptable behaviour is ongoing and consistent.
- (except in cases of very serious misconduct) provided a formal written warning detailing these behaviours, as well as clear expectations of what is required of the student in the future
- recorded all action taken, and
- copied all correspondence

3. The College Principal may suspend immediately in some circumstances e.g. violence, threats of violence, presence of weapons, illegal drugs etc.

4. The College Principal has authority, under the Articles of Management for Secondary Schools, to suspend “any pupil for a limited period and shall report any such suspension to the Board of Management at its next meeting”. [Article 19(b)]

5. If a student is suspended for a period of 6 days or more, the College Principal must inform the local Educational Welfare Officer.

6. If a student is suspended for a cumulative total of 20 days or more in one College year, the College Principal must inform the Education Welfare Officer.

Essential Elements in the Procedure for Suspension

1. The College Principal makes a decision (or, in the College Principal’s absence, the acting or Deputy Principal) on the basis of the reasons set out in the Code of Behaviour, and the parameters set out by the Board of Management.

2. The student is informed of the decision. The student must be informed of the precise grounds which gave rise to a possible suspension, and be given an opportunity to respond, before a decision to suspend is reached and formalised.

3. Parents/Guardians informed by post and/or telephone and invited to come to the College for a meeting.

4. If suspension is to be immediate (e.g. in the interests of health and safety) Parents/Guardians may be informed by phone, with written follow-up.

5. A Student will be supervised ‘out of class’ in College until suspension takes effect.

6. A student will never be sent home during the College day, unless collected by Parent / Legal Guardian (or other suitable arrangement made).

7. The formal letter of notification should include :

- Notice of the suspension
- Effective date of the suspension
- Duration of the suspension
- Reasons for the suspension
- Expectations of the student while on suspension
- Importance of Parental assistance in resolving the matter
- A statement that the student is under the care and responsibility of the Parents/Guardians while on suspension
- A statement that the Education Welfare Board has been informed (If the suspension is longer than 6 days, or the student has been suspended for more than 20 days during the College year to date)
- Information on Appeal rights (internal College appeal /Section 29 Appeal)

- Requirements which need to be in place when student returns (e.g. written apology, completed assignments etc.)

8. If consideration is being given to proceeding to expulsion, then the letter must make this clear.

Procedures for the formal re-introduction of the student into the College

- Parents may be requested to attend with the student on the day of his/her return to the College
- Undertakings of good behaviour may be requested in writing
- Agreed conditions (e.g. Counselling, referral to NEPS, other pastoral supports) should be signed by Parent and pupil.

Grounds for Removing a Suspension

Section 23 (2) d of the Education Welfare Act 2000 requires the College to publish the grounds for removing a suspension. This implies that a system is in place for review / appeal of a suspension.

Grounds may include :

- The College Principal / Board may agree that another sanction be applied after discussion with the Parents
- Successful appeal to the Board of Management
- Successful appeal under Section 29 of the Education Act
- New circumstances come to light
- Other grounds under GENERAL PRINCIPLES 10 above

Appeals

The Principles of Natural Justice demand that there should always be an appeal to a higher authority.

Any appeal lodged to the College Principal/Secretary, Board of Management by a Parent/Guardian of a student that has been suspended from De La Salle College will be brought to the attention of the Board of Management at it's next scheduled meeting. It is possible that a student would have served in full his suspension and returned to College prior to be appeal being heard at a Board of Management Meeting.

An appeal to a suspension must be lodged, in writing, to the College Principal/Secretary, Board of Management, by the Parent/Guardian of the student suspended, within 10 College days from the time of suspension. A date for final submission of an appeal will be stated in the letter of suspension to Parents/Guardians.

The Board of Management consider the appeal to a suspension of a student after;

- Heard the College Principal's case against the student (this case should be made in the presence of the Parents)
- Heard the Parents' response
- Examined all the documentation

- Ensured the College Principal is not present for the Board's discussion and decision on the matter.
- Discussed the case in detail
- Considered all matters in GENERAL PRINCIPLE 10 above
- Made a final decision.
- Communicated the decision to the Parents formally through the Secretary to the Board

As already stated it is possible that a suspension may already be served before the appeal is actually heard. If the appeal is successful, the only remedy may then be to have the suspension removed from the student's file / record.

In general, the College must, in its suspension procedures be seen to be fair, and to have practical and reasonable procedures in place.

All appeals will be heard as soon as is practically possible.
See Appendix 1.

EXPULSIONS

This is the ultimate sanction imposed by De La Salle College and is exercised by the Board of Management in extreme cases of indiscipline. In advance of any hearing, which could result in an expulsion, the College will investigate the matter in accordance with the principles of natural justice (see Appendix 1). Reasons for the expulsion of a pupil must be linked with the Code of Behaviour, of which the student and Parents/Guardian have copies in a student's diary/journal, be familiar with its contents, and have signed that they have read and understood the Code prior to a student's enrolment into De La Salle College.

Essential Elements in the Procedure for Expulsion

1. Expulsion can only occur after the College Principal has:
 - ensured all discipline options under the Code of Behaviour have been applied and documented
 - ensured all appropriate support personnel (internal and external) have been involved
 - ensured all other procedures, referrals, supports have been exhausted
 - ensured that discussion has occurred with the student and Parent / Guardian regarding specific misbehaviour which the College considers unacceptable and which may lead to expulsion
 - provided formal verbal and written warnings at appropriate times detailing these behaviours, as well as clear expectations of what was required of the student in the future
 - recorded all action taken, and
 - copied all correspondence
 - informed the Parents/Guardians of his/her intention to recommend expulsion to the Board of Management

- Invited the Parents/Guardians to the Board of Management hearing and
- Invited the Parents/Guardians to make a written submission in advance of the Board Meeting
- Provided the Parents with a full, written description of the allegations against the student and the case being made at the Board, together with copies of all documentation, statements etc. supporting that case.
- Made a formal expulsion recommendation to the Board with full supporting documentation.

2. Expulsion can only occur after the Board of Management has:

- Heard the College Principal's case against the student (this case should be made in the presence of the Parents)
- Heard the Parents' response
- Examined all the documentation
- Considered the student's record in the College
- Taken legal / expert advice
- Ensured the College Principal is not present for the Board's discussion and decision on the matter.
- Discussed the case in detail
- Considered all matters in GENERAL PRINCIPLE 10 above
- Made a final decision to expel
- Communicated the decision to the Parents formally through the Secretary to the Board (registered letter)
- Informed the Education Welfare officer under Section 24(1) of the Education Welfare Act 2000.

3. The formal letter of notification should include:

- Notice of the expulsion
- Effective date of the expulsion
- Reasons for the expulsion
- A statement that the Education Welfare Board has been informed
- A statement that the student is under the care and responsibility of the Parents/Guardians for the period of 20 days required by the Education Welfare Officer to examine alternative provisions for the education of the student
- Information and documentation on Appeal rights (i.e. Section 29 Appeal)
NOTE: An appeal to an expulsion of a student from De La Salle College is lodged to the Secretary General of the Department of Education & Science under Section 29 of the Education Act 1988

APPENDIX I PRINCIPLES OF NATURAL JUSTICE

PROCEDURAL FAIRNESS

Procedural fairness is a basic right of all individuals dealing with authorities. All communities have a legitimate expectation that we as a College (De La Salle College) (Board, College Principal and teaching staff) will follow these principles in all circumstances, particularly when dealing with suspensions and expulsions.

Procedural fairness is generally recognised as having two essential elements.

1. The right to be heard which includes:
 - The right to know why the action is happening
 - The right to know the way in which the issues will be determined
 - The right to know the allegations in the matter and any other information which will be taken into account
 - The right of the person against whom the allegations have been made to respond to the allegations, and
 - The right to an appeal.
2. The right of a person to an impartial decision which includes:
 - The right to impartiality in the investigation and decision making phases
 - The right to an absence of bias in the decision maker

As part of ensuring the right to be heard the College Principal should establish if Parents / Guardians require an interpreter and, if so, make arrangements for one to be available.

The College Principal will ensure that students and Parents / Guardians have access to policies and procedures under which action is being taken.

While it is generally preferable for the functions of investigating and deciding to be carried out by different people, in the College setting this may not always be possible.

If the College Principal is conducting both the investigative and decision making stages, the College Principal must be reasonable and objective. Ultimately, the College Principal must act justly and be seen to act justly. While it is difficult to combine the roles of investigator and adjudicator, given the nature of the College Principal's responsibilities, there may at times be no alternative to the College Principal exercising both roles.

Nevertheless, it is preferable to have another appropriate officer, such as a Deputy Principal or Year Head, carry out the investigation, if possible.

The availability of a line of appeal to a more senior officer adds to the fairness of the process and offers a check in case there is a perception of a conflict of

interest. It is the College Principal's responsibility to suspend a student from the College or to recommend to the Board the expulsion of a student from the College. This responsibility is not to be delegated to any officer other than one acting in the College Principal's position.

To ensure the elements of procedural fairness are met, it is appropriate to provide student and their Parents / Guardians with details of all allegations relating to the incident. This usually will involve providing copies of any relevant statements. The College Principal may decide that it is not appropriate to provide copies of statement, for example, because of a fear that witnesses may be intimidated, full details of the allegations outlined in the statements should be provided.

In matters where a long suspension or expulsion is contemplated, the gravity of the circumstances requires particular emphasis being given to procedural fairness. This includes the availability of a support person/observer at formal interviews, the key features of which should be taken down in writing.

SAMPLE SUSPENSION LETTER

Date:

Name

Address

Dear Parent / Guardian

I write to inform you that after a thorough investigation carried out by the Deputy Principal, I am suspending your son NAME from School for X days (Date to Date inclusive) because STUDENT NAME displayed unacceptable behaviour (REASON).

You have the right to appeal this decision to the Board of Management within 10 days of the date of this letter.

I wish to advise you that STUDENT NAME will be regarded as being in your care during the period of his suspension.

When he returns on RETURN DATE, please ensure that STUDENT NAME presents himself to Deputy Principal Mr. O'Brien's Office at 8.50 a.m.

Please note that students on suspension do not participate or attend any extra-curricular activities/events.

To comply with the Education Act 1998 I have informed the Education Welfare Officer in writing of STUDENT NAME's X day suspension from College.

Yours sincerely,

Margaret Betts
Principal

Monitoring, Review and Evaluation of this Policy and all related work and procedures will take place on an ongoing basis in order to keep the College up to date with current best practice in this area.

This Policy was ratified by the Board of Management on 23rd November 2015.

Signed: _____
Fergus Dunne
Chairperson BOM

Signed: _____
Margaret Betts
Principal