



ST. JOSEPH'S CO-ED. PRIMARY SCHOOL, EAST WALL, DUBLIN 3
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Dear Parent(s)/Guardian(s),

This is the published version of our **Code of Good Behaviour** here at St. Joseph's Co-ed. This policy was discussed and amended with the co-operation of teachers, parents and the In School Management team.

Rationale:

It is necessary to revise the Code of Good Behaviour policy here at St. Joseph's because:

- The existing policy is due for review/amendment
- To ensure there is an orderly climate for learning in the school
- It is a requirement under DES Circular 20/90 on School Discipline
- It is a requirement under the Education Welfare Act, 2000, Section 23 (1) which refers to *the obligation on schools to prepare a code of behaviour in respect of the students registered at the school. It details in Section 23(2), that the code of behaviour shall specify:*
 - A. *The standards of behaviour that shall be observed by each pupil attending the school;*
 - B. *The measures that shall be taken when a pupil fails or refuses to observe those standards;*
 - C. *The procedures to be followed before a pupil may be suspended or expelled from the school concerned;*
 - D. *The grounds for removing a suspension imposed in relation to a pupil; and*
 - E. *The procedures to be followed in relation to a child's absence from school.*

There are 4 parts in this policy:

Part 1: A Whole School Approach to Good Behaviour in School

Part 2: Rewards and Procedures

Part 3: Dealing with Misbehaviour

Part 4: National Welfare Board Guidelines for Suspension and Expulsion

Part 1: A Whole School Approach to Good Behaviour:

Here at St. Joseph's we believe that teachers, parents and pupils are responsible for maintaining high standards of good behaviour in our school.

Teachers help by:

- Referring to the golden rules in their classrooms.
- Ensuring each child in their class adheres to the golden rules.
- Ensuring other children in their care (out in yard etc) are adhering to the golden rules of the school.
- Being approachable if a parent has a query regarding their child's behaviour
- Reviewing the code of behaviour once per year and discuss what is/isn't working with other staff members.
- Informing new members of staff of our school's code of behaviour.

Board of Management helps by:

- The Board of Management's role is to ensure that the Code of Behaviour is developed and supported in St. Joseph's Co-ed, and that the whole school community, including parents are involved in its development, its implementation and the reviewing of it.
- The Board of Management also addresses extreme cases of misbehaviour during the year as outlined in this Code. (See Part 4)

Pupils help by:

- Adhering to the golden rules of our school inside the school, at yard time, during school trips and/or any other time they are representing our school.

Parents help by:

Parents play a vital role in their child's education. Teachers and parents should work together as partners in promoting good behaviour and maintaining a high standard of behaviour in the school. The school firmly recognises that parents are the primary educators of their children. Parents can help the school in the following ways:

- By making sure that their child attends school regularly and is on time.
- By encouraging their child to always try their best and to take responsibility for their work and behaviour.
- By being aware themselves of the school's rules and reward systems.
- By attending any meetings requested by the school.
- By helping their child to complete their homework to the best of their ability.
- By ensuring that their child has the necessary books and materials for school.
- By signing their child's journal every night.
- By signing any notes the teacher has written in the homework journal as proof that it has been acknowledged.

Our Golden Rules:

We follow the golden rules here at St. Joseph's. They are displayed in different parts of the school and teachers refer to them in their classrooms.

- **We are gentle**

We don't hurt others

- **We are kind and helpful**

We don't hurt anyone's feelings

- **We listen**

We don't interrupt

- **We are honest**

We don't cover up the truth

- **We work hard**

We don't waste our own or other's time

- **We look after property**

We don't waste or damage property.

Resources are available in the library in relation to the teaching of the golden rules for teachers.

Property and personal possessions

- As stated in the Golden Rules pupils will respect the property of the school and that of others.
- Pupils will take pride in their school and school grounds and will keep their school tidy and litter free.
- Pupils shall not take or damage property that does not belong to them.
- All breakages shall be reported to a member of staff. The Principal will contact parents informing them of the offence and action to be taken. Payment by parents for damage caused is one such action that is likely to be taken.
- Pupils will look after and cover text books provided by the school and will have copy books and relevant stationery for all subjects.

- Pupil's names will be clearly written on all personal property- books, coats, bags etc.
- Pupils will keep their homework journals tidy at all times.

Dress code

- The school uniform shall be worn each day other than designated non-uniform days including the wearing of the school tie.
- School tracksuit is to be worn on designated P.E. days.
- Only 'Stud ear-rings' are permitted.
- Pupils are not allowed to wear make-up.

Food and substances

- Chewing gum is not allowed in our school.
- The school has a healthy eating policy and emphasis is placed on having a healthy school lunch every day.
- Pupils are prohibited from bringing onto the school premises any dangerous or illegal substances including tobacco, drugs or alcohol which could endanger other people in the school. The use of dangerous weapons such pocket knives are also prohibited.

Communication Technology

- Mobile phones are only permitted under exceptional circumstances with prior written permission from parents and should be switched off during school hours.
- Use of camera phones is not allowed.
- Electronic equipment – gaming devices etc. are not permitted in school.

Part 2: Rewards and Procedures:

Rewards-A whole school approach:

Here at St. Joseph's we want to 'catch the children being good' as much as possible. Our approach is to focus on the positive as much as possible. To help achieve this, the following initiatives are currently in place to encourage positive behaviour from our pupils:

Yard Points:

In the school yard the following strategies are used to promote positive behaviour.

- The Golden Rules are clearly displayed and referred to in yard.

- The **Yard Points** system is used for every class at the end of yard where classes are rewarded for lining up in an orderly manner and remaining quiet.
- Yard points system is referred to every Monday by the Principal who praises classes who get the most points.

The following procedure is for both junior and senior yards:

- All children freeze at the 12.28p.m. bell. The whistle is blown by the supervising teacher when he/she is satisfied that everyone is still. The children go quietly into their respective lines and their points are noted in the Yard Points book.
- Supervising teacher does not give yard points until all teachers are present.
- He/she then dismisses Reception/Junior/Senior Infants if in the Junior Yard. First to 6th class are dismissed by teachers in the Senior Yard.
- The yard books are handed in by teachers into the secretary's office.
- Any member of staff can take a point off any class for misbehaviour as they return to class. (Secretary must be informed of any amendments).
- The winning class is announced the following Monday at 8:50 assembly. Their prize is at the discretion of their teacher.

Punctuality tickets:

Punctuality tickets are given by each class teacher in their classrooms for being in school on time. Children who are in school before nine o'clock are eligible for a punctuality ticket. The children write their names and class on the back of each ticket. The class teacher collects these tickets putting them into separate bags for the boys and girls. All of these tickets will go towards a draw which takes place every Friday at assembly with prizes.

Positivity Wall:

Children who have achieved or have done something positive during the course of two weeks will be picked by their class teacher for the positivity wall. An announcement will be made every second Friday for teachers to pick one child to go down to the office and tell the Principal or Sandra why they were picked. They will then receive a homework pass off Ms. Kennedy as well as getting their picture taken by Sandra. The pictures and names of the children will go up on the positivity wall with a few words on why they got to be up there.

Pupil of the Month:

On the last Friday of every month, St. Joseph's has 'Pupil of the Month' to celebrate pupils who have made exceptional efforts in showing good behaviour and attitude to school work, homework etc. Teachers fill out a certificate with the pupil's name and state why they got it. Teachers also have the option of picking more than one pupil of the month from their class. This is then announced by their teacher when everyone in the school gathers in the hall for the occasion.

Rewards in classrooms:

The main focus in all classes is on positive behaviour. In our school, the teachers believe in ‘catching the children being good’ at all times. There are reward systems in operation in all classes. It is at the discretion of the teacher what reward system they would like to use in their class. Examples of rewards used in classrooms could be homework passes, stickers, behavioural management systems, extra play time etc.

Procedures: Achieving desired behaviour in classrooms:

To help achieve good behaviour, each teacher does the following:

- All classes also follow the Golden Rules in order to achieve consistency throughout the school in relation to the Code of Behaviour which are displayed in every classroom.
- Golden rules are frequently discussed and referred to in class. The focus is always on the positive aspect but the negative is included to make the rule clearer.
- Specific praise is given for positive behaviour and minor misbehaviour is ignored as much as possible (e.g. if a child is swinging on their chair, the child beside them is to be praised for sitting properly on their chair).
- Lining up: teachers make sure that children line up in a respectful and quiet manner. They move quietly along the corridors if they need to leave their classroom

Procedures: Achieving desired behaviour elsewhere in school:

- Children walk quietly in straight lines through the school corridors always keeping left.
- Senior children yield to a younger class, to a teacher or to a group of visitors.
- It is the duty of every member of staff to remind children from another class that the Code of Behaviour is upheld regardless of whether or not their class teacher is present.
- Children raise their arms and listen once the teacher in charge raises an arm.

Procedures: Achieving desired behaviour outside of school:

- The Golden Rules are also applicable to any trips or school related activities that have taken place outside of school. If any child is representing our school even outside of school hours, they are expected to behave (accordingly) as if they were in school.

Part 3: Dealing with Misbehaviour:

The following steps are taken when dealing with inappropriate behaviour in classrooms:

When dealing with inappropriate behaviour, teachers will do their utmost to try to be as fair as possible. In our school, we do not believe that good children should be punished for the behaviour of one or two children.

When a child misbehaves the teacher:

1. Ignores the inappropriate behaviour and praises the positive behaviour (e.g. Child is swinging on the chair, teacher praises the child beside the other one for sitting on the chair properly)
2. Issues the child with non-verbal or verbal warning
3. Issues the child with a second verbal warning and reasons with the child
4. Segregates the child away from peers e.g. time out tables
5. If child continues to be disruptive, they are sent to another class for five/ten minutes (three verbal warnings). When the child is sent out of their class a written note is sent home to parents, informing them of the behaviour and consequence involved.
6. If the child is still behaving inappropriately after he/she comes back to class, the teacher will make a written record of this and inform the Principal.

Homework:

If homework is not done and no note is given to the teacher, children receive sanctions. Persistent unexplained incomplete homework is considered a serious misbehaviour. Please see our Homework Policy for sanctions on incomplete homework.

Appearance:

At St. Joseph's we have a strict uniform policy. The following steps are taken if children come to school without their uniform:

1. A verbal warning is issued.
2. Should it persist, the teacher will phone the parents.
3. Should it persist further, the Principal will become involved by communicating with parents.

Procedures for dealing with inappropriate (minor/ repeated minor and serious) behaviour in yard:

If a child misbehaves in yard, the teacher issues a verbal warning to the child. If the behaviour persists, the child is sent to the bench. It is up to the teacher on yard to decide how long the child is on the bench for depending on the seriousness of the behaviour. For example, physical fighting may result in the child being on the bench for the duration of yard. The teacher on yard records inappropriate behaviour in the yard book and informs the class teacher of the misdemeanour. The Principal will check both yard books after break to see what was recorded and do follow-ups for major serious misbehaviours.

For serious misbehaviour in yard:

For serious misbehaviours such as physical fighting, play fighting resulting in injury, spitting, cursing, etc, the Principal deals with such matters directly after yard.

Dealing with serious misbehaviour:

1. The Principal gets the child to fill out a thinking sheet
2. Parents are informed by phone or note home in journal of the behaviour and consequence

3. Depending on the seriousness of the behaviour, lunch time detention, after school detention, loss of privileges, loss of place on the GAA and soccer team, extra homework, in school suspension, suspension and/or expulsion will be issued by the Principal.

The following table has categories of inappropriate behaviour ranging from minor to serious and the steps taken when such behaviour occurs in class, yard and/or trips:

Categories	Examples	Sanctions	Who
Minor misbehaviour	No homework/incomplete homework Not following instructions Interruptions Out of seat during class time Out of seat on wet days Breaking class rules on a minor level Not wearing proper uniform Not lining up	Verbal warning Removal from peers in class	Class teacher or Supervising teacher Supervising teacher must inform class teacher of the reprimand
More serious Misbehaviours	Repeated minor (see above) Persistent incomplete homework Bad language Inappropriate body language Bad attitude Answering back Lying (even if it involves covering up for your friend) Spitting	Removal from class to a neighbouring class (after 3 Verbal warning for repeated minor) note sent home Loss of privileges in class Sent to bench (yard only)	Class teacher or Supervising teacher Supervising teacher must inform class teacher of the reprimand
Major serious Misbehaviours	Repeated more serious (see above) Leaving school without permission Persistent bad language Vandalism/damaging property (even outside of school hours)	Inform parents and arrange meeting Loss of privileges (e.g. school outings) lunch time detention in	Principal Parents Board of Management

	Violence/physical fighting	office	
	Rough persistent play fighting	after school detention in office	
	Stealing		
	Persistent rule breaking	in school Suspension	
	Verbal abuse to adults/peers	Home suspensio	
	Bullying	Expulsion	
	Threatening behaviour towards others		

Ratification of Policy:

This policy will be reviewed by the Board of Management once in every school year.

This policy was adopted by the Board of Management on _____.

Signed: _____ Signed: _____

Chairperson of Board of Management Principal

Date: _____ Date: _____

Date of next review:

Part 4: National Educational Welfare Board Guidelines

The information in this part of the Code of Behaviour includes Guidelines and Best practice as laid down by the National Education Welfare Board (NEWB).

All parents must realise that the suspension/expulsion of a child is at the discretion of the Board of Management of the school. Section D clearly outlines the rights of parents to appeal decisions made by the Board of Management.

1. Suspension in the school

As part of Suspension in school- pupil will spend one day in another class. They will be completing school work while they are in another class.

2. Suspension at home

If the Principal is of the opinion that it is necessary to place a pupil on suspension at home, and if this suspension is for a period of up to three days:

- i. The Principal will inform the parents of this decision.
- ii. The first suspension will be for one day only, the second for a maximum of two days in the event that a further suspension is deemed necessary.
- iii. At the end of the period of suspension the parents must accompany their pupil to school in order to give a firm and binding commitment that there will be a marked improvement in the behaviour of their pupil.
- iv. If there isn't a vast improvement in the pupil's behaviour, and if and when necessary, the Principal can expel the pupil from the school under the provisions of the Education Act 1998.

The Board of Management are kept informed of suspensions of up to three days at the regular Board meetings.

The permission of the Board must be sought for any period of suspension in excess of three days.

Parents have the right to appeal under the system in place under the provisions of Sections 28 and 29 of the Education Act 1998.

Managing threatening or violent behaviour

Where it is found that the aggressive or violent behaviour of a pupil cannot be managed successfully through the application of a combination of positive behaviour management strategies and sanctions and that the suspected underlying cause is emotional in nature the following steps will be taken:

- The parent's shall be advised by the principal that it is the considered opinion of school staff that the pupil may have emotional and behavioural problems and a recommendation that the pupil be referred for an assessment. (this to be discussed with the NEPS psychologist as well as the parents)
- With the help of the SENO to seek resources and support from the services available e.g. SESS NEPS, HSE.

If violent or threatening behaviour poses a risk to the pupil himself or to the health and safety of the other pupils or staff the pupil will be suspended in accordance with the school's suspension policy. A pupil may be put on a shortened day, suspended or may be expelled from the school. The school is obliged to ensure the health and safety of the entire school community.

Suspension

With regard to suspending a pupil the Principal and/or the Board of Management will follow the guidelines outlined in the document 'Developing a Code of

Behaviour: Guidelines for Schools, NEWB' . Among the principles involved will be:

- Developing and documenting good practice in relation to the use of suspension
- Having fair procedures for investigation and decision-making
- Having procedures for informing parents and students about their right to appeal
- Having a system for regular review by the Board of Management of the use of suspension in the school.

Expulsion

With regard to expelling a pupil the Board of Management will follow the guidelines outlined in the document 'Developing a Code of Behaviour: Guidelines for Schools, NEWB' . Among the principles involved will be :

- Developing and documenting good practice in relation to the use of suspension
- Having fair procedures for investigation and decision-making
- Having procedures for informing parents and students about their right to appeal
- Having a system for regular review by the Board of Management of the use of suspension in the school.

Appeals

Under Section 29 of the Education Act, 1998, parents (or pupils who have reached the age of 18) are entitled to appeal to the Secretary General of the Department of Education and Science against some decisions of the Board of Management, including

- (1) permanent exclusion from a school, and
- (2) suspension for a period which would bring the cumulative period of suspension to 20 school days or longer in any one school year.

Accordingly, schools should advise parents of this right of appeal and associated timeframe if it has been decided to suspend or permanently exclude a pupil. Appeals must generally be made within 42 calendar days from the date the decision of the school was notified to the parent or student. (See Circular 22/02)

More detailed information on Suspensions, Appeals and Expulsions

Introduction

Outlined below are the guidelines regarding the suspension and/or expulsion of a pupil that include the following factors:

- The development of good practice and recording mechanisms of the use of suspension and expulsion
- To have a definite procedures of investigation and decision making
- To have a definite practice of letting parents know about their rights of appeal
- To have systems in place so that the Board of Management of the school regularly review the school policy regarding suspension and expulsion.

It is imperative that these guidelines followed by the Board of Management regarding suspension and/or expulsion are in strict adherence to the guidelines clearly stated in the document ‘Developing a Code of Behaviour: Guidelines for Schools, NEWB.’

10.3 Fair procedures based on the principles of natural justice

Fair procedures have two essential parts and our school recognises these:

- (i)the right to be heard
- (ii)the right to impartiality

The right to be heard means:

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

The right to impartiality means:

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

Freedom from bias entails ensuring that a person with an interest in the matter is not involved in the investigation or decision-making. If a person has pre-conceived opinions, a vested interest or personal involvement in the matter, they should not attempt to settle that matter.

An impartial process is one that allows a decision to be made based on an unbiased evaluation of information and evidence. Generally, impartiality requires that the investigation is separated from the process of making a decision so that the decision-maker comes to the task with an open mind.

Applying fair procedures in school

In a school, fair procedures apply to:

- the investigation of alleged misbehaviour that may lead to suspension or expulsion and
- the process of decision-making as to
 - (a) whether the student did engage in the misbehaviour and
 - (b)what sanction to impose.

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

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

Even informal processes, however, must be fair and be seen to be fair. The principles of ensuring the right to be heard and the right to impartiality apply in all cases.

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

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

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

The person alleging the misbehaviour, or who is a victim, or a witness should not usually Behaviour the investigation.

Authority to suspend

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

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

The grounds for suspension

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

Suspension should be a proportionate response to the behaviour that is causing concern. Normally, other interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student requires serious grounds such as that:

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

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

Determining the appropriateness of suspending a student

It is important to consider the following details (see (i) to (xxv) below) before any decision regarding the appropriateness of a suspension is made.

- (i) What is the precise description of the behaviour?
- (ii) How persistent has the unacceptable behaviour been?
- (iii) Has the problem behaviour escalated, in spite of the interventions tried?
- (iv) 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)?
- (v) What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- (vi) What is the age, stage of development and cognitive ability of the student?
- (vii) Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?
- (viii) How are other students and staff affected by the student's behaviour?
- (ix) What is the impact of the behaviour on the teaching and learning of the class?
- (x) Does the behaviour have a particular or greater impact on some students or teachers?
- (xi) Does the student understand the impact of their behaviour on others?
- (xii) What interventions have been tried? Over what period?
- (xiii) How have the interventions been recorded and monitored?
- (xiv) What has been the result of those interventions?
- (xv) Have the parents been involved in finding a solution to the problem behaviour?
- (xvi) Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- (xvii) Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- (xviii) 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?
- (xix) Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent services)?
- (xx) Does the student's behaviour warrant suspension?
- (xxi) Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?
- (xxii) Will suspension allow additional or alternative interventions to be made?
- (xxiii) Will suspension help the student to change the inappropriate behaviour?
- (xxiv) How will suspension help teachers or other students affected by the behaviour?
- (xxv) Will suspension exacerbate any educational vulnerability of the student?

Suspension as part of a behaviour management plan

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

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

Forms of suspension

(i) Immediate suspension:

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

(ii) Inappropriate use of suspension:

Students should not usually be suspended for:

- poor academic performance
- poor attendance or lateness
- minor breaches of the code of behaviour.

However, any behaviour that is persistently disruptive to learning or potentially dangerous can be a serious matter. Behaviour must be examined in context to understand both the behaviour itself and the response or sanction that is most appropriate.

(iii) Rolling suspension

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

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

Informal or Unacknowledged Suspension

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

6. Procedures in respect of suspension

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

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

7. Inform the student and parents

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

It is advised that if the parent is contacted over the phone, a written record of the telephone is kept, in order to ensure that the details of the conversation with the parent are on file in the school.

This is important as it informs the parents about how important the school believes the incident in question to be.

8. Give an opportunity to respond

Parents and student should be given an opportunity to respond before a decision is made and before any sanction is imposed. A meeting with the student and their parents provides an opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a

dispute about the facts. It may also be an opportunity for parents to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour. If a student and their parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school should record the invitations made to parents and their response.

9. Procedures in relation to immediate suspension

Where an immediate suspension is considered by the Principal to be warranted for reasons of the safety of the student, other students, staff or others, a preliminary investigation should be undertaken to establish the case for the imposition of the suspension. The formal investigation should immediately follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, should be open-ended.

In the case of an immediate suspension, parents must be notified, and arrangements made with them for the student to be collected. The school must have regard to its duty of care for the student. In no circumstances should a student be sent home from school without first notifying parents.

10. The period of suspension

A student should not be suspended for more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective. Each Board of Management should provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than three days might be approved. If a suspension longer than three days is being proposed by the Principal, the matter should be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.

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

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

The Board should formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the *Education Act 1988*.

These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management

takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

11. Appeals

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

Section 29 Appeal

Where the total number of days for which the student has been suspended in the current school year reaches twenty days, the parents, or a student aged over eighteen years, may appeal the suspension under section 29 of the *Education Act 1998*, as amended by the *Education (Miscellaneous Provisions)*

Act 2007. At the time when parents are being formally notified of such a suspension, they and the student should be told about their right to appeal to the Secretary General of the Department of Education and Science under section 29 of the *Education Act 1998*, and should be given information about how to appeal.

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

12. Implementing the suspension

Written notification

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

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

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

Engaging with student and parents

Where a decision to suspend has been made, it can maximise the impact and value of suspension if the Principal or another staff member delegated by the Principal meets with the parents to emphasise their responsibility in helping the student to behave well when the student returns to school and to offer help and guidance in this. Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

13. 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*.

14. 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 should have a plan to help the student to take responsibility for catching up on work missed. This plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure. Successful re-integration goes beyond academic work. A suspended student

may feel angry or resentful about their suspension, and these feelings can trigger problems with reintegration which, in turn, may lead to further problem behaviour. Where possible, the school should arrange for a member of staff to provide support to the student during the re-integration process.

Clean slate

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

15. Records and reports

Records of investigation and decision-making should be kept of:

- the investigation (including notes of all interviews held)
- the decision-making process
- the decision and the rationale for the decision
- the duration of the suspension and any conditions attached to the suspension.

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

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

16. 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.

Key Requirements: Suspension

Applying the Guidelines means:

Ensuring that the school has a policy on, and procedures for, the use of suspension that are approved by the Board of Management and in line with these Guidelines and any additional requirements set down by the Patron.

Ensuring the policy is widely communicated.

Developing and documenting good practice in relation to the use of suspension.

Having fair procedures for investigation and decision-making.

Having procedures for informing parents and students about their right to appeal.

Having a system for regular review by the Board of Management of the use of suspension in the school.

Expulsion

1. Authority to expel

The Board of Management of a recognised school has the authority to expel a student. As a matter of best practice, that authority should be reserved to the Board of Management and should not be delegated.

2. The grounds for expulsion

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

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

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

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

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

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.

3. Determining the appropriateness of expelling a student

Given the seriousness of expulsion as a sanction the Board of Management should undertake a very detailed review of a range of factors in deciding whether to expel a student.

- 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.

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)?

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?

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?
- 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?
- 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?

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

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

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

- inform the student and their parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion
- give parents and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

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

Parents and the student must have every opportunity to respond to the complaint of serious misbehaviour before a decision is made about the veracity of the allegation, and before a sanction is imposed. Where expulsion may result from an investigation, a meeting with the student and their parents is essential. 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 should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour. The school should record the invitation issued to parents and their response.

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

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

- inform the parents and the student that the Board of Management is being asked to consider expulsion

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

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

It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly managed in line with fair procedures. The Board should undertake its own review of all documentation and the circumstances of the case. It should 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 must hold a hearing. The Board meeting for the purpose of the hearing should be properly Behavioured in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case for lessening the sanction. In the Behaviour of the hearing, the Board must take care to ensure that they are, and are seen to be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board should facilitate this, in line with good practice and Board procedures.

After both sides have been heard, the Board should ensure that the Principal and parents are not present for the Board's deliberations.

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

Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (*Education (Welfare) Act 2000*, s24(1)). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification (*Education (Welfare) Act 2000*, s24(1)).

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

The Board should inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents should be told that the Board of Management will now inform the Educational Welfare Officer.

Step 5: Consultations arranged by the Educational Welfare Officer

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

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

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement about an alternative intervention that would

avoid expulsion. However, where the possibility of continuing in the school is not an option, at least in the short term, the consultation should focus on alternative educational possibilities.

In the interests of the educational welfare of the student, those concerned should come together with the Educational Welfare Officer to plan for the student's future education. Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured

(*Education (Welfare) Act 2000*, s24(5)). A Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is a likelihood that the continued represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel

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

Appeals

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

If the student is attending a school established or maintained by a VEC, the appeal must be made in the first instance to the VEC. Where an appeal to the VEC has been concluded, parents, or a student aged over eighteen years, may go on to appeal to the Secretary General of the Department of Education and Science.

A. 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.

B. Review of use of expulsion

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

Key Requirements: Expulsion

Applying the Guidelines means:

Having a policy on, and procedures for, expulsion that are approved by the Board of Management, and in line with these Guidelines, and with any additional requirements set down by the Patron.

Ensuring the policy is widely communicated.

Developing and documenting good practice in the use of expulsion.

Having fair procedures for investigation and decision-making.

Having procedures for informing parents and students about their right to appeal.

Having a system for regular review by the Board of Management of the use of expulsion in the school.

Extra Note: Serious misbehaviour

Contact is made with parents if misbehaviour occurs. An appointment is arranged between the class teacher and the parents. The parents and the teacher agree on how best to resolve the misbehaviour.

If the misbehaviour continues, the parents are called to a meeting with the principal and the class teacher. A home/school plan is agreed. This plan will be reviewed regularly.

If there are 3 incidents of serious misbehaviour or ongoing misbehaviour, the parents/guardians are asked to discuss the issue with the principal and the Chairperson of the Board of Management or a representative of the Chairperson. This meeting can take place after 3 specific incidents or if the principal feels there is a need for such a meeting.

If the principal feels there is a need to suspend a student, the principal must seek permission from the Board of Management. If this permission is granted by the Board of Management:

- i) The principal will tell the parents
- ii) The first period will not exceed one day, the second period will not exceed two days etc. Except in the circumstances when the Board of Management feels an extended period of suspension is warranted.
- iii) At the end of the of the suspension period the parents must come to the school with the pupil to give a guarantee that the pupil's behaviour will be far better in the future.
- iv) If there is not a satisfactory improvement to be seen in the child's behaviour, and if required, the principal will send the child home from school, according to the regulations of The Education Act 1998. Parents will have the right to appeal this decision by writing to the Chairperson of the Board of Management within 48 hours of receiving the information regarding the suspension or expulsion of their child.

In accordance with the school's policy on Record Keeping and relevant legislation in relation to data protection the following is the data retained in relation to pupils' behaviour -

- o Cártaí Ranga and Cártaí Oifige on the pupil's file
- o A record of incidents recorded electronically in the Yard incident Book

Procedures for informing the school of the pupil's absence

Section 18 of the Education Welfare Act 2000 stipulates that parents must notify the school of a student's absence and the reason for this absence. All absences should be communicated to the school in writing stating the reasons for absence.

Where a pupil exceeds 20 days absences this must be communicated to the Education Welfare Board. This is a legal requirement on the school. Where a pupil's absence is due to illness this is communicated to the Board.

The school recognises and rewards pupils who have full attendance at the end of each term and at the end of the school year.

Reference to other school policies

The following school policies are intrinsically linked to the Code of Behaviour:

- SPHE plan,
- Anti-bullying,
- Harassment,
- Sexual harassment,
- Enrolment,
- Record keeping,
- Health & Safety,
- Equality,
- Special Educational Needs,
- Mobile phones