



*Scoil Íde Presentation Primary School,
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Title

Code of Behaviour for Scoil Íde Presentation Primary School, Clondalkin, Dublin 22.

Introductory Statement

This policy was formulated at In-service in the school on November 23rd 2009. All teachers and SNAs were involved, with later involvement of children & parents and Board of Management.

Rationale

It is necessary to devise/review a Code of Behaviour at this particular time because:

- It is an area of concern identified by the school community
- To ensure an orderly climate for learning in the school
- It is a requirement under the Education Welfare Act, 2000, Section 23 (1)
- To ensure existing policy is in compliance with legal requirements and good practice as set out in *Developing a Code of Behaviour: Guidelines for Schools, NEWB, 2008*.

Relationship to characteristic spirit of the school

Our school is committed to the full and proper development of all aspects of the individual pupil, for personal and family life, for working life, for living in the community and for leisure. We are committed to providing the best possible environment to facilitate this development.

The ethos of our school is the core value of Scoil Íde, reflecting a caring, tolerant, catholic and multi-denominational community. We hope to achieve this through co-operation and understanding between home and school.

The Code of Behaviour reflects our Mission statement.

Aims

Scoil Íde hopes to achieve the following aims by introducing this policy.

- To ensure an educational environment that is guided by our mission statement

- To allow the school to function in an orderly way where children can make progress in all aspects of their development
- To create an atmosphere of respect, tolerance and consideration for others
- To promote positive behaviour and self-discipline, recognising the differences between children and the need to accommodate these differences
- To ensure the safety and well being of all members of the school community
- To assist parents and pupils in understanding the systems and procedures that form part of the code of behaviour and to seek their co-operation in the application of these procedures
- To ensure that the system of rules, rewards, and sanctions are implemented in a fair and consistent manner throughout the school
- To outline a standardised approach to behaviour which is available to all partners and is consistent throughout

Content of policy

The policy is addressed under the following headings and is in compliance with legal requirements and good practice as set out in *Developing a Code of Behaviour: Guidelines for Schools, NEWB, 2008*

1. Guidelines for behaviour in the school:
2. There will be a whole school approach to promoting positive behaviour among
 - Staff
 - Board of Management
 - Parents
 - Pupils
3. Positive strategies for managing behaviour will be promoted in the following areas:
 - Classroom
 - Playground
 - Other areas in the school
 - School related activities
4. Rewards and sanctions
 - Rewards and acknowledgement of good behaviour
 - Strategies for responding to inappropriate behaviour
 - Involving parents in management of problem behaviour
 - Managing aggressive or violent behaviour
5. Suspension / Expulsion
 - Suspension
 - Expulsion
 - Appeals

6. Keeping records

- Class
- Playground
- School records

7. Procedure for notification of a pupil's absence from school

8. Reference to other policies

Guidelines for behaviour in the school:

- A safe environment for teaching and learning will be promoted through implementation of our Code of behaviour.
- A fair and just environment for all, for teaching and learning, will be encouraged by utilising positive strategies

Children in our school are expected to:

- Respect themselves
- Respect others
- Respect their school

In class, pupils are expected to:

- Have respect for all and everything
- Always try their best
- Remain Seated at Breaks and when requested by a Staff member
- Go to and from class in an orderly manner
- Listen to person speaking
- Raise your hand and wait
- Keep their area neat and tidy
- Take responsibility for your own possessions
- Co-operate with others

Unacceptable behaviour includes

- Bullying and aggressive behaviour
- Tampering with the property of others.

Section 23 (4) of the Education Welfare Act states that, prior to registering a pupil, the principal teacher shall provide the parents of the child with a copy of the school's code of behaviour and that the principal '*may, as a condition of so registering such child, require his or her parents to confirm in writing that the code of behaviour so provided is acceptable to them and that they shall make all reasonable efforts to ensure compliance with such code by the child*'.

Registration of prospective pupils in Scoil Íde is conditional on acceptance of this statement.

2. Whole school approach in promoting positive behaviour

The elements of Scoil Íde's whole school approach to behaviour include

- An ethos, policies and practices that are in harmony
- A teamwork approach to behaviour

- A whole-school approach to curriculum and classroom management
- An inclusive and involved school community
- A systematic process for planning and reviewing behaviour policy

Staff

- The teachers and other staff members of Scoil Íde play important roles in the implementation of the code. They bring to this work their professional expertise in understanding the links between behaviour and learning; their experience of what works to help students to behave well; and their knowledge of the school and of the school community
- Staff were involved in the drawing up of this code of behaviour
- A consultative approach is maintained and improved from year to year.
- New staff made aware of, and involved in supporting this approach through informal contacts with colleagues and at staff meetings
- All staff were consulted with and are aware of this code of behaviour
- The school's SPHE curriculum is used to support the code of behaviour. It aims to help our children develop communication skills, appropriate ways of interacting and behaving, and conflict resolution skills. It also aims to foster self-esteem and to help children accommodate differences and develop citizenship.
- Parents of newly enrolled children informed about the curriculum and their part in supporting it through pre enrolment meetings and our Junior Infant handbook.
- Activities are scheduled to develop these skills in children e.g. Circle Time, Golden Time and are used appropriately.

Board of Management

The overall responsibility for ensuring that a code of behaviour is prepared rests with the Board of Management of Scoil Íde Presentation Primary School. The Board has particular responsibility for the ethos of the school, as well as having overall responsibility for school policies. The Board plays an active role in exploring the kinds of relationships and behaviours that will reflect the school's ethos and responsibilities.

The Board endeavours to make sure that all members of the school community have the opportunity to be involved in work on the code of behaviour. The Board of Management will formally record the adoption of the code of behaviour, the commencement date and decisions about when the code will be reviewed.

- The Board of Management has been consulted in reviewing/drafting of the code of behaviour and has suggested amendments as it saw fit
- The Board of Management supports the code of behaviour in the school on an ongoing basis by supporting the Principal & staff in their implementation of the Code.
- The Board of Management supports the staff in implementing the code of behaviour by provision of opportunities for staff development.
- The procedures that are in place for the Board of Management to deal with serious breaches of behaviour include suspension and expulsion according to guidelines

Parents

- Co-operation between staff and parents is encouraged through informal & formal contacts, Parent Teacher Meetings and regular communications from the school..
 - The code of behaviour is communicated to parents on the enrolment of their child through attendance at a pre enrolment meeting and in written communications from the school.

Parents can support the school in the promotion of positive behaviour and the maintenance of high standards of behaviour by

- Encouraging their children to do their best and to take responsibility for their work
- By being aware of and cooperating with the school's rules and system of rewards and sanctions
- Attending meetings at the school if requested
- Helping their children with homework and ensuring that it is completed
- Ensuring their children have the necessary books and materials for school.

Pupils

- Pupils were involved in drafting the code of behaviour through attendance at consultation meetings.
- Pupils play a role in the ongoing implementation of the code of behaviour by
 - Helping draft rules for the classroom
 - Taking part in assemblies
 - Buddy systems

1. Positive strategies for managing behaviour

- Praise and Encouragement is an integral whole school approach for managing behaviour.
- Rewards which may be used include homework vouchers, stickers, golden time, rice/marbles, group rewards / individual rewards, individual pupil target charts which are achievable and clear. Pupil behaviour evaluations.
- Class Rules created together and signed, using positive language.

Whole School approach may include the following:

- Golden Time
- Group reward systems e.g. prizes for group of the week
- Individual reward systems e.g. star of the week, pupil of the day, merit stickers
- Recognising and rewarding positive behaviour – finding/ highlighting examples of such behaviour
- Positive class rules
- Pupil targets
- Pupil behaviour records: sent home to parents, identifying positive behaviour
- Intercom – Principal praising examples of good behaviour
- Assemblies to reinforce & reward good behaviour
- Réalta na Míosa: Cert & Trophy
- Rang na Míosa: Cert

Classroom

Children are expected to:

Remain seated when the teacher is out of the room during breaks on wet days.

Specific Rules Include:

- Taking turns when talking
- Listen when someone is speaking
- Interacting positively with others through words, actions and facial expressions.
- Taking responsibility for their own possessions and classroom property.
- Treating property of others with due care.

Playground(s)

Children are expected to play together co-operatively, inclusively and in a kind manner.

Children are expected to play within recognised play areas.

Specific Rules include:

- Walking at all times
- Staying inside red lines
- Freezing on 1st bell and walking to line on 2nd bell.

Inappropriate behaviour includes:

- Bullying
- Lifting or climbing or Rough Play
- Abusive language towards others

- Failure to follow teacher's instructions
 - Damaging property
 - Disregarding School Rules
 - Bullying of any sort
- This concise set of playground rules emphasises positive behaviour and makes it clear what activities are permitted. These are communicated to staff during regular staff meetings, formal & informal. Rules are communicated to pupils at Assemblies and in class. Pupils were involved in the creation of these rules through discussion & focus groups during the drafting of the Code.
 - Supervision in the playground is decided by the Principal & Board of Management in consultation with the staff and bears in mind the responsibility of the school for the safety of pupils and our duty of Care. It is informed by consultation & communication with relevant organisation such as the DES, CPSMA & insurance providers. SNAs are involved in supervision duties.
 - In order to organise activities in ways that will minimise misbehaviour the children are split into two groups for lunch time at 12.30pm. Specific classes downstairs eat lunch inside the building from 12.30pm to 12.45 pm while the classes upstairs and in prefabs play outdoors. At 12.45 the roles are reversed. A teacher is assigned to supervise in both areas.
 - A skipping zone is provided within the playground,
 - SNAs assist the supervisor in the playground & inside. One SNA has responsibility for toilet passes. Four toilet passes are in use and children must seek permission to leave the Yard to use the toilet. An SNA uses a card placed on the window to indicate how many children are in the toilet at once. Children with special needs may need to be accompanied to the toilet by an SNA, if there are care needs.
 - On wet days children are supervised indoors by all supervision personnel.
 - Pupils going to and returning from the playground are supervised at all times by a teacher & SNAs
 - Children who are ill are supervised on the steps of the covered area, in full view of personnel.
 - Reporting to classroom teacher & time-outs are used to encourage good behaviour.
 - An Incident book is maintained documenting major injuries & incidents in the Yard.

Other areas in the school

Children are expected to:

- Show consideration for each other through appropriate actions, words, thoughts and deeds.
- Transfer to and from class in an orderly manner
- Greet all adults and children in a mannerly fashion
- Use school property with care
- Line up on specific class line and wet days under shelter
- Leave school yard promptly at 2.30pm
- Be lined up at 8.50am when the hand bell is rung (An automated bell indicates the school is ready to open and a handball is rung to indicate lining up)
- Wear full school uniform.
- Move around school in a quiet, orderly manner
- Use school property with care
- Leave school yard promptly

Travel on the Stairs:

- Use the handrail
- Walk on agreed side of stairs.

At P.E.:

Children are expected to:

- Respect Equipment
- Follow instructions
- Be aware of other children's physical space
- School tracksuit, yellow polo shirt and appropriate footwear must be worn for P.E.
- Remove watches & jewellery.

School related activities

For all other school related activities (tours, trips, games) children are expected to:

Respect equipment

Be punctual

- Be aware of others physical space
- Sit with seatbelt on bus
- Follow directions of person in charge
- Show respect for environment

Stay with group partner

- Be orderly and polite
- Remember they are representing school

Inappropriate Behaviour includes:

- Abusive language towards others
- Damaging property
- Disregarding Rules
- Bullying of any sort
- Rough Play
- Failure to follow teacher's instructions

General:

Jewellery:

One Stud earring per ear, in the ear lobe, may be worn.

One small ring may be worn.

No other jewellery may be worn.

Full school uniform should be worn on non PE days.

In the interest of hygiene, hair must be tied back and away from face

School tracksuit and yellow polo shirts must be worn for PE.

Suitable footwear must also be worn for PE

In the summer term children may be permitted to wear navy shorts and yellow polo shirt, depending on the weather. Parents will be informed of this.

No portable computer related games allowed, without permission.

4. Rewards and Sanctions

Rewards and acknowledgement of good behaviour

- Good behaviour is publicly recognised and acknowledged in the school through in class rewards & praise & affirmation
- Pupil achievement is acknowledged at monthly assemblies.
- 'Good news' is communicated to parents through school newsletters, to other classes through the daily notes circulated to staff or through announcements on the P.A. by the Principal.

Strategies for responding to inappropriate behaviour

The following strategies may be used in response to incidents of inappropriate behaviour

Sanctions In Class:

Stages:

- 1) Non Verbal & Verbal Reprimands and Reasoning with the child.
 - 2) Yellow Card / Red Card system may be used, as appropriate
 - 3) Quiet Table involving removal from peers
 - 4) Loss of Privilege such as class use of equipment
 - 5) Sent to another class with appropriate activity
 - 6) Loss of Golden Time
 - 7) Yard – Time Out involving short removal from peers
 - 8) Parent informed.
 - 9) Principal is informed
 - 10) Individual plan to improve behaviour.
 - 11) Parents informed again.
 - 12) Suspension
 - 13) Expulsion
- (These sanctions will be recorded and dealt with by the Board of Management)

Sanctions in the Yard:

Stages:

1. Verbal Warning & Verbal Reprimand and Reasoning with the child.
2. Time Out at Wall
3. Principal informed (after third time)

These sanctions will be recorded in a "Yard Book" which will be kept in the Staff Room & collected by staff prior to Yard Duty. Each child starts the next break with a "clean slate".

Relevant records will be kept at class level.

Investigations of individual behaviour will be done to better understand the motivation for the behaviour. In cases of serious unacceptable behaviour, stages may be skipped. Staff will implement the sanctions on a whole school basis. Communication of sanctions to all staff will be done through items on Staff meeting agendas & informal contacts

Involving parents in management of inappropriate/unacceptable behaviour

- When a pupil's behaviour is a source of concern, parents will be contacted, according to our list of sanctions. Previous to this, class teachers may discuss behaviour informally with parents. The Principal is formally involved at stage 9 in our sanctions, although class teachers may have discussed areas of concern before this stage.
- In cases of serious misbehaviour or as per our list of sanctions, parents will be invited to the school, by the Principal, following contact with the class teacher. The initial meeting will endeavour to put parents at their ease in order to maximise a co-operative approach. Depending on circumstances the child may be present for all or part of the meeting.
- Should parents have concerns about behaviour in the school they may request to meet with class teachers or the Principal, in the usual manner

Managing aggressive or violent misbehaviour

- Permission will be sought from parents whose children display aggressive or violent misbehaviour for referral for psychological assessment.
- Through the Special Educational Needs Organiser, appropriate support will be sought from services available e.g. Health Service Executive, NEPS, CAMHS etc.
- There is a Care Team in the school which includes S.E.N. personnel who may facilitate teachers in sharing practice and support in the management of challenging behaviour.
- Individual teachers from the Care team may act as mentors for particular children or in assisting teachers in the creation of individual behaviour plans for specific children
- Newly qualified teachers will be supported in this area by members of the Care Team.
- Professional development is available to staff e.g. SESS, Colleges of Education, ICEP (ProfExcel) courses, Education Centres etc.
- In Scoil Íde we recognise that the Code of Behaviour will support the majority of our pupils but we do recognise that for some pupils, further supports will be needed. For these children an individual plan will be written.
- Physical Intervention will only be used when there is a threat to physical safety.

Fair Procedures:

- Schools are required by law to follow fair procedures when proposing to suspend or expel a student. The requirement for fair procedures derives from the Constitution of Ireland, international Conventions and case law.

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.

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 decision-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 matter.

- An impartial process is one that allows a decision to be made based on an unbiased evaluation 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.

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

The Board of Management & staff of Scoil Íde subscribe to these fair procedures as described above.

5. Suspension / Expulsion

The following is the agreed procedure Scoil Íde will follow in the event of serious misbehaviour which requires suspension or expulsion.

In Scoil Íde we believe that suspension should be a proportionate response to the behaviour that is causing serious 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.

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.

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school will observe the following procedures:

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

Inform the student and parents

We will 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.

Give an opportunity to respond

Parents and students will be given an opportunity to respond before a decision is made and before certain sanctions are 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 will 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 will record the invitations made to parents and their response.

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 will be conducted to establish the case for the imposition of the suspension. The formal investigation will follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, will be open-ended. In the case of an immediate suspension, parents will be notified, and arrangements made with them for the student to be collected. The school will have regard to its duty of care for the student. In no circumstances will a student be sent home from school without first notifying parents.

The period of suspension

A student will not be suspended for more than three school days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three school days is needed in order to achieve a particular objective. The Board of Management will provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than three school days might be approved.

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

The 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 school 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 will normally place a ceiling of ten school days on any one period of suspension imposed by it.

The Board will 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* (see **11.7 Appeals**).

These provisions will 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.

Appeals

The Board of Management will 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, an appeals process may be provided by the Patron.

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

Written notification

The Principal will notify the parents and the student in writing of the decision to suspend. The letter will confirm:

- the period of the suspension and the dates on which the suspension will begin and end
- the reasons for the suspension
- any study programme to be followed
 - the arrangements for returning to school, including any commitments to be entered into by the student and the parents
- the provision for an appeal to the Board of Management
- the right to appeal to the Secretary General of the Department of Education and Science (*Education Act 1998*, section 29).

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

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*.

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.

Re-integrating the student

The school will 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 may arrange for a member of staff to provide support to the student during the re-integration process.

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 will be 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.

Records and reports

Records of investigation and decision-making

Formal written records will 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.

Report to the Board

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

Report to NEWB

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

Review of use of suspension

The Board of Management will 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 maybe influencing behaviour in the school and to ensure that use of suspension is appropriate and effective.

Expulsion

Expulsion will be a proportionate response to the student's behaviour. Expulsion of a student is a very serious step, and one that should only be taken by the Board of Management in extreme cases of unacceptable behaviour. The school should have taken significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- meeting with parents and the student to try to find ways of helping the student to change their behaviour
- making sure that the student understands the possible consequences of their behaviour, if it should persist
- ensuring that all other possible options have been tried
- seeking the assistance of support agencies (e.g. National Educational Psychological Service, Health Service Executive Community Services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education).

A proposal to expel a student requires serious grounds such as that:

- the student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process
- the student's continued presence in the school constitutes a real and significant threat to safety
- the student is responsible for serious damage to property.

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.

'Automatic' expulsion

A Board of Management may decide, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that particular named behaviours incur expulsion as a sanction. However, a general decision to impose expulsion for named behaviours does not remove the duty to follow due process and fair procedures.

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
- possession and /or supplying illegal drugs to other students in the school
- sexual assault.

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.

These procedures assume that the Board of Management is the decision-making body in relation to expulsions.

It is a matter for the 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 will:

- 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 will 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 will ensure 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 will 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. It provides the 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 will 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 will 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 will:

- 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 will undertake its own review of all documentation and the circumstances of the case. It will ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).

If the Board of Management decides to consider expelling a student, it will hold a hearing. The Board meeting for the purpose of the hearing will be properly conducted in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, will put their case to the Board in each other's presence. Each party will 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 will 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 will facilitate this, in line with good practice and Board procedures.

After both sides have been heard, the Board will 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. If the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board will 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 will 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 will inform the parents in writing about its conclusions and the next steps in the process.

Where expulsion is proposed, the parents will 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 will formally confirm the decision to expel (this task may 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.

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.

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.

Review of use of expulsion

The Board of Management will 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.

Appeals

Under Section 29 of the Education Act, 1998, parents (or pupils who have reached the age of 18) are entitled to appeal to the Secretary General of the Department of Education and Science against some decisions of the Board of Management, including (1) permanent exclusion from a school and (2) suspension for a period which would bring the cumulative period of suspension to 20 school days or longer in any one school year. Accordingly, schools should advise parents of this right of appeal and associated timeframe if it has been decided to suspend or permanently exclude a pupil. Appeals must generally be made within 42 calendar days from the date the decision of the school was notified to the parent or student. (See Circular 22/02)

- Following a Board meeting in relation to suspension or expulsion, the Chairperson of the Board of Management will inform parents/guardians in writing of their entitlement to appeal a decision of the Board of Management in relation to suspension or expulsion and parents will be given a copy of Circular 22/02 and related forms.
- The Board of Management will prepare a response if and when an appeal is being investigated by the Dept. of Education and Science

6. Keeping records

In line with the school's policy on record keeping, and data protection legislation, records are kept in relation to pupils' behaviour for the statutory period of time. Records are written in a factual and impartial manner.

Class level

- Teachers expected to maintain class behaviour records for their classes. There a standard format for reporting incidents in the school's Incident book.

- Serious misbehaviour must be reported to the principal immediately or in her absence, the Deputy Principal.
- The end of year report may include a reference to behaviour. A consistent understanding of what constitutes excellent – poor behaviour is agreed among the staff. Parents will be kept up to date during the year regarding behaviour issues, informally and formally at Parent teacher Meetings or specially convened meetings.

Playground

- Supervising staff keep a record of misbehaviour in the Incident Book.
- Class teachers and the principal are kept informed through both formal & informal meetings with colleagues.
- To encourage consistency in the application and interpretation of the rules the Code of Behaviour will be discussed regularly at formal & informal meetings.

School records

- Incidents will be recorded in an incident book for the school and each teacher will keep individual records.
- Formal record kept at school level include factual reports of particular incidents, communication between school and home, with outside agencies & Board of Management.
- Documentation pertaining to appeals under Section 29 will be kept securely in the school.

7. Procedures for notification of pupil absences from school

The Education Welfare Act, 2000, Section 23 (2)(e) states that the code of behaviour must specify, *“the procedures to be followed in relation to a child’s absence from school.”* Section 18 stipulates that parents must notify the school of a student’s absence and the reason for this absence.

- The school’s policy on attendance includes use of the following strategies to encourage school attendance e.g.
 - Creating a stimulating and attractive school environment
 - System for acknowledging/rewarding good or improved attendance
 - Adapting curriculum content and methodologies to maximise relevance to pupils
 - Adapting the class and school timetables to make it more attractive to attend and to be on time
 - Making parents aware of the terms of the Education Welfare Act and its implications.
- The school’s policy in relation to explanation of pupil absences requires parents/guardians send in a note informing teachers in writing of their child’s absence from school and the reason for this absence. These notes are signed and dated and are kept until the end of the school year.
- The school use the standard forms to report on pupil absences to the National Education Welfare Board
- An Attendance strategy for target children is being piloted with a view to permanent implementation.

8. Reference to other Policies

School policies that have a bearing on the code of behaviour include the following policies

- o SPHE plan
- o Anti-bullying
- o Harassment
- o Sexual harassment
- o Enrolment
- o Record keeping
- o Home / School links
- o Health & Safety
- o Equality
- o Special Educational Needs

Success Criteria

Practical indicators of the success of the policy include the following:

- Observation of positive behaviour in class rooms, playground and school environment
- Practices and procedures listed in this policy being consistently implemented by teachers
- Positive feedback from teachers, parents and pupils

Roles and Responsibility

Responsibilities for implementation the policy include

- The Principal & Staff
- Board of Management
- Pupils
- Parents

Implementation Date

This policy will apply from 1st September 2010

Timetable for Review

The policy was reviewed in 2013

Ratification & Communication

The BOM officially ratified the reviewed policy at its meeting of 25th January 2013. The ratified policy will be circulated through established channels to all staff and will be available to the school community for inspection.

Signed _____
Chairperson Board of Management .

