

St. Michael's N.S. Crimlin (Crimlin N.S.). Code of Behaviour

This policy was formulated in accordance with the terms of Section 23 of the Education (Welfare) Act 2000 and *Developing a Code of Behaviour: Guidelines for Schools* 2008 issued by the National Educational Welfare Board (Tusla - Child and Family Agency). It is the result of an audit of the existing Code of Behaviour which was carried out by the Principal and staff of St. Michael's N.S. Crimlin (Crimlin N.S.) in consultation with pupils, parents and Board of Management in January and February of 2016, and updated on 30/6/2020.

Ethos and philosophy of St. Michael's N.S. Crimlin (Crimlin N.S.) / Mission statement:

St. Michael's N.S. Crimlin (Crimlin N.S.) is a Catholic school. As such it is a caring and inclusive school, rooted in the local parish of Parke/Crimlin where it forms a central part of everyday life. Committed to the development of the whole person, it hands on Christian values and a shared Irish culture to the next generation. Education in Crimlin N.S. is guided by the life of Jesus Christ and the belief that every person is made in the image of God. Parents, teachers and the parish work together to provide a child-centred education which includes preparation for the sacraments.

Crimlin N.S. is regulated by the Department of Education and Skills through the national curriculum. It teaches all aspects of the curriculum and is committed to a quality education built on the professionalism of teachers and other staff. The highest academic quality is aimed for, taking due account of individual pupils' ability. This Code of Behaviour aims to create the conditions necessary for each pupil to achieve his/her potential.

Crimlin N.S. believes in integration and promotes respect for diversity. Respect for all religions and for people of no faith is an important part of the life of the school. This Code of Behaviour aims to instill in pupils the values of respect, kindness, willingness to help, courtesy, good manners, fairness, readiness to use respectful ways of resolving conflict and forgiveness.

Aims of Crimlin N.S. Code of Behaviour:

- To allow Crimlin N.S. to function in an orderly and harmonious way.
- To ensure the safety and wellbeing of all members of the school community.
- To promote positive behaviour and self-discipline.
- To create and maintain an atmosphere of respect, tolerance and consideration for others, among all members of the school community.

- To encourage pupils, and all members of the school community, to see work as a positive, enjoyable thing that gives satisfaction and dignity.
- To encourage pupils, and all members of the school community, to take personal responsibility for their own behaviour and learning.
- To encourage in pupils, and in all members of the school community, a lively regard for the good of their class and their school.
- To ensure that the high expectations of Crimlin N.S. for the behaviour of all members of its community are widely known and understood.

The Code of Behaviour of Crimlin N.S. applies in any situation in which the pupil is in the care of the school. That is, during school hours, or on any tour / activity organised by the school and which the pupil is expected to attend. When parents are present with their children, they are expected to make every effort to ensure that their children behave appropriately. Parents of children travelling on the school bus are expected to remind their children that safety is more important than any other consideration when travelling on the road.

Basic principles of the Code of Behaviour of Crimlin N.S.

Crimlin N.S. expects all pupils, staff and parents to help make the school a good place for teaching and learning.

Crimlin N.S. will respond to behaviour that interrupts, diminishes or prevents teaching and learning in the school.

Pupils are required to behave in accordance with the school's Code of Behaviour.

The actions and behaviour of everyone in the school creates the climate in Crimlin N.S.

The behaviour of adults in a child's life, including parents and teachers, is a significant influence on how a child acts.

Parents play a crucial role both in providing good example for their children and in encouraging their children to listen to guidance provided by their teachers in relation to their behaviour.

Promoting good behaviour is the most important aspect of the Code. Crimlin N.S. will take every opportunity to affirm good behaviour.

Where a pupil's behaviour is unacceptable, his/her educational needs will be balanced with those of the other pupils in Crimlin N.S.

The quality of relationships between teachers and students is a powerful influence on behaviour in a school. Therefore this Code fosters relationships of trust

between pupils and teachers and recognises that adults have more responsibility than pupils for building these relationships.

This Code aims to help pupils to experience the value of being responsible, participating members of the school community.

This Code aims to be fair and to respect the principles of natural justice. A consistent approach to behaviour on the part of all school personnel is aimed for.

The Code aims to promote equality for all members of the school community, prevent discrimination and allow for appropriate accommodation of difference, in accordance with Equal Status legislation.

Crimlin N.S. is committed to provide positive support, including active teaching of relevant skills, for those pupils who are more vulnerable to behaviour problems.

Crimlin N.S. is committed to the welfare of every pupil, recognising each pupil's right to participate in and benefit from education.

Crimlin N.S. aims to promote a positive and safe working environment for all staff, including a positive and safe classroom environment for teachers.

Crimlin N.S. promotes the conditions for learning and teaching, dignity and freedom from threat of violence for both staff and pupils.

Crimlin N.S. believes that teachers, parents and pupils need a shared understanding of the factors that influence behaviour.

At Crimlin N.S. we believe that poor behaviour can change. Teachers will strive to make accurate observations and good analysis of particular poor behaviours. This will help them to influence some of the factors involved in helping pupils to manage or change their poor behaviour.

At Crimlin N.S., all school policies and practices will be assessed in terms of their potential to create a positive school climate that will support and promote good behaviour.

Staff as a team will have opportunities to confirm that school policies and practices support the objectives of the Code of Behaviour.

Crimlin N.S. will take a whole-school approach to curriculum and classroom management, with particular emphasis on effective teaching of an inclusive and engaging curriculum. Teachers and other staff will give clear, consistent messages about expectations and boundaries both in the classroom and the school.

Crimlin N.S. acknowledges that the Board of Management, the Principal, the Teachers and other Staff, Parents and Pupils each have responsibilities at different levels for behaviour in the school.

STANDARDS AT CRIMLIN N.S.

Crimlin N.S. expects all members of its community to behave in ways that show respect for others.

At Crimlin N.S. we expect behaviour that shows:

Respect for self and others;

Kindness and willingness to help;

Courtesy and good manners;

Readiness to use respectful ways to resolve conflict;

Forgiveness.

Crimlin N.S. expects its pupils to commit to their own learning and that of their fellow pupils. To this end, pupils are expected to:

Attend school regularly and punctually;

Keep the rules;

Respect staff;

Respect other pupils and their learning;

Do their best in class;

Take responsibility for their work;

Help to create a positive, safe and happy environment in their school;

Participate wholeheartedly in school activities.

Crimlin N.S. will not accept behaviour that shows a lack of respect for self, others or the school. This includes, but is not limited to:

Behaviour that interferes with teaching and learning.

Behaviour that is hurtful. This includes bullying, harassment, discrimination, victimisation and threats. It encompasses physical, verbal and emotional aggression.

Behaviour that puts own or others' safety at risk.

Disregard for school rules, routines, or standards of behaviour.

Damage to property; theft.

The Rules of Crimlin N.S. are outlined in Appendix A.

UNDERSTANDING THE STANDARDS OF BEHAVIOUR AND RULES

Teachers in Crimlin N.S. will work with pupils to help them understand what is expected of them and why. They will identify the skills the pupils will need in order to observe the rules, and explore possible ways of promoting and teaching these skills.

The adults in Crimlin N.S. have a responsibility to model the school's standards of behaviour, in their dealings both with pupils and each other, since their example is a powerful source of learning for pupils.

Parents of pupils in Crimlin N.S. are expected to model the standards that pupils are asked to respect. It is crucially important that parents expect their children to behave according to the standards outlined above.

The ways in which parents and teachers interact should provide pupils with a model of good working relationships.

Class teachers and specialist personnel (Learning Support and Resource teachers, and Special Needs Assistant) will work to ensure that the standards of behaviour and rules are understood and accepted by pupils with special educational needs.

Promoting good behaviour is the goal of the Code of Behaviour.

Teachers and staff will promote good behaviour by:

- Working as a whole school team to develop and review strategies for promoting good behaviour, as outlined in the Code;
- Involving the pupils, parents and Board of Management in the development of the Code and planning to strengthen their involvement;
- Communicating rules and expectations in a clear, easily understood way;
- giving the pupils responsibility in the school;
- striving to implement the Code in a fair, consistent way;
- helping pupils themselves to recognise and affirm good behaviour;

- exploring with pupils how they should treat each other;
- recognising and giving positive feedback to pupils about their good behaviour;
- developing mutually respectful relationships which balance warmth and empathy with objectivity, professional detachment, fairness and consistency;
- developing reward systems to help individual pupils or pupils with special educational needs to manage their behaviour. Care will be taken to develop rewards systems that effectively motivate pupils in a respectful, inclusive way.

Where a pupil's behaviour disrupts the teaching and learning of other pupils, the school authorities have to weigh the needs of that pupil with the needs of the other pupils and staff. It is the responsibility of the authorities of Crimlin N.S. to maintain a classroom and school environment which is supportive of the learning of every pupil in the school and which ensures continuity of instruction for them.

RESPONDING TO INAPPROPRIATE BEHAVIOUR

Crimlin N.S. will intervene early and positively when pupil behaviour does not meet expected standards. It will use a problem-solving approach as follows:

The problem behaviour will be addressed as early as possible.

The response to the behaviour will be kept as local as possible.

The response to the behaviour will be detached and objective, but empathetic.

The teacher will gather information, and work to understand the context and the factors that may be affecting behaviour.

The teacher and other staff will generate ideas about possible solutions.

Specific strategies will be decided upon.

The agreed strategy will be implemented consistently.

Progress will be kept under review.

Throughout this process, the pupil him/herself will be involved in the problem solving. His/her parents will be involved at an early stage.

If appropriate, other pupils will be involved.

Care will be taken to manage relationships as well as the behaviour.

The focus will be on the behaviour as the problem, not the person.

The school will respond to inappropriate behaviour at the following levels:

LADDER OF INTERVENTION:

1. Support for all:

All pupils will have the help of consistent and clear routines and rules in Crimlin N.S., eg.:

Pupil diary. Pupils responsible for filling it daily.

Pupil responsible for handing up homework for correction as arranged.

Good manners expected in interactions with other pupils as well as adults.

Routines as explained by teaching staff.

Occasional, minor misbehaviour will be dealt with effectively through the skill of the classroom teacher.

The School Rules will be discussed with parents, with the aim of deepening their understanding of what the school needs in terms of their child's behaviour.

Sample instances of unacceptable behaviour of a minor nature may be provided for illustration purposes.

Parents will be asked to monitor their children's homework and indicate this by regularly signing the pupil's diary.

Parents will be asked to support the school's work on attitudes and behaviour by discussing the pupil's work in Religion and S.P.H.E. classes.

2. Additional support for some pupils:

Additional inputs and interventions will be provided for some pupils who may be at risk of failing, behaviourally, socially or educationally, to help them to manage their behaviour.

Referral to Learning Support.

Setting targets for the pupil and monitoring them in a supportive way.

3. Specialised support for a small minority of pupils:

A small minority of pupils who show particularly challenging behaviour may have great difficulty in learning new behaviour and may not respond to low-level interventions. The school will make every effort to provide a sustained and systematic response to this behaviour, involving the important adults in their lives, at home and at school.

The school continues to build links with local support services. These include:

The National Educational Psychological Service

H.S.E. Community Psychology Services

H.S.E. Speech and Language Department

National Council for Special Education

Family Focus Mayo Family Support Service- Tusla, The Child and Family Agency.

Crimlin N.S. is aware of its obligations under the Equal Status Acts 2000 to 2004 with regard to making reasonable accommodation for pupils with disabilities.

STAFF ROLES AND RESPONSIBILITIES:

Teachers have a professional duty of care to address bullying. At Crimlin N.S., the class teacher will be the front-line source of help for pupils with regard to their behaviour. S/he will deal with routine incidents of misbehaviour through classroom management strategies, thus helping to minimise the need for intervention strategies.

The Principal will provide support to the Class Teacher, Learning Support Teacher and Resource Teacher in their work with pupils. S/he will lead the work on the Code of Behaviour and provide for the input of all staff, pupils, parents and Board of Management.

All teachers and staff will support the Principal in the development and implementation of the Code.

Crimlin N.S. acknowledges its duty of care to its pupils and implements the *Children First: National Guidelines for the Protection and Welfare of Children* (Dept. of Health and Children 1999)

BULLYING, HARASSMENT AND SEXUAL HARASSMENT

Crimlin N.S. will not tolerate bullying, harassment or sexual harassment. See *Anti-Bullying Policy*.

Crimlin N.S. will respond to alleged breaches of the school's Anti-Bullying policy by using the Ladder of Intervention outlined in Appendix B.

Pupils, staff and other members of the Crimlin N.S. community are protected from harassment of any kind by the Anti Bullying policy.

Crimlin N.S. recognises that harassment and provocation may lead to inappropriate behaviour by the victim. This will be taken into account when addressing the behaviour.

If a child is experiencing problems, parents should first encourage the child to make attempts to address the situation themselves. They should ask the child to describe both what is happening and what part the child him/herself is playing in it. They should suggest some coping strategies and/or changes of approach, bearing in mind that pupils are supervised at all times during the school day, and guidance is given by staff.

If the parent judges that the child is not coping with the situation in which s/he finds her/himself, they should encourage the child to explain the problem to the class teacher.

If the parent is still concerned, they should contact the school to speak with the class teacher. They should outline their concern by phone. The teacher will address the problem, and maintain communication with the parent until the problem is resolved.

If necessary, a meeting may be arranged between the teacher and parent in order to discuss the pupil's behaviour / problem, and formulate a plan of action. An important aim of the meeting will be to try to understand the behaviour of everyone involved, then look for ways of adjusting own behaviour.

SANCTIONS

The objective of a sanction is to help a pupil to learn. In Crimlin N.S. sanctions will be used as part of a wider plan to help pupils learn. They will be used in a respectful way that helps pupils understand the consequences of their behaviour, and to take responsibility for changing that behaviour. Every effort will be made to design sanctions that defuse and not escalate a situation and preserve the dignity of all the parties involved, and to apply them in a fair, consistent, timely way. Sanctions will not be used in a manner that discriminates against a particular pupil or group of pupils.

In the use of sanctions, minor misbehaviour will be distinguished from serious misbehaviour. (See Appendix C.)

Crimlin N.S. will use professional judgement and knowledge of the particular context of the pupil and the misbehaviour

The Sanctions and Ladder of Intervention in use in Crimlin N.S. are outlined in Appendix B

The Discipline Record that may be used in Crimlin N.S. is outlined in Appendix C.

The Rewards and Incentives in use in Crimlin N.S. are outlined in Appendix D.

IMPLEMENTING THE CODE OF BEHAVIOUR AT CRIMLIN N.S.

As required by the *Education (Welfare) Act 2000*, parents will be provided with the Code of Behaviour of Crimlin N.S. before registration of the parents' child as a pupil of the school. As a condition of registration, parents will be asked to confirm in writing that the Code is acceptable to them, and that they will make all reasonable efforts to ensure compliance with the Code by their child.

Parents and pupils need to understand the School's responsibility to develop and implement a Code of Behaviour, and their own responsibility, as members of the school community, for behaviour in Crimlin N.S.

To help parents to understand the School's goals and standards, a programme such as the following will be in place: Class time will be devoted to discussing aspects of the Code. The pupils will record key points in their copies, take them home and discuss them with their parents. Both parents will be asked to sign the child's copy to indicate that they have engaged with their child on the given topic. A letter to parents will explain that this exercise is aimed at helping them to understand the norms and values underpinning the Code, and the importance of parental support for maintaining positive pupil behaviour.

In this way, **parents and teachers can help each other** to meet the standards expected in the school, thus promoting a happy school for all.

Parents will be provided with a copy of the school's **Internet Acceptable Use** policy. They will be asked to read it and keep a dialogue going with their children regarding their use of technology. They will be asked to make it clear to their children that they must abide by the rules in the Internet Acceptable Use policy.

Crimlin N.S. helps pupils who are coping, or will soon have to cope, with transition. For example:

Junior Infant pupils are introduced in a gradual way to the routines and expectations of school, giving them ample time to adjust.

Sixth Class pupils will need to have good organisational skills and a strong work ethic in order to cope well with the second-level situation. All pupils in Crimlin N.S. are expected to organise their own books and belongings, plan ahead, be aware of time, hand up homework regularly and work hard.

Ability to work and mix with a variety of people is important; this is addressed by work on behaviour and self-awareness as outlined in this Code of Behaviour, especially the Ladder of Intervention.

Trips to other schools, eg. Cumann na mBunscol activities, open days/ concerts at second-level schools, competing in quizzes, Scór, etc, develops confidence, assertiveness and enjoyment of new experiences.

Development of skills needed in order to take part in games, choirs, and other recreational areas are addressed in Crimlin N.S.

ABSENCE FROM SCHOOL

The *Education Welfare Act 2000* requires the school to advise parents that they must let the school know of their child's absence for any reason.

Crimlin N.S. would like the parents to phone the school during office hours on the second day of their child's absence, to explain the reason for absence.

If the absence is prolonged, the school would like to be kept informed at 3-day intervals about progress.

Crimlin N.S. requires parents to complete the absence note provided and send it with the child on his/her return to school after an absence, regardless of the reason for absence, or any communication that occurred between the school and the parents regarding the absence.

SUSPENSIONS AND EXPULSIONS

Suspension requires a pupil to absent him/herself from the school for a specified, limited period of school days, and is imposed by the Board of Management.

A pupil is *expelled* from a school when a Board of Management makes a decision to permanently exclude him or her from the school, having complied with the provisions of Section 24 of the *Education (Welfare) Act 2000*.

In the event that Crimlin N.S. is considering the suspension or expulsion of a pupil, it will take care that there is no undue delay in an investigation and in making decisions about the imposition of a suspension or expulsion. It will also take great care that matters to do with investigation of alleged misbehaviour are dealt with in confidence.

A decision about suspension or expulsion will be made based on unbiased evaluation of information and evidence.

The decision to suspend a pupil requires serious grounds such 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.

The Board of Management will consider the nature and seriousness of the behaviour, the context of the behaviour, the impact of the behaviour, the interventions tried to date, whether suspension is a proportionate response, and the possible impact of suspension, closely following the checklist in *Developing a Code of Behaviour: Guidelines for Schools 2008* (N.E.W.B. - Tusla - Child and Family Agency).

It is expected that suspension will enable the School to set behavioural goals with the pupil and their parents, give school staff an opportunity to plan other interventions, and impress on a student and their parents the seriousness of the behaviour.

In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the pupil 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.

PROCEDURE FOR SUSPENSION

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school will let the pupil and their parents know about the complaint, how it will be investigated, and that it could result in suspension.

Parents will be informed at first by phone, and this will be followed up in writing.

A meeting with the student and their parents will be arranged to provide 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 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 pupil, other pupils, staff or others, a preliminary investigation will be conducted to establish the case for the imposition of the suspension.

The formal investigation will immediately 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 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 will 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 will normally place a ceiling of ten 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.

Appeals

The Board of Management will offer an opportunity to appeal a Principal's decision to suspend a pupil.

Section 29 Appeal

Where the total number of days for which the pupil has been suspended in the current school year reaches twenty days, the parents 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 pupil will 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 will be given information about how to appeal.

Written notification

The Principal will notify the parents and the pupil 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 (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).

Engaging with student and parents

Where a decision to suspend has been made, the Principal or another staff member delegated by the Principal will meet 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.

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

Clean slate

Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed the school will expect the same behaviour of this pupil as of all other pupils. Opportunity and support will be provided to make a fresh start.

Records and reports

Records of investigation. 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.

The Principal will report all suspensions to the Board of Management 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)).

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.

PROCEDURE FOR EXPULSION

The grounds for expulsion

Expulsion of a student is a very serious step, and one that will only be taken by the Board of Management in extreme cases of unacceptable behaviour.

The school will 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.

Expulsion for a first offence

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence.

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

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

Determining the appropriateness of expelling a student

The Board of Management will undertake a very detailed review of a range of factors in deciding whether to expel a student, taking full account of the list of factors to consider before expelling a student provided in *Developing a Code of Behaviour: Guidelines for Schools 2008*, NEWB - Tusla- Child and Family Agency.

PROCEDURES IN RESPECT OF EXPULSION

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

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

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

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 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.

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 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 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).

Where a 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, 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.

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 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 pupil 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)).

The Board 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 pupil, 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 pupil 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 pupil, those concerned should come together with the Educational Welfare Officer to plan for the pupil's future education.

Pending these consultations about the pupil's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of pupils is secured (*Education (Welfare) Act 2000, s24(5)*).

A Board may consider it appropriate to suspend a pupil during this time. Suspension should only be considered where there is a likelihood that the continued presence of the pupil during this time will seriously disrupt the learning of others, or represent a threat to the safety of other pupils 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 might be delegated to the Chairperson and the Principal).

Parents will be notified immediately that the expulsion will now proceed.
Parents and the pupil will be told about the right to appeal and supplied with the standard form on which to lodge an appeal.

A formal record will be made of the decision to expel the pupil.

Appeals

A parent 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 pupil.

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.

This Code of Behaviour will be monitored by teaching staff on an ongoing basis and will be formally reviewed by the Board of Management annually.

This Code of Behaviour was ratified by the Board of Management on

Chairperson:

