

Cód Iompair Scoil Lorcáin

Cód Iompair Scoil Lorcáin

1

Réamhrá

Is mian le Scoil Lorcáin bunoidreachas d'ardchaighdeán trí mheán na Gaeilge a chur ar fáil do pháistí i dtimpeallacht thaitneamhach, shábháilte lán-Ghaelach. Bíonn béim i gcónaí ar fhorbairt an pháiste le linn a t(h)réimhse sa scoil. Bíonn béim freisin ar dhea-iompar ar scoil agus bíimid ag súil le caighdeán ard ó na daltaí le go mbeidh daltaí, foireann agus teaghlaigh na scoile in ann taitneamh agus tairbhe a bhaint as a dtaithí sa scoil. Ní féidir leis an scoil ardchaighdeán iompair a bhaint amach gan chomhoibriú agus tacaíocht na dtuismitheoirí. Forbraíodh an Cód seo i gcomhar le pobal na scoile agus le Coiste na dTuismitheoirí chomh maith le foireann na scoile.

2 Príomhaidhm, spriocanna, bunphrionsabail agus tuiscintí

2.1 Príomhaidhm agus spriocanna

Is í príomhaidhm an Chód Iompair seo ná dea-iompar a chothú.

Is iad seo na spriocanna atá leis an gCód Iompair:

- atmaisféar a chruthú a spreagann agus a threíonn dea-iompar
- timpeallacht dhearfach shábháilte a chruthú don teagasc agus don fhoghlaim
- mic léinn a spreagadh le freagracht phearsanta a ghlacadh as a bhfoghlaim agus a n-iompar
- cabhrú le daoine óga teacht in inmhe mar shaoránaigh fhreagracha rannpháirteacha
- caidrimh dhearfacha chomh-mhuiníne agus chomhthacaíochta a chothú i measc dalta, ball foirne agus tuismitheoirí
- a chinntiú go dtuigtear ionchais arda na scoile i leith iompar gach ball de phobal na scoile agus go bhfuil eolas fairsing orthu.

Meas ar gach duine gona n-éagsúlachtaí idir chreideamh is eile a chothú.

2.2 Bunphrionsabail

Aithnímid bunphrionsabail atá mar bhonn agus mar thaca leis an gCód Iompair seo agus a chabhróidh linn na spriocanna thuas a bhaint amach:

- Soiléire a sholáthar
- A dhearbhu go bhfuil iompar gach duine tábhachtach
- Díriú ar dhea-iompar a chothú
- Tuiscint go mbíonn caidrimh ríthábhachtach
- Fócas ar an bhfreagracht phearsanta
- Cothroime agus cothromas a chinntiú
- Comhionannas a chur chun cinn
- Leochaileacht oideachais a aithint .
- Sábháilteacht agus saoirse ó bhagairtí a chothú

- Nach nglactar le drochiompar

2.3 Tuiscintí

Is iad seo a leanas na tuiscintí atá againn ar iompar.

- Gurb é an teaghlach an ghné is lárnaí sna toscaí a mhúnlaíonn iompar pháistí
- Téann cáilíocht na gcaidreamh i bhfeidhm ar iompar.
- Tá brí le hiompar. Tá feidhm leis agus spriocanna ag baint leis, ach b'fhéidir nach mbeadh na spriocanna seo furasta le haithint.
- Is féidir iompar a fhoghlaim. Ciallaíonn sé seo go bhféadann sé athrú.
- Tarlaíonn iompar taobh istigh de chomhthéacs áirithe agus i ndáil le daoine eile. Is bunús do thuiscint a fháil ar an iompar, an comhthéacs a thuiscint.
- A ndéanann múinteoirí, daoine fásta eile agus mic léinn eile mar fhreagairt d'iompar mic léinn, tá ríthábhacht ag baint leis mar thionchair ar na roghanna a dhéanann mic léinn i dtaobh a gcuid iompair.
- Tá dlúthbhaint ag teagasc agus foghlaim éifeachtach le dea-iompar.

3 Iompar a thuiscint

3.1 Nithe a théann i bhfeidhm ar an iompar.

Cuimsíonn saintréithe laistigh den duine:

- aois agus céim forbartha
- pearsantacht agus meon
- stair phearsanta agus taithí
- tréithe fisiceacha, céadfacha nó leighis
- scileanna, cumas foghlama
- nithe a chreideann siad fúthu féin agus faoi dhaoine eile
- stuamacht agus féinéifeachtúlacht.

Cuimsíonn tosca seachtracha agus idirphearsanta:

- patrúin agus caidrimh teaghlaigh agus tuismitheoirí
- líonraí sóisialta, lena n-áirítear cairde agus piarghrúpaí
- tosca comharsanachta agus pobail
- tosca scoile
- am, deis agus tacaíocht d'fhorbairt phearsanta agus shóisialta.

3.2 Ag athrú iompair

Is féidir le tuismitheoirí agus múinteoirí tionchar a bheith acu ar roinnt de na tosca a bhaineann le hábaltacht mic léinn chun a n-iompar féin a athrú. I measc na dtosca seo tá:

- inspreagadh
- spriocanna
- scileanna
- taithí roimhe sin ar iarracht a dhéanamh athrú, go speisialta iarracht ar éirigh léi
- tacaíocht ó thuismitheoirí, ó theaghlach, ó mhúinteoir, ó dhuine fásta eile, agus ón bpiarghrúpa
- dreasacht/luaiocht.

3.3 Caighdeán Iompair

Iompar nach bhfuil ceadaithe:

- Iompar a ghortaíonn daoine eile
- Iompar a chuireann isteach ar theagasc agus ar fhoghlaim
- Bagairtí nó duine eile a ghortú
- Damáiste do mhaoin
- Goid

Tá na caighdeán seo againn chun:

- soiléiriú a sholáthar do mhic léinn faoi ionchais arda na scoile i leith a n-iompair
- spriocanna a shocrú do mhic léinn a threoróidh i dtreo iompar aibí cuí iad
- feidhmiú mar uirlis phraiticiúil le haghaidh teagaisc agus foghlama.

3.4 Luachanna

Is iad seo na luachanna a léiríonn na caighdeán:

- meas ort féin agus ar dhaoine eile
- cothroime
- cineáltas agus toilteanas cuidiú le daoine eile
- cúirtéis agus dea-bhéasaíocht
- a bheith ullamh bealaí urramacha a úsáid chun deacrachtaí agus coimhlint a réiteach
- maithiúnas.

3.5 Straitéisí chun dea-iompar a dhearbhu agus a chothú

Is iad seo a leanas ár bpríomhstraitéisí d'fhonn dea-iompar a chothú i measc na ndaltaí sa rang agus ag leibhéal na scoile.

- go bhfuil ionchais arda sa scoil go n-iompróidh mic léinn iad féin ar ardchaighdeán
- go bhfuil na caighdeán soiléir agus comhsheasmhach agus má thuigtear go forleathan iad
- go dtacaíonn tuismitheoirí leis an scoil trí dhea-iompar foghlama a chothú
- go bhfuil cultúr dearfach comhchaidrimh idir múinteoirí, tuismitheoirí agus mic léinn agus atmaisféar sona scoile ann
- go mbeadh siad páirteach i ról a bhfuil freagrachtaí ag baint leo sa scoil
- go dtuigfeadh siad cad chuige a bhfuil an cód tábhachtach agus an ról acusan chun é a fheidhmiú
- go bhfeicfeadh siad go n-oibríonn sé go cothrom
- go léiríonn daoine fásta an t-iompar a bhfuil dúil leis ó na mic léinn.
- idirghabhálacha dearfacha laethúla idir na múinteoirí agus na mic léinn
- mic léinn a chur san áireamh in ullmhú rialacha scoile agus seomra ranga.
- A bheith airdeallach ar mhí-bhuntaíste, agus ar éagsúlacht
- Duaiseanna, dualgais nó pribhléidí a bhronnadh
- Tuairisc a thabhairt do thuismitheoir/chaomhnóir
- Saoire ó obair bhaile a thabhairt

Táimid ag súil go mbeidh comhréireacht ann ar fud na foirne teagaisc maidir leis an gcaoi is fearr dea-iompar a chothú.

3.6 Cur chuige réitigh fadhbanna

Gné thábhachtach den tabhairt faoi iompar míchuí i measc na dalta ná tabhairt faoi chur chuige réitigh fadhbanna. Tríd síos, coinnigh an caidreamh leis an dalta chomh dearfach agus is féidir Molaimid na céimeanna seo a leanas:

1. Cruinnigh eolas. Tuig an comhthéacs agus na tosca a d'fhéadfadh dul i bhfeidhm ar an iompar. Coiméadfaidh an múinteoir cuntas scríofa ar mhí-iompar leanúnach agus ar eachtraí mí-iompair thromchúiseacha.
2. Gin smaointe faoi réitigh a d'fhéadfadh a bheith i gceist. Déan iniúchadh ar fhreagraí ar an mí-iompar a thugann aird ar na fáthanna a d'fhéadfadh a bheith mar chúis leis.
3. Socraigh agus aontaigh, leis an bpáiste más féidir, straitéisí sainiúla.
4. Cuir an straitéis aontaithe i ngníomh go comhréireach.
5. Athbhreithnigh an dul chun cinn: déan meastóireacht ar thionchar agus ar éifeachtacht na hidirghabhála.

4 Rialacha agus smachtbhannaí

4.1 Treoir don dalta

Ba chóir duit, mar dhalta:

- an Ghaeilge amháin a labhairt le do chomhscoláirí sa scoil agus i dtimpeallacht na scoile i gcónaí.
- freastal ar scoil go rialta agus a bheith poncúil
- do dhícheall a dhéanamh sa rang
- freagracht a ghlacadh as do chuid obair scoile agus bhaile
- cabhrú le timpeallacht dhearfach shábháilte a chruthú
- meas a bheith agat ar dhaltaí eile agus ar a gcuid foghlama
- meas a bheith agat ar an bhfoireann agus ar dhaoine fásta eile.
- páirt a ghlacadh i ngníomhaíochtaí scoile.
- Aire a thabhairt do thoscáin agus do thimpeallacht na scoile.
- cloí le rialacha eile na scoile.
- Éide scoile a chaitheamh gach lá ach amháin nuair a cheadaítear a mhalairt.

4.2 Riail na Gaeilge

Is í bunriail Scoil Lorcáin gurb í an Ghaeilge teanga teagaisc agus cumarsáide na scoile.

Déileálar le sárú na rialach seo faoin bpolasaí Riail na Gaeilge. Má leanann an páiste ar aghaidh ag síorbhriseadh riail na Gaeilge cuirfear an páiste ar fionraí ón scoil agus ansin díbreofar an páiste ón scoil de réir mar atá leagtha amach thíos faoi Mhí-iompar Tromchúiseach.

4.3 Iompar nach bhfuil inghlactha:

- bulaíocht d'aon saghas.

- iompar a ghortaíonn daoine eile (bulaíocht, ciapadh, leithcheal agus íospairt san áireamh)
- iompar a chuireann isteach ar theagasc agus ar fhoghlaim
- damáiste do mhaoín
- goid.
- briseadh rialacha na scoile.
- uirlisí na substaintí dainséaracha/neamhdhleathach a chuirfeadh aon duine i mbaol a thabhairt ar scoil (Fch Polasaí Substaintí).

4.4 Smachtbhannaí

4.4.1 Is é cuspóir smachtbhannaí athrú iompair a bhaint amach ach:

- cuidiú le mic léinn a fhoghlaim a bheith freagrach as a n-iompar agus go bhfuil a n-iompar do-ghlactha
- cuidiú le mic léinn an tionchar a bhíonn ag a gcuid gníomhartha agus ag a n-iompar ar dhaoine eile a aithint
- cur isteach tromchúiseach ar theagasc agus ar fhoghlaim a sheachaint
- an dalta, nó mic léinn eile nó daoine fásta, a choinneáil slán.

4.4.2 Úsáidimid smachtbhannaí ar bhealach ómósach a chuidíonn le mic léinn torthaí a n-iompair a thuiscint agus leis an bhfreagracht a ghlacadh chun an t-iompar sin a athrú. Ní mór don smachtbhanna, go háirithe:

- an teannas a bhaint ón scéal, gan é a fhormhéadú
- a bheith tráthúil
- dínit na bpáirtithe uile a chaomhnú
- a bheith curtha i bhfeidhm ar bhealach cóir comhsheasmhach

4.4.3 Seo a leanas na straitéisí chun mí-shástacht i leith mí-iompair a léiriú ag brath ar chomh tromchúiseach agus a bhíonn an mí-iompar. Cé go bhfuil siad in ord ginearálta dáiríreachta ní gá go leanfaí an t-ord go céimniúil.

- Labhróidh an múinteoir leis an bpáiste/na páistí. Déanfar é seo go ciúin nó os comhair an ranga, de réir mar is cuí.
- Tarraingeofar pribhléidí siar, m.sh. ní thabharfar postanna le déanamh sa rang ná teachtaireachtaí timpeall na scoile.
- Iad a tharraingt amach as ceacht nó as piarghrúpa ar leith. Ní bheadh sé iomchuí, ámh, rochtain a dhiúltú don mhac léinn ar chuid áirithe den churaclam mar smachtbhanna ginearálta.
- Tabharfar breis obair bhaile don pháiste.
- Labhróidh an múinteoir le tuismitheoir go neamhfhoirmeálta
- Cuirfear nóta abhaile ag cur an drochiompair in iúl do na tuismitheoirí.
- Labhróidh Príomhoide Cúnta nó/agus an Príomhoide Ionaid leis an bpáiste.
- Scarfar an páiste amach óna phiarghrúpa sa chlós
- Labhrófar go príobháideach leis an bpáiste agus na tuismitheoirí le chéile.
- Cuirfear an drochiompar in iúl don Príomhoide.
- Scarfar an páiste amach ón gcuid eile den rang nó cuirfear é/í go dtí rang múinteora eile.
- Más creachadóireacht atá i gceist íocfaidh tuismitheoirí an pháiste as an damáiste.

- Tuairisc fhoirmiúil chuig an mBord Bainistíochta, mar chuid de phróiseas fionraithe nó díbrihte.

4.4.4 I measc na smachtbhannaí mí-oiriúnacha tá:

• **pionós fisiceach nó bagairt pionós fisiceach**

- magadh, tarcaisne nó focail ghéara a dhéanfadh damáiste d'fhéinmhuinín an mhic léinn
- náiriú poiblí nó príobháideach
- ag cur smachtbhannaí i bhfeidhm ar ghrúpaí nó ranganna iomlána i gcásanna a bhaineann le héagóir duine aonair nó le grúpa beag
- ag fágáil mic léinn i suíomh gan mhaoirseacht (m.sh. amuigh sa phasáiste) agus é nó í faoi chúram na scoile
- aonrú dianseasmhach nó ag tabhairt neamhairde ar mhac léinn i rang
- smachtbhannaí atá á n-úsáid ar dhóigh leatromach.

Aguisin 1 Fionraithe agus Díbirtí

A1.1 Gnáthaimh chóra bunaithe ar phrionsabail an cheartais aiceanta

Tá dhá phríomhchuid ann i ngnáthaimh chóra agus aithnímid iad sin:

- **an ceart go n-éistfí leat**
- **an ceart go mbeifí neamhchlaonta i do leith.**

An chiall atá leis **an gceart go n-éistfí leat** ná:

- an ceart atá agat a fháil amach an bhfuil iniúchadh á dhéanamh ar an mí-iompar líomhnaithe
- an ceart atá agat sonraí na líomhaintí atá á ndéanamh i do choinne a fháil amach maille le haon eolas eile a chuirfear san áireamh
- an ceart atá agat a fháil amach cén chaoi a ndéanfar an cheist a réiteach
- an ceart atá agat freagra a thabhairt ar na líomhaintí
- nuair is smachtbhanna tromchúiseach atá i gceist, an ceart atá agat éisteacht a fháil ón bhforas cinnteoireachta
- nuair is smachtbhanna tromchúiseach atá i gceist, an ceart atá agat ceisteanna a chur ar aon pháirtí nó ar aon fhinné nuair atá díospóid ann faoi na fíricí.

An chiall atá leis **an gceart go mbeifí neamhchlaonta i do leith** ná:

- an ceart atá agat nach mbeadh aon chlaonta sa chinnteoir
- an ceart atá agat go mbeadh an t-imscrúdú agus an chinnteoireacht neamhchlaonta.

Is é atá i gceist le próiseas neamhchlaonta ná próiseas ina mbunaítear an cinneadh ar mheastóireacht neamhchlaonta a dhéantar ar eolas agus ar fhianaise. Tríd is tríd, éilíonn an neamhchlaontacht go scarfaí an t-imscrúdú ón bpróiseas cinnteoireachta ionas go mbeadh an cinnteoir in ann aghaidh a thabhairt ar an gcás gan aon réamhthuirimí ina leith.

A1.2 Gnáthaimh chóra a chur i ngníomh sa scoil

Sa scoil, baineann gnáthaimh chóra leo seo:

- **imscrúdú** ar mhí-iompar líomhnaithe a bhféadfadh fionraí nó díbirt eascairt as
- an próiseas **cinnteoireachta** maidir le (a) cibé acu an raibh an dalta i bun mí-iompair nó nach raibh agus (b) an smachtbhanna le gearradh.

Cuirfear san áireamh sa bhealach a fheidhmítear gnáthaimh chóra tromchúis an mhí-iompair líomhnaithe agus beidh aird aige ar céard atá réasúnta i gcomhthéacs na scoile seo.

Tá feidhm, i ngach cás, ag na prionsabail a chinntíonn *an ceart atá agat go n-éistfí leat* agus *an ceart atá agat go mbeifí neamhchlaonta i do leith*.

Ciallaíonn an **ceart go n-éistfí leat** go gcuirfí an dalta agus a dtuismitheoirí go hiomlán ar an eolas maidir leis an líomhain agus leis na próisis a úsáidfear chun imscrúdú a dhéanamh ar an scéal agus teacht ar chinneadh, agus ní foláir deis a thabhairt dóibh freagairt don líomhain **sula** ndéantar cinneadh agus sula ngearrtar smachtbhanna tromchúiseach.

Ciallaíonn prionsabal **na neamhchlaontachta sa chinnteoireacht** go mbeadh sé níos fearr, nuair

is féidir é, go socródh an Príomhoide go réachtálfadh ball eile den fhoireann an t-imscrúdu agus go gcuirfí tuairisc iomlán ar fhírí an cháis agus aon eolas iomchuí eile faoi bhráid an Phríomhoide. Ar an gcaoi seo bheadh an Príomhoide in ann cinneadh a dhéanamh cibé acu an raibh an dalta i mbun an iompair agus faoin smachtbhanna, bunaithe ar an iniúchadh.

I gcás go n-éileodh na cúinsí go réachtálfadh Príomhoide imscrúdu chomh maith le cinneadh a dhéanamh agus smachtbhanna a mholadh, ní foláir dó nó di feidhmiú go cóir cothrom agus an dealramh a bheith air go bhfuil siad ag feidhmiú go cóir cothrom. Tá sé mar dhualgas ar an bPríomhoide athbhreithniú a dhéanamh ar an imscrúdu chun a chinntiú go ndearnadh é a réachtáil go cóir cothrom. Ba chóir go mbeadh sé follasach don dalta, do thuismitheoirí, don fhoireann agus do dhaltáí eile go bhfuil an Príomhoide, agus é/í ag feidhmiú mar chinnteoir, ag bunú a c(h)innidh, ar bhealach oibiachtúil, ar thorthaí an imscrúdaithe.

De ghnáth ní cóir don duine atá ag líomhain an mhí-iompair, nó atá ina (h)íospartach, nó ina f(h)inné an t-imscrúdu a réachtáil.

A1.3 An t-údarás dalta a chur ar fionraí

Tá údarás ag Bord Bainistíochta Scoil Lorcáin dalta a chur ar fionraí. I gcásanna ina dtarmligeann an Bord Bainistíochta an t-údarás seo don Phríomhoide, caithfidh an Bord é seo a dhéanamh go foirmiúil agus i scríbhinn.

Ní mór don údarás atá tarmligthe don Phríomhoide i ndáil le fionraí cur síos ar aon teorainn leis an údarás, agus sonrú cén chaoi a bhfuil an Príomhoide cuntasach don Bhord Bainistíochta ó thaobh a (h)úsáide ar an údarás sin.

A1.4 Na forais le haghaidh fionraí

Ba chóir go mbeadh fionraí mar fhreagra comhréireach ar iompar is cúis inní. De ghnáth, déanfar iarracht tabhairt faoi idirghabháil eile roimh fhionraí, agus athbhreithneoidh foireann na scoile na fáthanna nach raibh ag éirí leis an idirghabháil sin. Éilítear sa chinnteoireacht go mbeadh forais thromchúiseacha ann chun an dalta a chur ar fionraí – mar shampla:

- go raibh tionchar dochrach tromchúiseach ag iompar an mhic léinn ar oideachas nó iompar na dalta eile
- go bhfuil bagairt ann do shábháilteacht agus an dalta ag fanacht sa scoil i láthair na huaire
- go bhfuil an dalta freagrach as damáiste tromchúiseach do mhaoin.

Féadfaidh gníomh mí-iompair thromchúisigh amháin a bheith ina fhoras le duine a chur ar fionraí.

A1.5 A chinneadh cé chomh hoiriúnach is atá sé dalta a chur ar fionraí

- Cur síos beacht ar an iompar
- Cé chomh dianseasmhach is a bhí an t-iompar do-ghlactha?
- An bhfuil fadhbanna iompair éirithe níos measa, in ainneoin na n-iarrachtaí idirghabhála?
- Cad iad na cúinsí inar tharla na heachtraí mí-iompair thromchúisigh (mar shampla sa rang, i rang múinteora áirithe, sa chlós, i ngrúpa)?
- Cad iad na tarluithe a d'fhéadfadh mí-iompar tromchúiseach a chur sa siúl (m.sh. bulaíocht, gnéithe cultúrtha nó cúrsaí sa bhaile)?
- Cad is aois don mhac léinn, cén staid forbartha ag a bhfuil sé/sí, cén cumas cognaíoch atá aige/aici?

- An bhfuil cúiseanna ar bith atá ar eolas a bhféadfadh baint a bheith acu leis an iompar (m.sh. cúinsí ar leith sa bhaile, riachtanais speisialta oideachais)?
- Cad é mar a théann iompar an mhic léinn i bhfeidhm ar mhic léinn agus ar fhoireann na scoile?
- Cén tionchar atá ag an iompar ar theagasc agus ar fhoghlaim sa rang?
- An bhfuil tionchar ag an iompar ar mhic léinn agus ar mhúinteoirí ar leith?
- An dtuigeann an dalta tionchar a (h)iompair ar dhaoine eile?
 - Cad iad na hiarrachtaí idirghabhála a rinneadh? Cén tréimhse a bhí i gceist?
- Cad é mar a rinneadh monatóireacht agus taifeadadh ar idirghabháil?
- Cad iad torthaí na hidirghabhála seo?
- An raibh na tuismitheoirí bainteach le réiteach a fháil ar an iompar fabhtach?
- Ar iarradh idirghabháil SNCO (NEPS) nó aon mheasúnú nó chomhairleoireacht shícScileanna, nuair b'iomchuí?
- An bhfuil aon idirghabhálacha eile ar fáil amhail piara-eadráin, cineálacha cur chuige ceartais aisríoch nó teaghlach-chomhdháil?
- An bhfuil an dalta nó an tuismitheoir bainteach le haon seirbhís tacaíochta agus ar iarradh ar an ngníomhaireacht nó ar an tseirbhís tacaíochta seo le haghaidh cúnaimh chun an fhadhb seo a réiteach?
 - Ar lorgáidh cúnaimh ar aon ghníomhaireacht eile
- An bhfuil fionraí tuillte ag an dalta de bharr an iompair?
- An bhfuil an caighdeán atá in úsáid chun an t-iompar a mheas mar an gcéanna leis an gcaighdeán atá in úsáid chun iompar aon mhic léinn eile a mheas?
- An gceadóidh an fhionraí d'idirghabhálacha breise nó malartacha?
- An gcuideoidh an fhionraí leis an dalta a (h)iompar míchuí a athrú?
- Cén chaoi a gcabhróidh an fhionraí le múinteoirí nó le mic léinn eile a ndeachaigh an t-iompar i bhfeidhm orthu?
- An rachaidh aon leochaileacht oideachais sa mhac léinn in olcas de bharr na fionraí?

A1.6 Fionraí mar chuid de phlean bainistíochta iompair

Ba chóir d'fhionraí bheith mar chuid de phlean chun dul i ngleic le hiompar an mhic léinn. Ba chóir don fhionraí:

- tromchúis an iompair a chur ina luí ar an dalta agus ar a t(h)uismitheoirí.
- cuidiú leis an scoil spriocanna iompair a chur ar bun leis an dalta agus lena t(h)uismitheoirí
- deis a thabhairt d'fhoireann na scoile idirghabháil eile a phleanáil

A1.7 Cineálacha fionraí

A1.7.1 Fionraí láithreach

I gcúinsí eisceachtúla féadfaidh an Príomhoide a bhreithniú go bhfuil fionraí láithreach oiriúnach I gcás ina léireofaí go mbeadh láithrecht leantach an dalta ag an am sin mar fhíorbhagairt do shábháilteacht dhaltaí nó foirne na scoile, nó do dhuine ar bith eile. Ní foláir gnáthaimh chóra a chur i bhfeidhm i gcónaí.

A1.7.2 Úsáid mhíchuí fionraí

Ní chuirfear dalta ar fionraí ar na cúiseanna seo a leanas:

- drochfheidhmíocht acadúil
- drochfhreastal scoile nó a bheith mall
- mionsáruithe ar an gcód iompair.

A1.7.3 Fionraí ar bhonn atrátha

Ní cóir an dalta a chur ar fionraí arís go luath tar éis dó/di filleadh ar an scoil tar éis tréimhse fionraí eile ach amháin i gcás:

- go bhfuil siad i mbun mí-iompair thromchúisigh a bhfuil gá an dalta a chur ar fionraí dá bharr
- go bhfuil gnáthaimh chóra á gcomhlíonadh ina n-iomláine
- gurb ionann an caighdeán atá curtha i bhfeidhm chun an t-iompar a bhreithniú agus an caighdeán atá curtha i bhfeidhm chun iompar dalta ar bith eile a bhreithniú.

A1.7.4 Fionraí neamhfoirmiúil nó neamhadmhálach

Is é atá i gceist le fionraí ná dalta a eisiáimh ar feadh roinnt den lá scoile, mar smachtbhanna, nó iarraidh ar thuismitheoirí leanbh a choinneáil ón scoil. Ba chóir go mbreathnódh an scoil agus na tuismitheoirí ar aon eisiáimh a éilíonn an scoil mar fhionraí, agus caithfear na Treoirínte a bhaineann le fionraí a chomhlíonadh.

A1.7.5 Tréimhse na Fionraí

Ní cóir an dalta a chur ar fionraí ar feadh tréimhse níos níos faide ná trí lá, ach amháin i gcúinsí eisceachtúla ina bhfuil an Príomhoide den tuairim go bhfuil tréimhse níos faide ná trí lá de dhíth chun cuspóir áirithe a bhaint amach. Má bhíonn fionraí níos faide ná trí lá á meas, caithfear an t-ábhar a atreorú chuig an mBord Bainistíochta chun breithniú agus faomhadh a dhéanamh air, ag cur na gcúinsí in iúl maille leis na torthaí measta.

Féadfaidh gur mhaith leis an mBord Bainistíochta, ámh, an Príomhoide a údarú, le ceadú Chathaoirleach an Bhoird, fionraí a ghearradh ar feadh tréimhse suas le cúig lá i gcás nach féidir cruinniú Boird a thionól go tráthúil, faoi réir na teorach a bhaineann lena leithéid d'fhionraí. De ghnáth ba chóir don Bhord Bainistíochta teorainn deich lá scoile a chur le tréimhse amháin fionraí ar bith.

Ba chóir don Bhord athbhreithniú foirmiúil a dhéanamh ar mholadh ar bith chun dalta a chur ar fionraí, i gcás gurb ionann an fionraí iomlán agus níos mó ná fiche lá as láthair sa scoilbhliain reatha. Tá fionraí mar seo faoi réir achomhairc faoi alt 29 den *Acht Oideachais, 1998*

Tugann na forálacha seo an deis don mhac léinn machnamh ar a n-iompar ach gan an iomarca ama a chailliúint ar scoil. Tugann siad aitheantas do thromchúis an smachtbhanna agus cinntíonn go léirítear an tromchúis seo i nósanna imeachta na scoile. Ciallaíonn na forálacha gur féidir leis an mBord Bainistíochta an fhreagracht deiridh a ghlacadh maidir le smachtbhannaí ar feadh tréimhsí fada, go háirithe mar go bhféadfadh a leithéid seo d'fhionraí fiche lá as láthair i scoilbhliain a shroicheadh agus mar sin go bhféadfaí achomharc a dhéanamh.

Aguisín 2 Níosanna Imeachta

A2.1 Níosanna imeachta i ndáil le fionraí

Éilítear ar scoileanna de réir dlí cloí le gnáthaimh chóra nuair atá sé beartaithe acu dalta a chur ar fionraí. Nuair a dhearbhaíonn réamh-mheasúnú ar na fíricí gur tharla mí-iompar tromchúiseach a bhféadfaí fionraí a ghearradh dá bharr, ba chóir don scoil na nósanna imeachta seo a leanas a urramú:

- an dalta agus a t(h)uismitheoirí a chur ar an eolas maidir leis an ngearán
- an deis a thabhairt do thuismitheoirí agus do mhic léinn freagra a thabhairt.

A2.1.1 An dalta agus na tuismitheoirí a chur ar an eolas

Cuirfimid an dalta agus na tuismitheoirí ar an eolas maidir leis an ngearán, an chaoi a ndéanfar imscrúdú air agus go bhféadfadh fionraí a bheith mar thoradh air. Féadfar tuismitheoirí a chur ar an eolas ar an teileafón, nó i scríbhinn, ag brath ar thromchúis an iompair.

A2.1.2 Deis freagra a thabhairt

Tabharfaimid deis do thuismitheoirí agus don mhac léinn freagra a thabhairt sula nglactar cinneadh nó sula ngearrtar smachtbhanna.

Má theipeann ar mhac léinn agus a dtuismitheoirí freastal ar chruinniú, scríobhfaidh an Príomhoide chucu ag cur in iúl dóibh go bhfuil an scéal tromchúiseach, go bhfuil tábhacht ar leith ag baint le freastal ar chruinniú athsceidealaithe agus, má theipeann orthu sin a dhéanamh, go mbeidh dualgas ar údarais na scoile cinneadh a ghlacadh freagairt don iompar diúltach. Ba chóir don scoil taifead a choinneáil de na cuirí a seoladh chuig na tuismitheoirí agus na freagraí a fuarthas uathu.

A2.2 Nósanna imeachta i ndáil le fionraí láithreach

I gcás go mbreithníonn an Príomhoide gur chóir dalta a chur ar fionraí láithreach, ar mhaithe le sábháilteacht an mhic léinn, na foirne nó daoine eile, ba chóir réamh-imscrúdú a reáchtáil chun cás a bhunú a thacódh leis an bhfionraí. Ba chóir don imscrúdú foirmiúil gearradh na fionraí a leanúint.

Beidh feidhm láithreach ag gach coinníoll a ghabhann le fionraí. Ní cóir d'aon fhionraí, lena n-áirítear fionraí láithreach, a bheith gan teorainn ama.

I gcás fionraí a ghearrfaí láithreach, ní foláir tuismitheoirí a chur ar an eolas, agus socruithe a dhéanamh leo go mbaileofaí an dalta.

A2.3 Achomhairc

Ba chóir don Bhord Bainistíochta deis a thabhairt achomharc a dhéanamh ar chinneadh Príomhoide dalta a chur ar fionraí. I gcás cinní a dhéanann an Bord Bainistíochta dalta a chur ar fionraí féadfaidh an Pátrún próiseas achomhairc a sholáthar.

A2.4 Achomharc Alt 29

Nuair a bhíonn dalta curtha ar fionraí ag scoil ar feadh tréimhse a thabharfadh iomlán na fionraí ar an dalta sin go 20 lá scoile sa scoilbhliain reatha, is féidir leis na tuismitheoirí , cur isteach ar achomharc faoi alt 29 den *Acht Oideachais, 1998*, arna leasú ag an *Acht Oideachais (Forálacha Ilghnéitheacha), 2007*.

Ag an am a mbíonn fionraí á cur in iúl do na tuismitheoirí, caithfear insint dóibh agus don mhac léinn faoina gceart achomhairc d'Ard-Rúnaí na Roinne Oideachais agus Scileanna, faoi alt 29 den *Acht Oideachais, 1998* agus caithfear eolas a thabhairt ar an dóigh chun achomharc a dhéanamh.

A2.5 An fionraí a chur i ngníomh

A2.5.1 Fógra i scríbhinn

Ní foláir don Phríomhoide fógra i scríbhinn a thabhairt do na tuismitheoirí agus don mhac léinn maidir

leis an gcinneadh é/í a chur ar fionraí. Caithfidh an litir na nithe seo a leanas a dhearbhú:

- tréimhse na fionraí agus na dátaí ar a dtosóidh agus ar a gcríochnóidh an fhionraí
- fáthanna na fionraí
- clár staidéir ar bith le leanúint
- socruithe ar fhilleadh ar scoil, agus gealltanais ar bith a gcaithfidh an dalta agus na tuismitheoirí a thabhairt (mar shampla d'fhéadfaí iarraidh ar na tuismitheoirí athdhearbhú a dhéanamh ar a dtiomantas don chód iompair)
- foráil achomhairc don Bhord Bainistíochta
- foráil achomhairc don CG, más iomchuí
- ceart achomhairc d'Ard-Rúnaí na Roinne Oideachais agus Scileanna (*an tAcht Oideachais, 1998*, alt 29).

Ba chóir an litir a scríobh i stíl ar féidir leis na tuismitheoirí í a thuiscint. Caithfear aird ar leith a thabhairt ar an gcumarsáid le tuismitheoirí faoina bhfuiltear ar an eolas go bhfuil deacrachtaí léitheoireachta acu, nó i gcás tuismitheoirí nach í teanga na scoile an phríomhtheanga acu.

A2.5.2 Teagmháil le mic léinn agus tuismitheoirí

I gcás go gcinntear dalta a chur ar fionraí, is féidir uasleas a bhaint as an deis ach cruinniú a bheith ann idir an Príomhoide nó ball foirne eile agus na tuismitheoirí agus béim a leagan ar a bhfreagracht cuidiú leis an dalta iad féin a iompar go maith ar fhilleadh chun na scoile dóibh agus treoir a thairiscint dóibh maidir leis seo.

I gcás go ndiúltaíonn na tuismitheoirí bualadh leis an bPríomhoide, beidh an fógra scríofa ina fhógra go bhfuil fionraí á ghearradh.

A2.5.3 Forais chun deireadh a chur le fionraí

Is féidir deireadh a chur le fionraí má chinneann an Bord Bainistíochta an fhionraí a bhaint ar aon chúis nó má threoraíonn Ard-Rúnaí na Roinne Oideachais agus Scileanna don scoil an fhionraí a bhaint faoi alt 29 den *Acht Oideachais, 1998*.

A2.5.4 I ndiaidh na fionraí

Cuirfear deireadh le fionraí ar an dáta a luadh i litir fhoirmiúil fógra do na tuismitheoirí faoin bhfionraí.

A2.5.5 An dalta a ath-imeascadh

Ba chóir don scoil plean a bheith aici le cuidiú leis an dalta ath-imeascadh ina rang nó ina b(h)liainghrúpa, agus chun teacht suas le hobair scoile a chaill an dalta. Cuideoidh an plean seo a chinntiú nach gcuirfidh fionraí leis an teip acadúil. Caithfear tacaíocht a thabhairt don mhac léinn freagracht a ghlacadh as teacht suas leis an obair acadúil. Ní obair acadúil amháin atá i gceist leis an ath-imeascadh. D'fhéadfadh an dalta a bhrath feargach nó doicheallach i leith na fionraí, agus is féidir leis na mothúcháin seo tús a chur le fadhbanna le hath-imeascadh agus leanúint le fadhbanna iompair. Nuair is féidir, ba chóir don scoil socrú le ball foirne tacaíocht a thabhairt don mhac léinn le linn phróiseas an ath-imeasctha.

A2.5.6 Scláta glan

Nuair a chuirtear deireadh le fionraí tabharfar deis don dalta tosú as an nua. Beidh na hionchais chéanna ag an scoil maidir leis an dalta seo agus atá aici maidir le gach dalta eile i dtaca le hiompar.

A2.7 Taifid agus tuairiscí

Ba chóir taifid fhoirmiúla/scríofa a choinneáil ar:

- an imscrúdú (agus nótaí ar gach agallamh)
- an bpróiseas cinnteoireachta
- an gcinneadh agus réasúnaíocht an chinnidh
- fhad na fionraí agus coinníollacha ar bith ceangailte leis an bhfionraí.

Ba chóir don Phríomhoide tuairisc a thabhairt ar gach fionraí don Bhord Bainistíochta.

Tá sé de cheangal ar an bPríomhoide fionraithe a thuairisciú de réir threoirínte tuairiscithe an BNLO (*An tAcht Oideachais (Leas), 2000, alt 21(4)(a)*).

A2.8 Athbhreithniú ar úsáid fionraí

Déanfaidh an Bainistíochta athbhreithniú ar úsáid fionraí sa scoil gach trí bliana chun a chinntiú go bhfuil a húsáid i gcomhréir le polasaithe na scoile agus chun a chinntiú go bhfuil úsáid fionraí comhréireach agus éifeachtach.

Aguisín 3 Díbirt

A3.1 An t-údarás dalta a dhíbirt

Tá údarás ag an mBord Bainistíochta dalta a dhíbirt ón scoil.

A3.2 Na forais le haghaidh díbeartha

Beidh díbirt ina freagra comhréireach ar iompar an mhic léinn.

Beidh bearta suntasacha curtha i bhfeidhm le dul i ngleic leis an mí-iompar chun díbirt an mhic léinn a sheachaint.

A3.3 Díbirt do chéad chion

Is féidir go mbeadh cúinsí eisceachtúla ann ina mbíonn an Bord Bainistíochta den tuairim go gcaithfear an dalta a dhíbirt do chéad chion. Seo a leanas na cásanna ina mbeadh sin amhlaidh

- bagairt thromchúiseach foréigin in aghaidh mic léinn eile nó baill foirne
- foréigean nó ionsaí iarbhír
- ag soláthar drugaí mídhleathacha do dhaltaí eile sa scoil
- ionsaí gnéasach.

A3.4 Cinneadh a dhéanamh cé chomh hoiriúnach is atá sé mac léinn a dhíbirt

Déanfaidh an Bord Bainistíochta athbhreithniú an-sonrach a dhéanamh ar raon tosca nuair atá cinneadh á ghlacadh acu dalta a dhíbirt. Féach 5.5.

A3.5 Nósanna imeachta i ndáil le díbirt

Nuair atá sé beartaithe dalta a dhíbirt ón scoil d'áireodh na céimeanna gnásúla iad seo a leanas:

1. Imscrúdú sonrath faoi stiúir an Phríomhoide.
2. Moladh ón bPríomhoide chuig an mBord Bainistíochta.
3. Breithniú an Bhoird Bhainistíochta ar mholadh an Phríomhoide, agus éisteacht a reáchtáil.
4. Breithniúcháin an Bhoird Bhainistíochta agus bearta i ndiaidh na héisteachta.
5. Comhairliúcháin arna n-eagrú ag an Oifigeach Leasa Oideachais.
6. Dearbhú ar na cinneadh an dalta a dhíbirt.

Is don Bhord Bainistíochta é cinneadh a dhéanamh cad iad na tascanna sna céimeanna gnásúla seo a mbeadh gá cruinnithe ar leithligh a bheith ann dóibh agus cad iad na tascanna a bhféadfaí iad a chur i gcrích i gcuinníú amháin, i gcomhréir le fógra cuí a thabhairt do thuismitheoirí agus am cóir réasúnta a thabhairt d'éisteacht Boird.

Céim 1. Imscrúdú sonrath arna sheoladh faoi stiúir an Phríomhoide

Agus imscrúdú á dhéanamh ar líomhain, de réir gnáthamh cóir, ba chóir don Phríomhoide:

- an dalta agus na thuismitheoirí a chur ar an eolas faoin mhí-iompar líomhnaithe, an chaoi a ndéanfar imscrúdú air agus go bhféadfadh díbirt a bheith mar thoradh air sin
- gach deis a thabhairt do na thuismitheoirí agus don mhac léinn freagairt don ghearán go raibh mí-iompar tromchúiseach ann sula nglacfaí cinneadh smachtbhanna a ghearradh.

Ba chóir thuismitheoirí a chur ar an eolas i scríbhinn maidir leis an mí-iompar líomhnaithe agus an t-imscrúdú atá beartaithe ionas go mbeadh taifead buan acu gur cuireadh é seo in iúl dóibh.

Ba chóir go mbeadh gach deis ag na thuismitheoirí agus an dalta freagairt don ghearán go raibh mí-iompar tromchúiseach i gceist sula nglacfar cinneadh maidir le fírinne na líomhna, agus sula ngearrtar smachtbhanna. I gcás go bhféadfadh díbirt a bheith mar thoradh ar an imscrúdú, tá sé riachtanach go mbeadh cruinníú ann leis an dalta agus na thuismitheoirí.

Má theipeann ar mhac léinn agus a dtuismitheoirí freastal ar chruinníú, ba chóir don Phríomhoide scríobh chucu ag cur in iúl dóibh go bhfuil an scéal tromchúiseach, go bhfuil tábhacht ar leith ag baint le freastal ar chruinníú athsceidealaithe agus, má theipeann orthu sin a dhéanamh, go mbeidh dualgas ar údarais na scoile cinneadh a ghlacadh freagairt don iompar diúltach. Ba chóir don scoil taifead a choinneáil de na cuirí a seoladh chuig na thuismitheoirí agus na freagraí a fuarthas uathu.

Céim 2. Moladh ón bPríomhoide chuig an mBord Bainistíochta

I gcás go bhfuil an Príomhoide den tuairim, bunaithe ar an imscrúdú ar an mí-iompar líomhnaithe,

go bhfuil díbirt tuillte ag an dalta, cuireann an Príomhoide moladh faoi bhráid an Bhoird Bhainistíochta díbirt a bhreithniú. Ba chóir don Phríomhoide:

- a chur in iúl do na thuismitheoirí agus don mhac léinn go bhfuil iarrtha ar an mBord Bainistíochta díbirt a bhreithniú
- a chinntiú go bhfuil taifid ag na thuismitheoirí: ar na líomhaintí in aghaidh an mhic léinn; ar an imscrúdú; agus ar fhógra scríofa de na forais ar a bhfuiltear ag iarraidh ar an mBord Bainistíochta díbirt a bhreithniú
- na taifid chuimsitheacha chéanna a sholáthar don Bhord Bainistíochta a tugadh do na thuismitheoirí

- na tuismitheoirí a chur ar an eolas maidir le dáta na héisteachta a bheidh á reáchtáil ag an mBord
- Bainistíochta agus cuireadh a thabhairt dóibh freastal ar an éisteacht sin
- comhairle a chur ar na tuismitheoirí gur féidir leo aighneachtaí scríofa agus ó bhéal a chur faoi bhráid an Bhoird Bhainistíochta
- a chinntiú gur tugadh dóthain fógra do na tuismitheoirí ionas go bhféadfaidís ullmhú don éisteacht.

Céim 3. Breithniú an Bhoird Bhainistíochta ar mholadh an Phríomhoide: agus éisteacht a reáchtáil

Tá sé mar fhreagracht ar an mBord athbhreithniú a dhéanamh ar an réamh-imscrúdú agus a bheith deimhin de gur reáchtáladh an t-imscrúdú i gceart de réir gnáthaimh chóra.

I gcás go gcinneann Bord Bainistíochta dalta a dhíbirt, ní foláir dó éisteacht a reáchtáil. Ba chóir an cruinniú Boird a úsáidtear d'fhonn éisteacht a bheith ann a reáchtáil de réir nósanna imeachta an Bhoird. Ag an éisteacht, cuireann an Príomhoide agus na tuismitheoirí a gcás os comhair an Bhoird i láthair a chéile. Ba chóir an deis a thabhairt do gach páirtí a gcás a dhéanamh agus cead a bheith acu fianaise an pháirtí eile a cheistiú. Féadfaidh an cruinniú deis a thabhairt freisin do thuismitheoirí a gcás a dhéanamh le go maolófaí an smachtbhanna. Agus an éisteacht á reáchtáil, ba chóir don Bhord a bheith cúramach a chinntiú go bhfuil siad neamhchlaonta agus go bhfuil an chuma air go bhfuil siad neamhchlaonta, amhail idir an Príomhoide agus an dalta. D'fhéadfadh gur mhian leis na tuismitheoirí duine a bheith leo ag an éisteacht agus ba chóir don Bhord é seo a éascú, ag teacht leis an deachleachtas agus de réir nósanna imeachta an Bhoird. Tar éis don Bhord an dá thaobh den scéal a chlos ba chóir dó a chinntiú nach bhfuil an Príomhoide agus na tuismitheoirí i láthair i rith bhreithniúcháin an Bhoird.

Céim 4. Breithniúcháin an Bhoird Bhainistíochta agus bearta i ndiaidh na héisteachta

Tar éis don Bhord clos ó na páirtithe uile, tá sé mar fhreagracht ar an mBord a chinneadh cibé acu an bhfuil bunús leis an líomhain agus, má tá, cibé acu an cóir an dalta a dhíbirt nó nach cóir. I gcás go bhfuil fíricí uile an cháis breithnithe ag an mBord Bainistíochta, agus go bhfuil an Bord den tuairim gur chóir an dalta a dhíbirt ní foláir don Bhord fógra a thabhairt don Oifigeach Leasa Oideachais I scríbhinn, agus na cúiseanna atá leis an tuairim seo (*An tAcht Oideachais (Leas), 2000, a24(1)*). Ba chóir don Bhord Bainistíochta tagairt do nósanna imeachta tuairiscithe an Bhoird Náisiúnta Leasa Oideachais nuair atá sé beartaithe dalta a dhíbirt. Ní féidir an dalta a dhíbirt go dtí go bhfuil fiche lá caite ón lá ar a bhfaigheann an OLO an fógra i scríbhinn (*An tAcht Oideachais (Leas), 2000, a24(1)*).

Éireoidh le hachomharc in aghaidh díbeartha, go huathoibríoch faoi alt 29 den *Acht Oideachais, 1998* más féidir a léiriú nár cuireadh an tOifigeach Leasa Oideachais ar an eolas de réir alt 24(1) nó nach bhfuil fiche lá caite ón dáta a fuair an tOifigeach Leasa Oideachais fógra go dtí cur i ngníomh na díbeartha (*An tAcht Oideachais (Forálacha Ilghnéitheacha), 2007, a4A*).

Ba chóir don Bhord a chur in iúl do thuismitheoirí i scríbhinn faoina thátail agus na chéad chéimeanna eile sa phróiseas. Nuair atá sé beartaithe dalta a dhíbirt ba chóir go ndéarfaí leis na tuismitheoirí go bhfuiltear anois chun é a chur in iúl don Oifigeach Leasa Oideachais.

Céim 5. Comhairliúcháin arna n-eagrú ag an Oifigeach Leasa Oideachais

Laistigh de thréimhse fiche lá ón dáta ar a bhfaigheann Oifigeach Leasa Oideachais fógra ó Bhord

Bainistíochta go bhfuil sé beartaithe acu dalta a dhíbirt, ní foláir don Oifigeach Leasa Oideachais:

- gach iarracht réasúnta a dhéanamh comhairliúcháin aonair a bheith ann leis an bPríomhoide, leis na tuismitheoirí agus leis an dalta, agus le haon duine eile a d'fhéadfadh cabhair a thabhairt
- cruinniú a thionól leis na páirtithe a aontaíonn a bheith i láthair (*An tAcht Oideachais (Leas), 2000*, alt 24).

An chuspóir atá leis na comhairliúcháin agus leis an gcruinniú ná a chinntiú go ndéantar socruithe le go leanfadh an dalta lena n-oideachas. D'fhéadfadh comhaontú a bheith mar thoradh ar na comhairliúcháin seo maidir le hidirghabháil mhalartach a sheachnódh díbirt. I gcás nach bhfuil sé de rogha leanúint ar aghaidh sa scoil, ámh, sa ghearrthearma ar aon chuma, ba chóir don chomhairliúchán díriú ar fhéidearthachtaí oideachais eile.

Díbirt

Ar mhaithe le leas oideachais an mhic léinn, ba chóir dóibh siúd atá páirteach sa chás teacht le chéile leis an Oifigeach Leasa Oideachais agus pleanáil le haghaidh todhchaí oideachais an mhic léinn.

Go dtí go gcríochnófar na comhairliúcháin seo faoi leanúnachas an mhic léinn san oideachas, féadfaidh an Bord Bainistíochta céimeanna a ghlacadh chun a chinntiú go gcoinnítear smacht agus go gcinntítear sábháilteacht na dalta (*An tAcht Oideachais (Leas), 2000*, a45(5)). Féadfaidh an Bord a bheith den tuairim go bhfuil sé oiriúnach an dalta a chur ar fionraí ag an am seo. Ní cóir fionraí a bhreithniú ach amháin más dócha go gcuirfeadh sé isteach go mór ar fhoghlaim na ndaltaí eile dá bhfanadh an dalta seo sa scoil, nó go bhfuil bagairt ann do shábháilteacht na daltaí eile nó na foirne.

Céim 6. Dearbhú ar na gcinneadh an dalta a dhíbirt

Tar éis na tréimhse fiche lá tar éis don Oifigeach Leasa Oideachais fógra a fháil, agus i gcás go bhfuil an Bord Bainistíochta fós den tuairim gur chóir an dalta a dhíbirt, dearbhóidh an Bord Bainistíochta i scríbhinn go bhfuil sé cinnte acu an dalta a dhíbirt (d'fhéadfaí an tasc seo a tharmligeán ar an gCathaoirleach nó ar an bPríomhoide). Ba chóir na tuismitheoirí a chur ar an eolas láithreach go bhfuiltear chun dul ar aghaidh leis an díbirt. Ba chóir insint do thuismitheoirí agus do mhic léinn faoin gceart atá acu chun achomhairc agus foirm chaighdeánach a sholáthar dóibh ar a bhféadfaidís a n-achomharc a thaisceadh. Ba chóir taifead foirmiúil a choinneáil den chinneadh dalta a dhíbirt.

A3.7 Achomhairc

Is féidir le tuismitheoir, achomharc a dhéanamh ar an gcinneadh díbeartha d'Ard-Rúnaí na Roinne Oideachais agus Scileanna, (faoin *Acht Oideachais, 1998*, alt 29).

Is féidir achomharc a dhéanamh ar an gcinneadh ag an mBord Náisiúnta Leasa Oideachais ar son mic léinn.

A3.7.1 An próiseas achomhairc

Tosaíonn an próiseas faoi alt 29 den *Acht Oideachais, 1998* le hidirghabháil á soláthar ag idirghabhálaí ceaptha ag an gCoiste Achomhairc (An Roinn Oideachais agus Scileanna). Le tuilleadh eolais a fháil faoin bPróiseas Achomharc, agus riachtanais le haghaidh doiciméadúcháin agus na céimeanna sa phróiseas, féach treorú reatha na Roinne Oideachais agus Scileanna.

A3.8 Athbhreithniú ar úsáid díbeartha

Ba chóir don Bhord Bainistíochta athbhreithniú a dhéanamh ar úsáid díbeartha sa scoil ar bhonn rialto chun a chinntiú go bhfuil a húsáid i gcomhréir le polasaithe na scoile, go ndéanfar pátrúin úsáide a scrúdú chun gnéithe a shainaithint a d'fhéadfadh a bheith ag imirt tionchair ar iompar sa scoil agus a chinntiú go n-úsáidtear díbirt go hiomchuí.

Aguisín 4

8.1 Fógra a thabhairt maidir le dalta a bheith as láthair ón scoil

Tá sé tábhachtach an scoil a chur ar an eolas maidir le hasláithreacht a linbh is cuma cibé cúis Ba cheart nóta a chur isteach chuig an múinteoir ranga roimh ré más eol do thuismitheoirí go mbeidh an páiste as láthair nó ar an gcéad lá ar ais tar éis a bheith as láthair.

Ní gá glaoch ar an scoil leis an eolas sula bhfilleann an páiste ar an scoil ach má bhíonn an páiste as láthair trí lá nó níos mó nó má tá galar tógálach ag an bpáiste ar ceart dúinn a bheith ar an eolas faoi.

Ba cheart don nóta an chúis shonrach leis an asláithreacht a lua.

Má tá dalta as láthair níos mó ná ceithre lá agus gan aon scéal faighte againn ó na thuismitheoirí imeoidimid i dteagmháil leis na thuismitheoirí ar an nguthán maidir leis an asláithreacht.

Má theipeann ar thuismitheoir fógra a thabhairt don scoil maidir le hasláithreacht mhic léinn cuirfear nóta abhaile ag lorg fógra. Coimeádfar cuntas muna bhfaightear freagra ar an nóta sin agus cuirfear é sin in iúl don BumLO má sháraíonn an dalta an teorainn 20 lá atá leagtha síos.

9

Athbhreithniú

Déanfar athbhreithniú ar an gCód Iompair seo i rith na scoilbhliana 2014/15.

Dáta glactha: Nollaig 2015 (nuair a baineadh amach an mhír a cheadaigh páiste a choimeád istigh ar feadh leath am lóin mar fhíonós.)

Code of Conduct

Scoil Lorcáin wishes to provide pupils with the highest possible standard of education through the medium of Irish, in a pleasant safe all-Irish environment.

The child's personal development during his/her time in the school is always emphasized. Good behavior at school is also emphasized and a high standard of conduct is expected from pupils so that all the school's pupils, staff and families can enjoy and benefit from their experience of the

school. The school cannot achieve a high standard of behavior without the co-operation and support of parents. This code was developed through the co-operation of the school community, especially the teachers, parents and Board of Management.

2

2.1 Main aim and goals

The main aim of this code of conduct is to develop good behaviour.

Our goals for this Code of Discipline include:

- creating a climate that encourages and reinforces good behaviour
- creating a positive and safe environment for teaching and learning
- encouraging students to take personal responsibility for their learning and their behaviour
- helping young people to mature into responsible participating citizens
- building positive relationships of mutual respect and mutual support among students, staff and parents
- ensuring that the school's high expectations for the behaviour of all the members of the school community are widely known and understood.

To develop respect for differences, whether religious or other.

2.2 Principles

There are some basic principles that underpin this code of behavior;

Providing clarity

Affirming that everyone's behaviour matters

Focusing on promoting good behaviour

Recognising that relationships are crucial

Focusing on personal responsibility.

Ensuring fairness and equity

Promoting equality

Recognising educational vulnerability

Promoting safety and freedom from threat

That misbehavior is not accepted

2.3

We share these understandings in relation to behaviour

- That family is the most important element of the variables which affect behavior
- The quality of relationships affects behaviour.

- Behaviour can be learned. This means it can change.
- Behaviour takes place within a particular context and in relation to other people. Understanding the context is central to understanding the behaviour.
- What teachers, other adults and other students do in response to a student's behaviour is critical in influencing the choices students make about how they behave.
- Effective teaching and learning are closely linked to good behaviour.
- Positive acknowledgement is a very effective way of influencing and promoting good learning behaviour.

3

3.1 Influences on behaviour

3.1.1 Within-person factors include:

- age and stage of development
- personality and temperament
- personal history and experience
- physical, sensory or medical characteristics
- skills, ability to learn
- beliefs about self and others
- resilience and self-efficacy.

3.1.2 External and interpersonal factors include:

- parental and family patterns and relationships
- social networks, including friends and peer groups
- neighbourhood and community factors
- the status and standing of different groups in society
- school factors
- time, opportunity and support for personal and social development.

3.2 Changing behaviour

Parents and teachers can influence some of the factors involved in helping students to manage or change their behaviour. Those factors include:

- motivation
- goals
- skills
- previous experience of trying to change, especially experience of success
- parental, family, teacher or other adult and peer support
- incentive/reward.

3.3 Standards of behavior

Behaviour which is not permitted:

Behaviour which hurts others.

Behaviour which disrupts learning and teaching

Threats

Damage to property

Robbing

The school's standards of behaviour

- provide clarity for students about the school's high expectations for their behaviour
- set goals for students that will guide them in moving towards mature and appropriate behaviour
- serve as a practical tool for teaching and learning.

3.4 Values

Our standards of behaviour reflect these values:

- respect for self and others
- kindness and willingness to help others
- courtesy and good manners
- fairness
- readiness to use respectful ways of resolving difficulties and conflict
- forgiveness.

3.5 Strategies to encourage good behaviour

These are our strategies for encouraging good behaviour.

Students are more likely to behave well when:

- they can see that the code works in a fair way
 - there are standards that set high expectations for student behaviour
 - the standards are clear, consistent and widely understood
 - parents support the school by encouraging good learning behaviour
 - there are good relationships between teachers, parents and students and a happy school atmosphere
 - adults model the behaviour that is expected from students.
 - they are given responsibility in the school and are involved in the development of the code of behaviour
 - they understand why the code is important and their part in making it work
-
- positive everyday interactions between teachers and students
 - clear boundaries and rules for students
 - helping students themselves to recognise and affirm good learning behaviour
 - recognising and giving positive feedback about behaviour
 - involving students in the preparation of the school and classroom rules.

To be aware of disadvantage and differences

To give prizes, responsibilities or privileges

To give parents/guardians a positive report

To have no homework or less homework.

We are aiming to achieve consistency across the teaching team in the deployment of these strategies.

3.6 A problem-solving approach

An important element of the approach to a student's inappropriate behaviour is a problem-solving approach, that is, one where the teacher and the school respond to the unwanted behaviour using these steps.

1. Gather information. Understand the context and the factors that may be affecting behaviour.
2. Generate ideas about possible solutions that take account of the reasons why it may be happening.

3. Decide and agree on specific strategies.
4. Implement the agreed strategy consistently.
5. Review progress: evaluate the impact and effectiveness of the intervention.

4.4 Sanctions

The purpose of sanctions

4.4.1 The purpose of a sanctions is to bring about a change in behaviour by:

- helping students to learn that their behaviour is unacceptable
- helping them to recognise the effect of their actions and behaviour on others
- prevent serious disruption of teaching and learning
- keep the student, or other students or adults, safe.

4.4.3 Good practice in the use of sanctions

A sanction should be used in a respectful way that helps students to understand the consequences of their behaviour and to take responsibility for changing that behaviour. In particular, a sanction should:

- defuse and not escalate a situation
- preserve the dignity of all the parties
- be applied in a fair and consistent way
- be timely.

4.4.3

The following are the strategies employed to deal with misbehavior, depending on how serious any incident might be. Though they are in general order of import they need not be followed one after the other.

- The child(ren) will be spoken to. This may be done quietly or in front of the class as the teacher sees fit.
- The withdrawal of privileges, i.e. doing jobs in class or messaged around the school.
- The teacher may need to separate the child from the rest of the class or send the child to another teacher. Consistently denying a student access to a particular part of the curriculum **as a general sanction** would not be appropriate.
- Extra homework may be given.
- The teacher will send a note home informing the parent(s)/guardians of the bad behavior
- The Deputy Principal and/or Assistant Principal may speak to the child
- The child will be kept in during break or lunchtime for a maximum of half the period.
- The child will be separated from his peers in the yard.
- The teacher will speak privately to the child and parents together if required.
- The teacher will inform the Principal.
- Being removed from a peer group
- Parents will be obliged to pay if any damage has been done to property
- formal report to the Board of Management.

4.4.4 Inappropriate sanctions include:

- physical punishment or the threat of physical punishment
- ridicule, sarcasm or remarks likely to undermine a student's self confidence

- public or private humiliation
- applying sanctions to whole groups or classes in cases of individual or small-group wrongdoing
- leaving a student in an unsupervised situation (e.g. a corridor) while in the care of the school
- persistent isolation of, or ignoring, a student in class
- sanctions that are used in a discriminatory way

Appendix 1

5

Suspensions and expulsions

5.1 Fair procedures based on the principles of natural justice

We recognize that fair procedures have two essential parts:

- **the right to be heard**
- **the right to impartiality.**

The **right to be heard** means:

- the right to know that the alleged misbehaviour is being investigated
- the right to know the details of the allegations being made and any other information that will be taken into account
- the right to know how the issue will be decided
- the right to respond to the allegations
- where the possible sanction is of a serious nature, the right to be heard by the decision-making body
- where the possible sanction is of a serious nature, the right to ask questions of the other party or witnesses where there is a dispute about the facts.

5.3 Authority to suspend

The Board of Management has the authority to suspend a student. Where this authority is delegated to the Principal, the delegation should be done formally and in writing.

The authority delegated to the Principal in respect of suspension should state any limits on that authority, and specify how the Principal is accountable to the Board of Management for his or her use of that authority.

5.4 The grounds for suspension

Suspension should be a proportionate response to the behaviour that is causing concern.

Normally, other interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student requires serious grounds such as that:

- the student's behaviour has had a seriously detrimental effect on the education of other students
- the student's continued presence in the school at this time constitutes a threat to safety
- the student is responsible for serious damage to property.

A single incident of serious misconduct may be grounds for suspension.

5.5 Determining the appropriateness of suspending a student

These questions should be considered when considering suspension (or expulsion).

- What is the precise description of the behaviour?

- How persistent has the unacceptable behaviour been?
- Has the problem behaviour escalated, in spite of the interventions tried?
- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- What is the age, stage of development and cognitive ability of the student?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?
- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?
- Does the behaviour have a particular or greater impact on some students or teachers?
- Does the student understand the impact of their behaviour on others?
- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of those interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent services)?
- Does the student's behaviour warrant suspension?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?
- Will suspension allow additional or alternative interventions to be made?
- Will suspension help the student to change the inappropriate behaviour?
- How will suspension help teachers or other students affected by the behaviour?
- Will suspension exacerbate any educational vulnerability of the student?

5.7 Forms of suspension

5.7.1 Immediate suspension

In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the student in the school at the time would represent a serious threat to the safety of students or staff of the school, or any other person. Fair procedures must still be applied.

5.7.2 Inappropriate use of suspension

Students should not usually be suspended for:

- poor academic performance
- poor attendance or lateness

- minor breaches of the code of behaviour.

However, any behaviour that is persistently disruptive to learning or potentially 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.

5.7.3 Rolling suspension

A student should not be suspended again shortly after they return to school unless:

- they engage in serious misbehaviour that warrants suspension and
- fair procedures are observed in full and
- the standard applied to judging the behaviour is the same as the standard applied to the behaviour of any other student.

5.7.4 Informal or unacknowledged suspension

Exclusion of a student for part of the school day, as a sanction, or asking parents to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by the school is a suspension, and should follow the Guidelines relating to suspension.

Appendix 2

6

6.1 Procedures in respect of suspension

Schools are required by law to follow fair procedures when proposing to suspend a student. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school should observe the following procedures:

- inform the student and their parents about the complaint
- give parents and student an opportunity to respond.

6.1.1 Informing the student and the parents

Let the student and their parents know about the complaint, how it will be investigated, and that it could result in suspension.

Parents may be informed by phone or in writing, depending on the seriousness of the matter. Informing parents in writing has the benefit of ensuring that there is a formal and permanent record of having let parents know. It also ensures that parents are clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

6.1.2 The opportunity to respond

Parents and student should be given an opportunity to respond before a decision is made and before any sanction is imposed.

A meeting with the student and their parents provides an opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts. It may also be an opportunity for parents to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's

behaviour. If a student and their parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school should record the invitations made to parents and their response.

6.2 Procedures in relation to immediate suspension

Where an immediate suspension is considered by the Principal to be warranted for reasons of the safety of the student, other students, staff or others, a preliminary investigation should be conducted

to establish the case for the imposition of the suspension. The formal investigation should immediately

follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, should be open-ended.

In the case of an immediate suspension, parents must be notified, and arrangements made with them

for the student to be collected. The school must have regard to its duty of care for the student. In no

circumstances should a student be sent home from school without first notifying parents.

6.3 The period of suspension

A student should not be suspended for more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective.

If a suspension longer than three days is being proposed by the Principal, the matter should be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.

However, a Board of Management may wish to authorise the Principal, with the approval of the Chairperson of the Board, to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions.

The Board of Management should normally place a ceiling of ten days on any one period of suspension imposed by it.

The Board 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 twenty days or more. Any such suspension is subject to appeal under section 29 of the *Education Act 1998*.

These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

6.4 Appeals

The Board of Management should offer an opportunity to appeal a Principal's decision to suspend a student. In the case of decisions to suspend made by the Board of Management (see **11.6**), an appeals process may be provided by the Patron.

6.5 Section 29 Appeal

Where the total number of days for which the student has been suspended in the current school year

reaches twenty days, the parents, or a student aged over eighteen years, may appeal the suspension under section 29 of the *Education Act 1998*, as amended by the *Education (Miscellaneous Provisions) Act 2007*.

At the time when parents are being formally notified of such a suspension, they and the student should be told about their right to appeal to the Secretary General of the Department of Education and Science under section 29 of the *Education Act 1998*, and should be given information about how to appeal.

If the student is attending a school under the management of a VEC, the appeal must be made in the first instance to the VEC. Where an appeal to the VEC is concluded, parents, or a student aged over eighteen years, may appeal to the Secretary General of the Department of Education and Science.

6.6 Implementing the suspension

6.6.1 Written notification

The Principal should notify the parents and the student in writing of the decision to suspend. The letter should 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 (for example, parents might be asked to reaffirm their commitment to the code of behaviour)

- the provision for an appeal to the Board of Management
- the provision for an appeal to the VEC, if appropriate
- the right to appeal to the Secretary General of the Department of Education and Science (*Education Act 1998*, section 29).

The letter should be clear and easy to understand. Particular care should be taken in communicating with parents who may have reading difficulties, or whose first language is not the language of the school.

6.6.2 Engaging with student and parents

Where a decision to suspend has been made, it can maximise the impact and value of suspension if the Principal or another staff member delegated by the Principal meets with the parents to

emphasise their responsibility in helping the student to behave well when the student returns to school and to offer help and guidance in this.

Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

6.6.2 Grounds for removing a suspension

A suspension may be removed if the Board of Management decides to remove the suspension for any reason or if the Secretary General of the Department of Education and Science directs that it be removed following an appeal under section 29 of the *Education Act 1998*.

6.6.3 After the suspension ends

A period of suspension will end on the date given in the letter of notification to the parents about the suspension.

6.6.5 Re-integrating the student

The school should have a plan to help the student to take responsibility for catching up on work missed. This plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure. Successful re-integration goes beyond academic work. A suspended student may feel angry or resentful about their suspension, and these feelings can trigger problems with reintegration

which, in turn, may lead to further problem behaviour. Where possible, the school should arrange for a member of staff to provide support to the student during the re-integration process.

6.6.6 Clean slate

When any sanction, including suspension, is completed, a student should be given the opportunity and support for a fresh start. Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed the school should expect the same behaviour of this student as of all other students.

6.7 Records and reports

Formal written records should be kept of the investigation (including notes of all interviews held)

- the decision-making process
- the decision and the rationale for the decision
- the duration of the suspension and any conditions attached to the suspension.

The Principal should report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.

The Principal is required to report suspensions in accordance with the NEWB reporting guidelines (*Education (Welfare) Act, 2000*, section 21(4)(a)).

6.8 Review of use of suspension

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

Appendix 3

7 Exclusion

7.1 Authority to expel

The Board of Management of a recognised school has the authority to expel a student.

7.2 The grounds for expulsion

Expulsion should be a proportionate response to the student's behaviour

The school should have taken significant steps to address the misbehaviour and to avoid expulsion of a student.

7.3 Expulsion

A proposal to expel a student requires serious grounds.

The grounds for expulsion may be similar to the grounds for suspension. In addition to factors such as the degree of seriousness and the persistence of the behaviour, a key difference is that, where expulsion is considered, school authorities have tried a series of other interventions, and believe they have exhausted all possibilities for changing the student's behaviour.

7.4 Expulsion for a first offence

There may be exceptional circumstances where the Board of Management forms the opinion 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 could include:

- a serious threat of violence against another student or member of staff
- actual violence or physical assault
- supplying illegal drugs to other students in the school
- sexual assault.

7.5 Determining the appropriateness of expelling a student

The Board of Management should undertake a very detailed review of a range of factors in deciding whether to expel a student. See 5.5.

7.6 Procedures in respect of expulsion

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation carried out under the direction of the Principal.
2. A recommendation to the Board of Management by the Principal.
3. Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.
4. Board of Management deliberations and actions following the hearing.
5. Consultations arranged by the Educational Welfare Officer.
6. Confirmation of the decision to expel.

It is a matter for each Board of Management to decide which of the tasks involved in these procedural steps requires separate meetings and which tasks can be accomplished together in a single meeting, consistent with giving parents due notice of meetings and a fair and reasonable time to prepare for a Board hearing.

Step 1: A detailed investigation carried out under the direction of the Principal

In investigating an allegation, in line with fair procedures, the Principal should:

- inform the student and their parents about the details of the alleged misbehaviour, how it will be

investigated and that it could result in expulsion

- give parents and the student every opportunity to respond to the complaint of serious misbehaviour

before a decision is made and before a sanction is imposed.

Parents should be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. This also ensures that parents are very clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

Parents and the student must have every opportunity to respond to the complaint of serious misbehaviour before a decision is made about the veracity of the allegation, and before a sanction is imposed. Where expulsion may result from an investigation, a meeting with the student and their parents is essential.

If a student and their parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour. The school should record the invitation issued to parents and their response.

Step 2: A recommendation to the Board of Management by the Principal

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal should:

- inform the parents and the student that the Board of Management is being asked to consider expulsion
- ensure that parents have records of; the allegations against the student; the investigation; and written notice of the grounds on which the Board of Management is being asked to consider expulsion
- provide the Board of Management with the same comprehensive records as are given to parents
- notify the parents of the date of the hearing by 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 that parents have enough notice to allow them to prepare for the hearing.

Step 3: Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing

It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. The Board should undertake its own review of all documentation and the circumstances of the case.

Where a Board of Management decides to consider expelling a student, it must hold a hearing. The Board meeting for the purpose of the hearing should be properly conducted in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case for lessening the sanction. In the conduct of the hearing, the Board must take care to ensure that 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. After both sides have been heard, the Board should ensure that the Principal and parents are not present for the Board's deliberations.

Step 4: Board of Management deliberations and actions following the hearing

Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction. Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (*Education (Welfare) Act 2000*, s24(1)). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification (*Education (Welfare) Act 2000*, s24(1)).

An appeal against an expulsion under section 29 of the *Education Act 1998* will automatically succeed if it is shown that the Educational Welfare Officer was not notified in accordance with section 24(1) or that twenty days did not elapse from the time of notification to the Educational Welfare Officer to the implementation of the expulsion (*Education (Miscellaneous Provisions) Act 2007*, s4A).

The Board should inform the parents in writing about its conclusions and the next steps in the process.

Where expulsion is proposed, the parents should be told that the Board of Management will now inform the Educational Welfare Officer.

Step 5: Consultations arranged by the Educational Welfare Officer

Within twenty days of receipt of a notification from a Board of Management of its opinion that a student should be expelled, the Educational Welfare Officer must:

- make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance
- convene a meeting of those parties who agree to attend (*Education (Welfare) Act 2000*, section 24).

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement about an alternative intervention that would avoid expulsion. However, where the possibility of continuing in the school is not an option, at least in the short term, the consultation should focus on alternative educational possibilities.

In the interests of the educational welfare of the student, those concerned should come together with the Educational Welfare Officer to plan for the student's future education.

Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (*Education (Welfare) Act 2000, s24(5)*). A Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others, or represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel

Where the twenty-day period following notification to the Educational Welfare Officer has elapsed, and where 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 (this task might be delegated to the Chairperson and the Principal). Parents should be notified immediately that the expulsion will now proceed. Parents and the student should be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record should be made of the decision to expel the student.

7.7 Appeals

A parent, or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the Department of Education and Science (*Education Act 1998 section 29*). An appeal may also be brought by the National Educational Welfare Board on behalf of a student.

7.7.1 The appeals process

The appeals process under section 29 of the *Education Act 1998* begins with the provision of mediation by a mediator nominated by the Appeals Committee (Department of Education and Science). For further details about the Appeals process, including requirements for documentation, and the steps in the process, refer to current DES guidance.

7.8 Review of use of expulsion

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

Appendix 4

8

8.1 Notification of a child's absence from school

It is important to let the school know of a child's absence for any reason

A note should be sent to the teacher beforehand when possible if a child is due to be absent or on the first day back after an absence

We need not receive a phonecall before the child returns unless the absence is for three days or more.

The note should give detailed information to the school about the reasons for absence

If we have not received any communication from parents by the fourth day of absence we will try to contact the parents by phone.

If we do not receive notification from parents regarding reasons for an absence then we will send a note home. If we do not get a response to that note we will keep a record and inform the EWB should the 20 day threshold be reached.

9

Review

Date of Ratification