

## Scoil Bhríde, Cill Bhríde

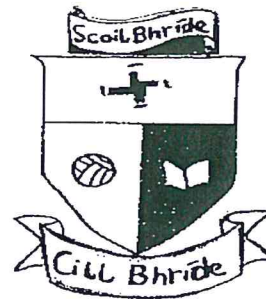
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# Code of Positive Behaviour

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## Introduction

Scoil Bhride N.S., as a school with a Catholic ethos respects all persons. It seeks to enable each child to develop his/her potential in a caring environment where the talents of each child are nurtured and valued. The school's mission is to challenge, stimulate and encourage each pupil to reach his/her full potential in an environment where children and staff are secure and happy.

*"Mol an óige agus tiocfaidh sí"*

The school climate and atmosphere are created by the actions and behaviour of all those involved in the school.

This policy was prepared following a review process involving school staff, Parent Association, parents generally, the Board of Management, (BoM) Student Council and pupils of Scoil Bhride on date 25/3/2020

The draft policy document was published on the school's web site, [www.scoilbhridens.ie](http://www.scoilbhridens.ie) for final comment by parents, who were informed of its availability through the school's blog and home school communication email system.

This code is published on the school's website.

## Rationale

- Section 23 (1) of the Education Welfare Act, 2000, places an obligation on schools to prepare a Code of Behaviour. It details in Section 23(2), that the Code of Behaviour shall specify:
  - A. The standards of behaviour that shall be observed by each student attending the school
  - B. The measures that shall be taken when a student fails or refuses to observe those standards
  - C. The procedures to be followed before a student may be suspended or expelled from the school
  - D. The grounds for removing a suspension imposed in relation to a student and
  - E. The procedures to be followed in relation to a child's absence from school.

## Principles underpinning the Code

The following principles underpin the code of behaviour



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

## **Aims**

- ✓ To promote positive behaviour and self-discipline recognising the differences between students
- ✓ To foster the development of a sense of responsibility and self-discipline in students based on respect, consideration and tolerance
- ✓ To enhance the learning environment and ensure the school functions in an orderly way
- ✓ To ensure the safety and wellbeing of all members of the school community
- ✓ To assist parents/guardians and children in understanding the systems and procedures that form the Code 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, consistent manner
- ✓ To enable teaching and learning take place without disruption in so far as practicable.

## **School Rules**

Opening and closing times are as follows:

Opening time for all students: 9:20am

Closing time: 2pm for Junior and Senior infants

3pm for all others students.

- ✓ Pupils should arrive in good time for school. If late, pupils will be signed in at the office by a parent.
- ✓ No child may leave the school premises without the permission of the Principal or Deputy Principal. To leave the school, a letter, appointment card, telephone or personal call will be required before permission is granted. The child must be accompanied from the school by a responsible adult.
- ✓ Every absence of a child must be accounted for by means of a note of explanation from the parent/guardian to the class teacher.
- ✓ Pupils should be dressed in full school uniform/school tracksuit as appropriate in accordance with school policy.

- ✓ Pupils will have in school each day the books, copies and other materials necessary to complete their work. Pupils will take proper care of these items.
- ✓ The school is not responsible for personal belongings left behind by pupils.
- ✓ Children should use the bathroom before going to the school yard.
- ✓ On wet days, the children remain seated indoors. Each class teacher provides suitable safe activities for his/her pupils. The teachers /SNAs who are rostered for yard duty supervise pupils. Children may not leave their places without the permission of one of the supervising staff.

While the general school rules above apply, each class will draft its own class rules or charter, through consultation and discussion within the class, reflecting the age and maturity levels of the students.

The rules will be applied consistently and will form part of SPHE lessons.

## **Expectations for Behaviour**

### **Adults**

The adults in the school community are responsible for modelling the school's standards of behaviour, in their dealings both with students and with each other, since their example is a powerful source of learning for students.

Parents are expected to model the standards that students are asked to respect. They are expected to be familiar with the standards and understand the importance of expecting students to behave according to these standards.

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

## **Whole School Approach to Promoting Positive Behaviour**

The BoM and the Principal have overall responsibility for the implementation and on-going monitoring of the Code. Individual staff members have responsibility for their own classes and for the general school population in the school environs and/or when on yard duty or on any organised school activity.

Inappropriate behaviour in the classroom is dealt with by the class teacher. This will include children being advised about their behaviour and about how to improve. Inappropriate behaviour on the yard is generally dealt with by the teacher on supervision duty in the first instance.

The school values the support and co-operation of parents in the promotion of good behaviour.



The Code shall apply to all students during **all** school related activities on or off the premises e.g. school tours, school bus, trips, sport activities etc.

Strategies used to promote good behavior include:

- ✓ Star/reward charts
- ✓ Stickers
- ✓ Homework passes
- ✓ Weekly lottery/raffle
- ✓ Lucky dip
- ✓ Extra responsibilities in class and in the school
- ✓ Singling out for exceptional worthwhile achievements and efforts
- ✓ Pupil of the week
- ✓ Pupil of the year
- ✓ Marble jars
- ✓ Class dojo
- ✓ Best line
- ✓ Attendance raffle
- ✓ Attendance competition
- ✓ Displaying work
- ✓ Assembly awards.

These strategies are kept under review to assess their effectiveness.

Encouragement may be provided by means of any one of the following:

- ✓ A quiet word or gesture to show approval
- ✓ A comment in a child's exercise book
- ✓ A visit to another class, to another member of staff or to the Principal for commendation
- ✓ A word of praise in front of a group or the class
- ✓ A reward system – student of the week/occasional treats
- ✓ Special mention at assembly; Awards at assemblies
- ✓ Delegating some special responsibility or privilege
- ✓ A communication to parents - either written or verbal.
- ✓ Discussion about behaviour and its consequences will form part of SPHE lessons at all class levels.
- ✓ Friendship month takes place every February to promote positive relationships among the children.
- ✓ Teachers will actively promote positive behaviour and aim to "catch" students behaving well, so they can give positive feedback, thus encouraging and promoting better behaviour.

In February 2020, the pupils with staff input, devised a school code for positive behaviour as follows:

1. Treat yourself with respect (or kindness). *The word 'respect' can be used with senior classes and 'kindness' with the junior end of the school.*
2. Treat others with respect (or kindness).

3. Respect your own property, the property of others and that of the school.
4. Follow the "kind hands, kind feet, kind face, kind words" rule
5. Tell the truth

During playtime I should always:

- a. Follow the code "kind hands, kind feet, kind face, kind words"
- b. Move safely
- c. Ask staff if I need to go inside to use the bathroom or for any other reason.
- d. Remain in the school grounds in my designated yard area
- e. Talk to the supervising staff if I have any problems during playtime.

Scoil Bhride is a **CALM** school:

- ✓ **C**ommunicate Effectively
- ✓ **A**ct Kindly
- ✓ **L**isten Carefully
- ✓ **M**ove Sensibly

## **Playground**

Incidents on the playground are managed in a manner consistent with that in use in the classroom i.e.

- ✓ Warning and explanation of desired behaviour
- ✓ Behaviour notes in yard book with time out for 5 minutes
- ✓ Time out for remainder of yard time if behaviour persists
- ✓ Time out to occur for fighting or bad language.

## **Roles and Responsibilities**

### **BoM**

The BoM will

- ✓ Provide a safe environment
- ✓ Ratify, monitor implementation and review the code periodically
- ✓ Ensure the code is communicated to the whole school community.

### **Principal**

The Principal will encourage a team and community approach to

- ✓ Promote a positive climate in the school
- ✓ Ensure that the Code of Behaviour is implemented in a fair and consistent manner
- ✓ Arrange for monitoring and review of the Code.



## **Staff**

Teachers will:

- ✓ Be cognisant of their duty of care to all students
- ✓ Teach/explain the code [The Code is explained to the pupils from the early days of Junior Infants in the contexts of care and safety. The class teacher, the principal and other staff members constantly reinforce the key messages e.g. the S.P.H.E., Weaving Wellbeing and Grow in Love Programmes place great emphasis on respect for self, others and the environment as well as enhancing children's self-esteem.]
- ✓ Support and implement the school's Code of Behaviour
- ✓ Create a safe and welcoming working environment for each pupil
- ✓ Develop and nurture a sense of self-esteem in each pupil
- ✓ Encourage desirable behaviour
- ✓ Listen to pupil explanations for their own behaviour
- ✓ Recognise and affirm good work
- ✓ Recognise and provide for individual talents and differences
- ✓ Keep a record of instances of serious inappropriate behaviour or repeated instances of inappropriate behaviour
- ✓ Communicate with parents when necessary
- ✓ Review strategies used to promote good behaviour on a regular basis.

## **Parents**

Parents are expected to

- ✓ Encourage children to have a sense of respect for themselves and for their own and other people's property
- ✓ Ensure that children attend regularly and punctually
- ✓ Be familiar with the Code of Behaviour and support its implementation
- ✓ Co-operate with teachers in instances where their child's behaviour is causing difficulties
- ✓ Communicate in writing to the school the reasons for children's absences
- ✓ Communicate with the school in relation to any problems which may affect child's progress/behaviour
- ✓ Provide their child with the correct equipment for school
- ✓ Support their child in completing homework assigned
- ✓ Communicate in writing the reasons for child being late for school
- ✓ Ensure their child wears correct uniform to school.

## **Students**

Each student is expected to

- ✓ Be well behaved and show consideration for others
- ✓ Show respect for the property of the school, that of other students' and their own belongings

- ✓ Attend school on a regular basis and be punctual
- ✓ Wear the correct uniform to school
- ✓ Co-operate with appropriate instructions given by staff
- ✓ Complete all homework/schoolwork to the best of his/her ability
- ✓ Remain in school premises and not leave the yard/school without permission  
[Students will not enter the school or school grounds after school hours without permission]
- ✓ Keep the school clean and litter free
- ✓ Line up in an orderly manner as required
- ✓ Use the paths to avoid walking on the grass
- ✓ Walk within the school building
- ✓ Refrain from chewing gum within the school grounds/premises
- ✓ Refrain from using mobile phones or electronic devices during the school day
- ✓ Refrain from distributing birthday party or other such invitations on school grounds
- ✓ Avoid behaving in a way which would endanger others
- ✓ Avoid using nasty remarks, swearing and name-calling
- ✓ Bring correct materials/books to school
- ✓ Follow school and class rules.

### **Students with Special Educational Needs**

- ✓ The school has two special classes for students with Autism. Students with special educational needs in the Autism unit or in mainstream classes, may require help to understand and observe the Code.
- ✓ Students with learning difficulties may need to be taught how to relate cause and effects of behaviour in more tangible ways, for example through pictures, film or role-play. They may not be able to predict consequences as easily as their peers and so may be vulnerable.
- ✓ Class teachers and specialist personnel (e.g. Learning Support Teacher, Resource Teacher, Special Needs Assistant) will check that expectations and rules are communicated in a way that students with special educational needs can understand.
- ✓ Sanctions may be needed to help a student with special educational needs to learn about appropriate behaviour and skills, as in the case of any student. However teachers will take particular care to help the student with special needs to understand clearly the purpose of the sanction and the reason why his/her behaviour is unacceptable. The school and classroom practices that support good learning behaviour are valid for all students, including those with identified special educational needs.
- ✓ Some pupils may require an Individual Behaviour Plan. This will have been decided in consultation with parents, teachers and where possible National Educational Psychological Service (NEPS).



## **Sanctions**

### **Introduction**

Inappropriate behaviour can range from misdemeanour to gross misbehaviour and is judged having regard to the pupil's age, temperament, level of maturity, range of ability and other relevant factors.

The determination as to the seriousness of any particular behaviour will depend on several factors including:

- √ The frequency, duration and persistence of the behaviour
- √ Whether it is part of an escalating pattern of poor behaviour
- √ The context of the behaviour.

Sanctions applied will be appropriate to the age and developmental stage of the student and take account of the cultural background of the student. Sanctions will be sensitive to the particular circumstances of vulnerable individuals or groups of students (for example, a child with special educational needs).

When imposing a sanction the teacher will make it clear to the student, that it is the inappropriate behaviour which is unacceptable and not the individual concerned.

### **Purpose of Sanctions**

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

- √ Helping students to learn that their behaviour is unacceptable
- √ Helping them to recognise the effect of their actions and behaviour on others
- √ Helping students (in ways appropriate to their age and development) to understand that they have choices about their own behaviour and that all choices have consequences
- √ Helping them to learn to take responsibility for their behaviour.

A sanction may also

- √ Reinforce the boundaries set out in the code of behaviour
- √ Signal to other students and to staff that their wellbeing is being protected.

In instances of more serious breaches of the code of behaviour, sanctions may be needed to:

- √ Prevent serious disruption of teaching and learning
- √ Keep the student, or other students or adults, safe.

Pupils will not be deprived of engagement in a Curricular Area, except on the grounds of health and safety.

## **Misbehaviour**

Inappropriate behaviour falls into three categories – minor, serious and gross. When dealing with any type of misbehavior staff may use a restorative approach (Refer Appendix 2).

The following are examples of minor misbehaviour:

- √ Interrupting class work
- √ Regularly arriving late for school
- √ Running in the school building
- √ Littering around the school
- √ Not completing homework without good reason (to include a note from a parent)
- √ Talking out of turn.

The following strategies may be used by teachers:

- √ Ignoring inappropriate behaviour
- √ Distracting student with an alternative activity
- √ Peer to peer support
- √ Reasoning with students including advising them about the consequences of their actions
- √ Verbal reprimand (including advice on how to improve)
- √ Time out
- √ Temporary removal from group (within the class or on the yard)
- √ Note in journal from class teacher to be signed by parent
- √ Reflection sheet (kept on file by teacher)
- √ Restorative Circle
- √ Verbal communication with parents/guardians
- √ Prescribing extra work
- √ Withdrawal of privileges, responsibilities or extra duties
- √ Recording instances of repeated inappropriate behaviour and referral to the Principal
- √ Temporarily removing a student from the classroom to a supervised location may be appropriate in the interests of classroom management in order to ensure the learning of other students is protected and to help the individual student to recognise and learn about the impact and consequences of his/her behaviour.
- √ Formal written communication with parents
- √ Noting instances of yard inappropriate behaviour in the incident book and informing class teacher.



The following strategies may be used by teachers in regard to dealing with persistent instances of misbehaviour

- ✓ Temporary separation from peers (within the classroom)
- ✓ Reflection sheet (describing incident) signed by parents/teacher/student (kept on file by teacher)
- ✓ Referral to the Principal\*
- ✓ Discussion with parents/guardians about misbehavior
- ✓ Loss of privileges eg: loss of Golden Time.
- ✓ Formal letter or note in diary from school Principal informing parent of continuous misbehavior
- ✓ Denial of participation in some class activity e.g. trip to park, school tour
- ✓ Class teacher and/or Principal will meet with one/both parents
- ✓ Chairperson of the BoM informed, and parents requested to meet with Chairperson or other designated Board member and the Principal.

### **Serious Misbehaviour**

The following are examples of serious misbehaviour:

- ✓ Constantly disruptive in class
- ✓ Telling lies
- ✓ Stealing / damaging others' property
- ✓ Answering back a teacher
- ✓ Endangering self or fellow pupils in the class or the yard
- ✓ Using unacceptable language
- ✓ Deliberate, continual noncompliance/ discourteous or unmannerly behaviour
- ✓ Behaviour having a seriously detrimental effect on the education of other students
- ✓ Student's continued presence constitutes a threat to safety
- ✓ Serious damage to property.

### **Bullying**

- ✓ All allegations of bullying will be dealt with initially as outlined in the school's Anti-Bullying Policy.
- ✓ Where the bullying is not resolved under the Anti Bullying policy, it will be dealt with under the Code of Behaviour.
- ✓ Serious instances of bullying will be reported to TUSLA in accordance with Child Protection Procedures 2017 and the Child Safeguarding Policy.

### **Dealing with Serious Misbehaviour**

Teachers will take steps outlined above for minor misbehavior.

In addition the following will apply:

Incident recorded and filed in the Principal's office

Parents informed of serious misbehaviour

Chairperson of the BOM informed

Parents may be asked to meet with him/her

In cases of repeated incidences of serious misbehavior, the Board authorises the Principal to sanction an immediate suspension of up to three days.

## **Gross Misbehaviour**

Examples:

- √ Bringing weapons or dangerous substances to school
- √ Persistently engaging in activities which have been identified by members of staff as dangerous or inappropriate
- √ Leaving school premises without permission
- √ Deliberately injuring any member of the school community
- √ Aggressive, threatening or violent behaviour towards a member of staff/other adult or a pupil (e.g. physical violence, striking, nipping, biting, spitting).

### **Steps when dealing with Gross Misbehaviour**

- √ Record the incident
- √ Principal and Chairperson are informed
- √ Parents to be contacted immediately by the Principal
- √ Suspension.

## **Suspension**

Suspension is defined as *requiring the student to absent himself/herself from the school for a specified, limited period of school days.*

During the period of a suspension, the student retains his/her place in the school. 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.

A single incident of serious misbehaviour may constitute grounds for suspension.

Where appropriate, suspension will be part of an agreed plan to address the student's behaviour. The suspension will seek

- √ To enable the school to set behavioural goals with the student and his/her parents
- √ Give school staff an opportunity to plan other intervention/s
- √ Impress on a student and their parents the seriousness of the behaviour.

The following factors will be considered in so far as possible before suspending a student [Refer Appendix 1]:

- ✓ The nature and seriousness of the behaviour
- ✓ The context of the behaviour
- ✓ The impact of the behaviour
- ✓ The intervention/s tried to date
- ✓ Whether suspension is a proportionate response
- ✓ The possible impact of the suspension.

## **Authority**

- ✓ The BoM of Scoil Bhríde has delegated authority to suspend in certain circumstances to the Principal. Such authority extends to immediate suspension for a period not exceeding 3 school days.
- ✓ Where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective, the matter will be referred to the BoM for consideration and approval, giving the circumstances and the expected outcomes.
- ✓ Where a meeting of the Board cannot be convened in a timely fashion, a suspension of up to 5 days may be sanctioned.

## **Implementing Suspension**

The Principal will notify the parents 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 [If consideration is being given to proceeding to expulsion, then the letter shall also make this clear]
- ✓ The reasons for the suspension
- ✓ Any study programme to be followed
- ✓ The provision for an appeal to the BoM
- ✓ The right to appeal to the Secretary General of the Department of Education and Science (*Education Act 1998*, section 29).

[Where the total number of days for which the student has been suspended in the current school year reaches twenty days, the parents may appeal the suspension to the Secretary General of the Department of Education and Science under section 29 of the *Education Act 1998*, as amended by the *Education (Miscellaneous Provisions) Act 2007*.]

## **Removal of Suspension**

A suspension may be removed if the BoM decides to remove it 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*.

- ✓ A period of suspension will end on the date given in the letter of notification to the parents about the suspension. The arrangements for returning to school, including any commitments to be entered into by the student and the parents (e.g. parents might be asked to reaffirm their commitment to the code of behaviour)
- ✓ The Principal or another staff member 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.
- ✓ The school should have a plan to help the student to take responsibility for catching up on work missed. This plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure and will serve to avoid angry or resentful feelings about suspension 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.
- ✓ When any sanction, including suspension, is completed, a student will be given the opportunity and support for a fresh start. Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed the school will expect the same behaviour of this student as of all other students.

## **Fair Procedures**

Fair procedures will be applied in regard to imposition of suspension and expulsion. Fair procedures apply to the investigation of alleged misbehaviour that may lead to suspension and 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 particular context or circumstances.

Parents will be informed either by phone or in writing depending on the seriousness of the matter

- ✓ That the alleged misbehaviour is being investigated
- ✓ The details of the allegations being made and any other information that will be taken into account
- ✓ How the issue will be decided and that it could result in suspension/and or ultimately expulsion
- ✓ The right to respond to the allegations.



Where possible, parents and student will be given an opportunity to respond before a decision is made and before any sanction is imposed.

A meeting with the student and his/her 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 or his/her 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. Failure to attend meetings will mean that the written notification will serve as notice to impose a suspension.

### **Decision making**

- √ In so far as possible or practicable a person with an interest in the matter will not be involved in the investigation or decision-making.
- √ Parents will be given an opportunity to respond to an allegation before a decision is made unless the matter is automatic or warrants immediate suspension. In such cases the response from parents may take place after the suspension is imposed.
- √ Where circumstances require the Principal or staff member to conduct the investigation as well as making a finding and proposing the sanction, he or she will act fairly. It is incumbent upon the Principal to review the investigation to ensure that it has been fully and fairly conducted.

### **Immediate Suspension**

- √ In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the student in the school at the time would represent a serious threat to the safety of students or staff of the school, or any other person.
- √ Where an immediate suspension is considered by the Principal to be warranted, a preliminary investigation will be conducted to establish the case for the imposition of the suspension.
- √ The formal investigation should immediately follow the imposition of the suspension.
- √ In the case of an immediate suspension, parents will be notified and arrangements made with them for the student to be collected.

## **Automatic suspension**

The BoM has decided, that particular named behaviours incur suspension as a sanction. These include

- √ Bringing weapons or dangerous substances to school
- √ Persistently engaging in activities which have been identified by members of staff as dangerous or inappropriate
- √ Deliberately injuring any member of the school community
- √ Aggressive, threatening or violent behaviour towards a member of staff or a pupil (e.g. physical violence, striking, nipping, biting, spitting).

## **Involving the Gardai**

Where allegations of criminal behaviour are made about a student, these will be referred to the Gardai who have responsibility for investigating criminal matters. The Juvenile Liaison Officer can be a significant source of support and advice for the school and the student.

## **Records and Reports**

Formal written records will be kept securely by the teacher and in the Principal's office. Such records include the following:

- √ The investigation process (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 BoM, with the reasons for each and the duration of each suspension.

The Principal is required to report suspensions in accordance with the NEWB reporting guidelines [refer *Education (Welfare) Act, 2000*, section 21(4)(a) i.e. where a student is suspended from a recognised school for a period not less than 6 days]

## **Review**

The BoM 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 may be influencing behaviour in the school and to ensure that use of suspension is appropriate and effective.

## **Expulsion**

A student is expelled when the BoM makes a decision to permanently exclude him or her from the school.

## **Authority**

The BoM reserves to itself the authority to expel a student. 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 his/her behaviour
- √ Making sure that the student understands the possible consequences of his/her 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 e.g.:

- √ The student's behaviour is a persistent cause of significant disruption to the learning of others and/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, the school has tried a series of other interventions and believe that all possibilities for changing the student's behaviour have been exhausted.

## **'Automatic' Expulsion**

The BoM has decided that particular named behaviours incur expulsion as a sanction e.g. Where a student had already presented with serious misbehaviour and had already been suspended, if the serious named misbehaviour/s were to reoccur it would lead to automatic expulsion.



## **First offence**

The kinds of behaviour that result in a proposal to expel on the basis of a single breach of the code 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.

Given the seriousness of expulsion as a sanction, the BoM will undertake a detailed review of a range of factors in deciding whether to expel a student including the following [Refer Appendix 3]:

- √ The nature and seriousness of the behaviour
- √ The context of the behaviour
- √ The impact of the behaviour
- √ The intervention/s tried to date
- √ Whether expulsion is a proportionate response
- √ The possible impact of the expulsion.

## **Procedures**

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 BoM by the Principal
3. Consideration by the BoM of the Principal's recommendation and the holding of a hearing
4. BoM deliberations and actions following the hearing
5. Consultations arranged by the Educational Welfare Officer
6. Confirmation of the decision to expel.

### **Step 1: Detailed investigation under direction of Principal**

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

- √ Inform the student and his/her 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, so that parents are very clear about what their son or daughter is alleged to have done
- ✓ 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: Recommendation to the BoM by 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 BoM to consider expulsion. The Principal will:

- ✓ Inform the parents and the student that the BoM 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 BoM is being asked to consider expulsion
- ✓ Provide the BoM with the same comprehensive records as are given to parents
- ✓ Notify the parents of the date of the hearing by the BoM and invite them to that hearing
- ✓ Advise the parents that they can make a written and oral submission to the BoM
- ✓ Ensure that parents have enough notice to allow them to prepare for the hearing.

## **Step 3: Consideration by BoM of Principal's Recommendation**

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.

Where the BoM 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 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 absent themselves for the Board's deliberations.

#### **Step 4: BoM deliberations and actions following 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 BoM, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion [Refer *Education (Welfare) Act 2000*, s24(1)]. The BoM 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 Educational Welfare Officer (EWO) receives this written notification [Refer *Education (Welfare) Act 2000*, s24(1)].

The Board should 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 BoM will inform the EWO.



## **Step 5: Consultations arranged by Educational Welfare Officer (EWO)**

Within twenty days of receipt of a notification from a BoM of its opinion that a student should be expelled, the EWO 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.

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 EWO to plan for the student's future education.

Pending these consultations about the student's continued education, a BoM may take steps to ensure that good order is maintained and that the safety of students is secured. A Board may consider it appropriate to suspend a student during this time.

## **Step 6: Confirmation of the decision to expel**

Where the twenty-day period following notification to the EWO has elapsed and where the BoM remains of the view that the student should be expelled, the BoM will formally confirm the decision to expel.

Parents will be notified immediately that the expulsion will now proceed. Parents and the student 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 student.

The BoM shall only authorise the removal of the pupil's name from the school register when the pupil has been registered in another school/education facility.

## **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 student.

## **Review**

The BoM 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.

## **Seeking Assistance**

Where strategies have failed and where inappropriate behaviour is serious or persistent it may be necessary to involve other agencies

The Principal and staff may seek assistance from National Educational Psychological Service, National Council for Special Education (NEPS), Health Service Executive (HSE), TUSLA (Child and Family Agency) or other agencies.

Parents may seek assistance from the class teacher, Deputy Principal, Principal, NEPS where involved, Primary Care centres, Child and Adolescent Mental Health Services (CAHMS) where involved.

## **Summary of Procedure for dealing with a behaviour problem**

1. The class teacher/teacher in charge deals with it and may impose a sanction. If a parent/guardian wishes to make a complaint regarding a child's behaviour matter, it is expected that such a complaint would in the first instance be addressed to the class teacher/teacher in charge.
2. If the problem is not solved/resolved, the class teacher/teacher in charge shall consult with other teachers, and/or the Principal and/or the parents of the pupil(s) with a view to helping the pupil(s) overcome the difficulty.
3. If the problem persists or in the case of serious misbehaviour, it may be necessary to have on-going discussions between the parents teacher(s) and Principal/BoM to monitor the situation and to deal appropriately with it, always with the objective of helping the child.
4. In the case of an incidence of gross misbehaviour or where there are repeated instances of serious misbehaviour, the Chairperson of the BoM will be informed and the parents will be requested in writing to attend at the school to meet the Chairperson and/or Principal.
5. The BoM authorises the Chairperson or Principal to suspend the child for a period of time up to a maximum of 3 school days initially if such is deemed appropriate.
6. A special decision of the BoM is necessary to authorise a further period of suspension up to a maximum of 5 school days. Parents/guardians

may meet/may be required to meet with representatives of the BoM to discuss the matters relating to the child's misbehaviour prior to the authorisation of this second period of suspension. In exceptional situations, the BoM may authorise a further period of suspension in order to enable the matter to be reviewed.

7. The ultimate sanction of expulsion shall be exercised in accordance with relevant guidelines outlined above.

## **Keeping records**

In line with the school's policy on record keeping, and data protection legislation, formal records in relation to pupils' behaviour are kept in a secure location (usually in the Principal's office). Copies of all communications with parents/guardians will be retained in the school. All such records are retained until the student reaches 21 years of age.

## **Procedures for notification of pupil absences from school**

Parents/Guardians must notify the student's teacher in writing of a student's absence and the reason for this absence even if verbal communication with the school has already taken place.

## **Relevant Policies**

Other school policies that have a bearing on the Code of Behaviour include

- SPHE plan
- Anti-bullying policy
- Enrolment
- Tours
- Health & Safety
- Special Educational Needs
- Child Safeguarding Policy
- Health and Safety Statement
- Internet use policy
- Mobile phone policy

## **Implementation**

The Code will be operational from the date of its ratification by the BoM.

## **Review**

The Code will be discussed at staff meetings and reviewed periodically.

## **Review**

The code will be discussed at staff meetings and reviewed periodically.

## **Ratification and Communication**

The policy will be posted on the school website and all parents notified by text message. Any parent who does not have access to the internet will be advised to call to the school to obtain a hard copy.

This policy was ratified by the BoM on date 25/03/2020

Signed: Eileen Flynn

Date: 25.03.2020



## Appendix 1

<b>Factors to consider before suspending a student</b>
<b>The nature and seriousness of the behaviour</b>
<ul style="list-style-type: none"> <li>• What is the precise description of the behaviour?</li> <li>• How persistent has the unacceptable behaviour been?</li> <li>• Has the problem behaviour escalated, in spite of the interventions tried?</li> </ul>
<b>The context of the behaviour</b>
<ul style="list-style-type: none"> <li>• What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?</li> <li>• What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?</li> <li>• What is the age, stage of development and cognitive ability of the student?</li> <li>• Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?</li> </ul>
<b>The impact of the behaviour</b>
<ul style="list-style-type: none"> <li>• How are other students and staff affected by the student's behaviour?</li> <li>• What is the impact of the behaviour on the teaching and learning of the class?</li> <li>• Does the behaviour have a particular or greater impact on some students or teachers?</li> <li>• Does the student understand the impact of their behaviour on others?</li> </ul>
<b>The interventions tried to date</b>
<ul style="list-style-type: none"> <li>• What interventions have been tried? Over what period?</li> <li>• How have the interventions been recorded and monitored?</li> <li>• What has been the result of those interventions?</li> <li>• Have the parents been involved in finding a solution to the problem behaviour?</li> <li>• Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?</li> <li>• Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?</li> <li>• Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?</li> <li>• Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent services)?</li> </ul>
<b>Whether suspension is a proportionate response</b>
<ul style="list-style-type: none"> <li>• Does the student's behaviour warrant suspension?</li> <li>• Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?</li> </ul>
<b>The possible impact of suspension</b>
<ul style="list-style-type: none"> <li>• Will suspension allow additional or alternative interventions to be made?</li> <li>• Will suspension help the student to change the inappropriate behaviour?</li> <li>• How will suspension help teachers or other students affected by the behaviour?</li> <li>• Will suspension exacerbate any educational vulnerability of the student?</li> </ul>

## **Appendix 2**

### **Restorative approach**

Staff may use the following questions to investigate an incident:

1. What happened?
2. What were you thinking of at the time?
3. What have you thought about it since?
4. Who has been affected and in what way?
5. How could things have been done differently?
6. What do you think needs to happen next?

These questions may be used in a restorative circle with a number of children and staff participating.



## Appendix 3

### **Factors to consider before proposing to expel a student**

#### **The nature and seriousness of the behaviour**

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been and over what period of time?
- Has the problem behaviour escalated, in spite of the interventions tried?

#### **The context of the behaviour**

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

#### **The impact of the behaviour**

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?

#### **The interventions tried to date**

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of these interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health services)?
- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?

#### **Whether expulsion is a proportionate response**

- Is the student's behaviour sufficiently serious to warrant expulsion?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

#### **The possible impact of expulsion**



- To what extent may expulsion exacerbate any social or educational vulnerability of the student?
- Will the student be able to take part in, and benefit from, education with their peers?
- In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?