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Cód Iompair

<u>Más rud é go bhfuil difríocht idir a bhfuil scríofa as Gaeilge agus as Béarla sa pholasaí seo, glactar leis an leagan Gaeilge mar an leagan cruinn agus an leagan Béarla mar aistriúchán.</u>

Cuireadh an Cód Iompair seo le chéile ag baint úsáid as "Cód Iompair a Fhorbairt: treoirlínte i gcomhair Scoileanna" foilsithe ag Bord Náisiúnta Leasa Oideachais i 2008.

1. <u>Réamhrá</u>

Is mian le Gaelscoil na Fuinseoige bunoideachas d'ardchaighdeán trí mheán na Gaeilge a chur ar fáil do pháistí i dtimpeallacht thaitneamhach, shábháilte. Bíonn béim i gcónaí ar fhorbairt an pháiste le linn a t(h)réimhse sa scoil. Bionn béim freisin ar dhea-iompar ar scoil agus bímid 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 leis an gCoiste Cairde chomh maith le foireann na scoile.

Bainfear úsáid as deachleachtas athtreisiú dearfach i gcónaí sa scoil le béim i gcónaí ar dhea-iompar.

2. <u>Príomhaidhm, spriocanna, bunphrionsabail agus tuiscintí</u>

2.1 Príomhaidhm agus spriocanna

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

<u>Is iad seo na spriocanna atá leis an gCód Iompair</u>:

- atmaisféar a chruthú a spreagann agus a threisíonn dea-iompar
- timpeallacht dhearfach shábháilte a chruthú don teagasc agus don fhoghlaim
- páistí a spreagadh le freagracht phearsanta a ghlacadh as a bhfoghlaim agus a n-iompar
- 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 dhearbhú 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
- 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 páistí eile mar fhreagairt d'iompar páistí, tá ríthábhacht ag baint leis mar thionchair ar na roghanna a dhéanann páistí i dtaobh a gcuid iompair
- tá dlúthbhaint ag teagasc agus foghlaim éifeachtach le dea-iompar
- spreagtar dea-iompar tré iompar mhaith a mholadh

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
- 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 páistí chun a n-iompar féin a athrú.

I measc na dtosca seo tá:

- inspreagadh
- spriocanna
- scileanna
- tacaíocht ó thuismitheoirí, ó theaghlach, ó mhúinteoir, ó dhuine fásta eile, agus ón bpiarghrúpa
- dreasacht/luaíocht

3.3 Caighdeáin 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 caighdeáin seo againn chun:

- soiléiriú a sholáthar do pháistí faoi ionchais arda na scoile i leith a n-iompair
- spriocanna a shocrú do pháistí 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 caighdeáin:

- 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 dhearbhú agus a chothú

'Sé bunphrionsapail an chóid seo ná go mbeidh athtreisiú dea-iompar in usáid sa scoil. Is iad seo a leanas ár bpríomhstraitéisí d'fhonn dea-iompar a chothú i measc na ndaltaí sa rang agus ag leibhéal na scoile.

Bíonn iompar pháistí níos fearr nuair:

- atá ionchais arda sa scoil go n-iompróidh páistí iad féin ar ardchaighdeán
- atá na caighdeáin soiléir agus comhsheasmhach agus má thuigtear go forleathan iad
- a thacaíonn tuismitheoirí leis an scoil trí dhea-iompar foghlama a chothú
- atá cultúr dearfach comhchaidrimh idir múinteoirí, tuismitheoirí agus páistí agus atmaisféar sona scoile ann go mbeadh siad páirteach i róil a bhfuil freagrachtaí ag baint leo sa scoil

- a fheiceann siad go n-oibríonn sé go cothroma léiríonn daoine fásta an t-iompar a bhfuil dúil leis ó na páistí.
- atá idirghabhálacha dearfacha laethúla idir na múinteoirí agus na páistí
- atá páistí a chur san áireamh in ullmhú rialacha scoile agus seomra ranga.
- áthar bheith airdeallach agus tuisceanach ar mhí-bhuntáiste, agus ar éagsúlacht
- a bhronntar duaiseanna, dualgais nó pribhléidí
- a thugtar tuairisc do thuismitheoir/chaomhnóir
- a thugtar saoire ó obair bhaile

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.

<u>Molaimid na céimeanna seo a leanas</u>:

1. Cruinnigh eolas. Tuig an comhthéacs agus na tosca a d'fhéadfadh dul i bhfeidhm ar an iompar.
2. Gin smaointe faoi réitigh a d'fhéadfadh a bheith i gceist.
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. <u>Rialacha agus smachtbhannaí</u>

4.1 Treoir don dalta

<u>Ba chóir duit, mar dhalta</u>:

- 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 throscáin agus do thimpeallacht na scoile.
- cloí le rialacha uile na scoile.
- éide scoile a chaitheamh gach lá ach amháin nuair a cheadaítear a mhalairt.

4.2 Riail na Gaeilge

Is í bunriail i nGaelscoil na Fuinseoige gurb í an Ghaeilge teanga teagaisc agus cumarsáide na scoile.

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 mhaoin
- goid
- briseadh rialacha na scoile
- uirlisí na substaintí dainséaracha/neamhdhleathach a chuirfeadh aon duine i mbaol a thabhairt ar scoil.

4.4 Smachtbhannaí

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

- cuidiú le páistí a fhoghlaim a bheith freagrach as a n-iompar agus go bhfuil a n-iompar do-ghlactha
- cuidiú le páistí 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 páistí eile nó daoine fásta, a choinneáil slán.

4.4.2 Úsáidimid smachtbhannaí ar bhealach ómósach a chuidíonn le páistí 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 léiriu 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 pháiste ar chuid áirithe den churaclam mar smachtbhanna ginearálta
- labhróidh an múinteoir le tuismitheoir go neamhfhoirmeálta
- cuirfear nóta abhaile ag cur an drochiompair in iúl do na tuismitheoirí
- labhróidh an Príomhoide leis an bpáiste

- scarfar an páiste amach óna phiarghrúpa sa chlós
- labhrófar go príobháideach leis an bpáiste agus na tuismitheoirí le chéile
- más creachadóireacht atá i gceist íocfaidh tuismitheoirí an pháiste as an damáiste
- Tuairisc fhoirmiúil chuig an mBord Bainistíochta, mar chuid de phróiseas fionraithe nó díbrithe.

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 pháistí
- 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 páistí i suíomh gan mhaoirseacht (m.sh. amuigh sa phasáiste) agus é nó í faoi chúram na scoile
- aonrú dianseasmhach nó ag tabhairt neamhairde ar pháiste i rang
- smachtbhannaí atá á n-úsáid ar bhealach leatromach.

5. Fionraithe agus Díbirtí

5.1 Gnáthaimh chóra bunaithe ar phrionsabail an cheartais aiceanta

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

1. an ceart go n-éistfí leat
2. 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 réamhthuairimí ina leith

5.2 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 reáchtálfadh ball eile den fhoireann an t-imscrúdu agus go gcuirfí tuairisc iomlán ar fhíricí 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 reáchtálfadh Príomhoide imscrúdú 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 imscrúdú chun a chinntiú go ndearnadh é a reáchtáil go cóir cothrom. Ba chóir go mbeadh sé follasach don dalta, do thuismitheoirí, don fhoireann agus do dhaltaí 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-imscrúdú a reáchtáil.

5.3 An t-údarás dalta a chur ar fionraí

Tá údarás ag Bord Bainistíochta Gaelscoil na Fuinseoige dalta a chur ar fionraí. I gcásanna ina dtarmligean 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.

Ba chóir go mbeadh fionraí mar fhreagra comhréireach ar iompar is cúis imní. 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 – <u>mar shampla</u>:

- go raibh tionchar dochrach tromchúiseach ag iompar an pháistí 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 gniomh mí-iompair thromchúisigh amháin a bheith ina fhoras le duine a chur ar fionraí.

5.4 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 pháiste, 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 pháistí i bhfeidhm ar pháistí 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 pháistí 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 fabhtachAr 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 lorgaíodh cúnamh 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 pháistí 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 páistí eile a ndeachaigh an t-iompar i bhfeidhm orthu?
- An rachaidh aon leochaileacht oideachais sa pháiste in olcas de bharr na fionraí?

5.5 Fionraí mar chuid de phlean bainistíochta iompair

Ba chóir d'fhionraí bheith mar chuid de phlean chun dul i ngleic le hiompar an pháistí.

<u>Ba chóir don fhionraí</u>:
- 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

5.6 Cineálacha fionraí

5.6.1 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.

5.6.2 Úsáid mhíchuí fionraí

<u>Ní chuirfear dalta ar fionraí ar na cúiseanna seo a leanas</u>:
- drochfheidhmíocht acadúil
- drochfhreastal scoile nó a bheith mall
- mionsáruithe ar an gcód iompair.

5.6.3 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-iomláinegurb 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.

5.6.4 Fionraí neamhfhoirmiúil nó neamhadmhálach

Is é atá i gceist le fionraí ná dalta a eisiamh 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 eisiamh a éilíonn an scoil mar fhionraí, agus caithfear na Treoirlínte a bhaineann le fionraí a chomhlíonadh.

6. Nósanna Imeachta

6.1 Nósanna 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 pháistí freagra a thabhairt.

6.1.1 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.

6.1.2 Deis freagra a thabhairt

Tabharfaimid deis do thuismitheoirí agus don pháiste freagra a thabhairt sula nglactar cinneadh nó sula ngearrtar smachtbhanna. Má theipeann ar pháiste 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 údaráis 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.

6.2 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 pháistí, 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.

6.3 Tréimshe 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 treorach 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 pháiste 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.

6.4 Achomhairc

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

6.5 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 pháiste 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.

6.6 An fionraí a chur i ngníomh

6.6.1 Fógra i scríbhinn

Ní foláir don Phríomhoide fógra i scríbhinn a thabhairt do na tuismitheoirí agus don pháiste maidir leis an gcinneadh é/í a chur ar fionraí.

<u>Caithfidh an litir na nithe seo a leanas a dhearbhú</u>:

- 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.

6.6.2 Teagmháil le páistí 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 leseo.

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

6.6.3 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*.

6.6.4 I ndiaidh na fionraí

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

6.6.5 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 pháiste 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 pháiste le linn phróiseas an ath-imeasctha.

6.6.6 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.

6.7 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 threoirlínte tuairiscithe an BNLO (*An tAcht Oideachais (Leas), 2000*, alt 21(4)(a)).

6.8 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.

7. Díbirt

7.1 An t-údarás dalta a dhíbirt

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

7.2 Na forais le haghaidh díbeartha

Beidh díbirt ina freagra comhréireach ar iompar an pháistí. Beidh bearta suntasacha curtha i bhfeidhm le dul i ngleic leis an mí-iompar chun díbirt an pháistí a sheachaint.

7.3 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 páistí eile nó baill foirne
- foréigean nó ionsaí iarbhír
- ag soláthar drugaí mídhleathacha do dhaltaí eile sa scoil
- ionsaí gnéasach.

7.4 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.

7.5 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 sonrach 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 gcinneadh 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 gcruinniú amháin, i gcomhréir le fógra cuí a thabhairt do thuismitheoirí agus am cóir réasúnta a thabhairt d'éisteacht Boird.

<u>Céim 1</u>
<u>Imscrúdú sonrach arna sheoladh faoi stiúir an Phríomhoide agus imscrúdú á dhéanamh ar líomhain, de réir gnáthamh cóir, ba chóir don Phríomhoide</u>:

- an dalta agus na tuismitheoirí 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 tuismitheoirí agus don pháiste freagairt don ghearán go raibh mí-iompar tromchúiseach ann sula nglacfaí cinneadh smachtbhanna a ghearradh.

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

Má theipeann ar pháiste agus a dtuismitheoirí freastal ar chruinniú, 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 chruinniú athsceidealaithe agus, má theipeann orthu sin a dhéanamh, go mbeidh dualgas ar údaráis 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.

<u>Céim 2</u>
<u>Moladh ón bPríomhoide chuig an mBord Bainistíochta</u>
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.

<u>Ba chóir don Phríomhoide</u>:

- a chur in iúl do na tuismitheoirí agus don pháiste go bhfuil iarrtha ar an mBord Bainistíochta díbirt a bhreithniú
- a chinntiú go bhfuil taifid ag na tuismitheoirí: ar na líomhaintí in aghaidh an pháistí; 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 tuismitheoirí
- 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 choir 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.

<u>Céim 5</u>
<u>Comhairliúcháin arna n-eagrú ag an Oifigeach Leasa Oideachais</u>

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 ghearrthéarma ar aon chuma, ba chóir don chomhairliúchán díriú ar fhéidearthachtaí oideachais eile.

Díbirt

Ar mhaithe le leas oideachais an pháistí, ba chóir dóibh siúd atá páirteach sa chás teacht le chéile leis an Oifigeach Leasa Oideachais agus pleanáil le haghaidh todhchaí oideachais an pháistí. Go dtí go gcríochnófar na comhairliúcháin seo faoi leanúnachas an pháistí 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 bhfanfadh an dalta seo sa scoil, nó go bhfuil bagairt ann do shábháilteacht na daltaí eile nó na foirne.

<u>Céim 6</u>
<u>Dearbhú ar na gcinneadh an dalta a dhíbirt</u>

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 tharmligean 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 pháistí 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.

7.7 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 páistí.

7.7.1 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.

7.8 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.

8. 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 tuismitheoirí imeoimid i dteagmháil leis na tuismitheoirí ar an nguthán maidir leis an asláithreacht. Má theipeann ar thuismitheoir fógra a thabhairt don scoil maidir le hasláithreacht pháistí 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 de réir mar is gáth.

Aguisín ar fhilleadh ar scoil 01/09/2020 agus Paindéim Covid 19 i réim.

Ar mhaith le sláinte phobal na scoile, tá sé riachtanach go gcloífeadh daltaí le treoir maidir le sláinteachas agus scaradh sóisialta.

Má sháraítear na treoracha d'aon ghnó, glacfar leis mar mhí-iompar tromchúiseach. Labhrófar leis an dalta láithreach, ar bhealach aoisoiriúnach. Cuirfear smachtbhannaí oiriúnacha i bhfeidhm. Cuirfear fios ar thuismitheoirí/chaomhnóirí chun teacht chun na scoile láithreach chun labhairt lena bpáistí, má mheasann an príomhoide gur cuí é seo.

Sínithe: ______________________
Cathaoirleach

Sínithe: ______________________
Príomhoide

Dáta: **18 Eanáir, 2023**

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Code of Behaviour

Should there be any discrepancy between the Irish and English in this policy, it is accepted that the Irish is the correct version and the English is provided as a translation.

This Code of Behaviour was formulated using "Developing a Code of Behaviour: Guidelines for Schools" produced by the National Education Welfare Board 2008.

1. Introduction

Gaelscoil na Fuinseoige 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 emphasised. Good behavior at school is also emphasised 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.

Best practice of positive reinforcement will be adhered to in the school. Good behaviour will be acknowleged and reinforced throughout the school. Reward systems will be routinely used in all classes.

2. Main aim, goals, principles and understanding

2.1 Main aim and goals

The main aim of this Code of Behaviour 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 children 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 children, 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

<u>There are some basic principles that underpin this code of behaviour</u>:

- *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 children do in response to a student's behaviour is critical in influencing the choices children 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 <u>Understanding behaviour</u>

3.1 Influences on behaviour

<u>Within-person factors include</u>:

- *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*

<u>External and interpersonal factors include</u>:

- *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 children 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 children about the school's high expectations for their behaviour*
- *set goals for children 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*

Positive reinforcement of good behaviour is the cornerstone of our Code of Behaviour. These are our strategies for encouraging good behaviour.

Children are more likely to behave well when:

- *they can see that the Code of Behaviour 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 behaviourthere are good relationships between teachers, parents and children and a happy school atmosphere*
- *adults model the behaviour that is expected from children*
- *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 children*
- *clear boundaries and rules for children*
- *helping children themselves to recognise and affirm good learning behaviour*
- *recognising and giving positive feedback about behaviour*
- *involving children in the preparation of the school and classroom rules*
- *to be aware and understanding of disadvantage and differences*
- *to give prizes, responsibilities or priveleges*
- *to give parents/guardians a positive report*
- *to have no homework or less homework*

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 Rules and Sanctions

4.1 Guidelines for Students

As a student, you should:

- *speak in Irish at all times in the school*
- *attend school regularly and punctually*
- *do your best in the class*
- *be responsible for school work and homework*
- *help to create a positive safe environment*
- *show respect to other students*
- *show respect to staff and other adults*
- *participate in school activities*
- *respect school property and its environs*
- *adhere to all school rules*
- *wear uniform everyday*

4.2 Riail na Gaeilge

The basic rule in Gaelscoil na Fuinseoige is that Irish is the language of communication and teaching in the school.

4.3 Unacceptable behaviour:

- *any type of bullying*
- *any behaviour that hurts others*
- *behaviour that affects teaching and learning*
- *damage to possessions*
- *theft*
- *not adhereing to school rules*
- *taking dangerous/illegal substances onto the school premises*

4.4 Sanctions

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

- *helping children 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 children or adults, safe*

4.4.2 *A sanction should be used in a respectful way that helps children 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 importance 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 messages around the school*
- *the teacher will speak informally to parents*
- *the teacher will send a note home informing the parent(s)/guardians of the bad behavior*
- *the Principal may speak to the child*
- *the child will be separated from his/her peers in the yard*
- *the teacher will speak privately to the child and parents together if required*
- *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*

5 Suspensions and expulsions

5.1 Fair procedures based on the principles of natural justice

We recognize that fair procedures have two essential parts:

1. *the right to be heard*
2. *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.*

*The **right to impartiality** means:*

- *the right to an absence of bias in the decision-maker*
- *the right to impartiality in the investigation and the decions-making.*

Freedom from bias entails ensuring that a person with an interest in the matter is not involved in the investigation or decision-making. If a person has pre-conceived opinions, a vested interest or personal involvement in the matter, they should not attempt to settle that mater. An impartial process is one that allows a decision to be made based on an unbiased evalutation of information and evidence. Generally, impartiality requires that the investigation is separated from the process of making a decision so that the decision-maker comes to the task with an open mind.

5.2 Applying fair procedures in school

In a school, fair procedures apply to:-

- *The investigation of alleged misbehaviour that may lead to suspension or expulsion and*
- *The process of decision-making as to*

  (a) Whether the student did engage in the misbehaviour and
  (b) What sanction to impose.

The way in which fair procedures are applied will take account of the seriousness of the alleged misbehaviour and will have regard to what is reasonable in the context of a particular school.

The principles of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible Developing a Code of behaviour.

The level of formality required, for example for a suspension of fewer than three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion. Even informal processes, however, must be fair and be seen to be fair.

The principles of ensuring the right to be heard and the right to impartiality apply in all cases.

The right to be heard means that a student and their parents are fully informed about an allegation and the processes that will be used to investigate and decide the matter, and that they must be given an opportunity to respond to an allegation before a decision is made and before a serious sanction is imposed.

Absence of bias in the decision-maker would mean, for example that if the child of the Principal was accused of misconduct that might warrant suspension or expulsion, the Principal would not be involved in the decision.

Similarly, if the child of a member of the Board of Management was accused of misconduct, that parent would absent themselves from the Board for any consideration of the matter of the Board.

The principle of impartiality in decision-making means it is preferable that, where possible, the Principal arranges for another member or members of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view about whether the student did engage in the behaviour and about the sanction, based on the report of the investigation.

Where circumstances require the Principal to conduct the investigation as well as making a finding and proposing the sanction, he or she must not only act fairly but be seen to act fairly. It is incumbent upon the Principal to review the investigation to ensure that it has been fully and fairly conducted. It should be evident to the student, parents, staff and other students that the Principal, as decision-maker, is basing their decision, in an objective way, on the findings of the investigation.

The person alleging the misbehaviour, or who is a victim, or a witness should not usually conduct the investigation. Thoughtful application of professional judgement and knowledge of the requirements of fair procedures will generally guide decision-making about suspension and expulsion.

However, in circumstances of particular complexity, school authorities may need to seek legal advice to support their decision-making.

Suspension as part of a behaviour management plan

Suspension should be part of an agreed plan to address the student's behaviour. The suspension should:-

- *Enable the school to set behavioural goals with the student and their parents*
- *Give school staff an opportunity to plan other interventions*
- *Impress on a student and their parents the seriousness of the behaviour*

5.3 Authority to suspend

The Board of Management of Gaelscoil na Fuinseoige 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.

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 children*
- *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.*

5.4 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 children 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 children 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 children affected by the behaviour?*
- *Will suspension exacerbate any educational vulnerability of the student?*

*5.5 **Suspension as part of a behaviour management plan***

Suspension should be part of an agreed plan to address the student's behaviour.

The suspension should:

- *enable the school to set behavioural goals with the student and their parents*
- *give school staff an opportunity to plan other interventions*
- *impress on a student and their parents the seriousness of the behaviour.*

*5.6 **Forms of suspension***

*5.6.1 **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 children or staff of the school, or any other person. Fair procedures must still be applied.

*5.6.2 **Inappropriate use of suspension***

Children 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.

*5.6.3 **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.*

*5.6.4 **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.

*6 **Suspension***

*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 misbehavior 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 children, 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.

<u>The letter should confirm</u>:

- *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.

6.6.3 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.

6.6.4 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 children.

6.7 Records and reports

<u>Formal written records should be kept of the investigation (including notes of all interviews held)</u>:

- *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.

7 <u>Exclusion</u>

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.

<u>The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include</u>:

- *a serious threat of violence against another student or member of staff*
- *actual violence or physical assault*
- *supplying illegal drugs to other children 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, <u>the procedural steps will include</u>:

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.

Expulsion
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 children 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 children 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.

8 <u>School Absence</u>

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 whould the 20 day threshold be reached.*

9. <u>Review</u>

This Code of Behaviour Policy will be reviewed when deemed necessary.

<u>Addendum on our return to school 01/09/2020</u>

For the sake of our school community's health, it is vital that pupils adhere to guidelines regarding hygiene and social distance.

If guidelines are broken deliberately, it will be seen as serious misbehaviour. The pupil will be spoken to immediately in an age-appropriate manner. Suitable sanctions will be employed. Parents/Guardians will be asked to come to the school as soon as possible, if the principal feels this is appropriate.

Signed: Oisín Chambers
Chairperson of Board of Management

Signed: Aisling Uí Fheich
Principal

Date: ***<u>18 Eanáir, 2023</u>***

Date: ***<u>18 Eanáir, 2023</u>***