

**Code of
Behaviour &
Discipline
Policy**

**Bunscoil
Mhuire**

Code of Behaviour and Discipline Policy

Bunscoil Mhuire Mission Statement

Bunscoil Mhuire is a Roman Catholic School (established in connection with the Minister of Education) which aims at promoting the full and harmonious development of all aspects of the pupil as a person: intellectual, physical, cultural, moral and spiritual, including a living relationship with God and with other people.

The school models and promotes a philosophy of life inspired by God and in the life, death and resurrection of Jesus Christ. Bunscoil Mhuire provides Religious education for the pupils in accordance with the doctrines, practices and tradition of the Roman Catholic and promotes the formation of the pupils in the Catholic Faith.

The school has regard to the principles of a democratic society and has respect, and promotes respect for the diversity of values, beliefs, traditions, languages and ways of life in society in accordance with section 15 of the Education Act, 1998.

The aims of Bunscoil Mhuire

The aims of Bunscoil Mhuire are in accordance with the Education Act 1998:

to foster an understanding and critical appreciation of the values- moral, spiritual, religious, social and cultural- which have been distinctive in shaping Irish society and which have been traditionally accorded respect in society.

to nurture a sense of personal identity, self-esteem and awareness of one's particular abilities, aptitudes and limitations, combined with a respect for the rights and beliefs of others.

to promote quality and equality for all in the development of their full educational potential.

to develop intellectual skills combined with a spirit of inquiry and the capacity to analyse issues critically and constructively.

to develop expressive, creative and artistic abilities to the individual's full capacity.

to foster a spirit of self-reliance innovation, initiative and imagination.

to promote physical and emotional health and well-being.

to provide students with the necessary education and training to support the country's economic development and to enable them to make their particular contribution to society in an effective way.

to create tolerant, caring and politically aware members of society.

to ensure that Ireland's young people acquire a keen awareness of their national and European heritage and identity, coupled with a global awareness and a respect for the environment.

Rules and Guidelines

The code of behaviour describes the school's expectations about how each member of the school community (students, staff, parents and Board of Management) will help to make the school a good place for teaching and learning.

The school recognises the fact that for learning to be effective pupils must be self-motivated. The need for order and good behaviour is emphasised and all adults in the school community are encouraged to accept the rules in a spirit of good will and co-operation. The behaviour of the adults in a child's life, including parents and teachers, is a significant influence in how a child acts. Parental support is an integral part in the implementation of our code. Good attitudes of courtesy and obedience fostered by parents create a positive atmosphere in which disciplinary measures are less frequently required. Our Code of Behaviour is based on mutual respect and order.

The code describes how the school will respond to behaviour that interrupts, diminishes or prevents teaching and learning in the school

The daily responsibility for school discipline within the school rests with the Principal. Each teacher has responsibility for the maintenance of discipline within his/her classroom, while sharing a common responsibility for good order within the school. An orderly and harmonious school requires pupils to behave in accordance with the present code. Our aim is to ensure that the right of each child to Education in a relatively disruption free environment is upheld and maintained.

The educational needs of a pupil whose behaviour is unacceptable will be balanced with the educational needs of other pupils in the school. The school is committed to the welfare of every pupil, including the right to participate in, and benefit from, education. The code helps to promote a positive and safe working environment for all staff, including a positive and safe classroom environment for the teachers.

The conditions for learning and teaching must be surrounded by dignity and be free from the threat of violence for both staff and pupils.

Uniform

It is school policy that the full school uniform must be worn to school or when representing the school. The school tracksuit is only to be worn on class P.E. days and on other teacher specified days. Parents should ensure that pupils have their names on their uniforms, coats, books and personal property. Pupils are encouraged to take pride in their appearance.

The wearing of make-up, coloured nail varnish and excessive jewellery is prohibited and long hair should be neatly tied back, outlandish hairstyles are discouraged. (Amended February, 2008).

Dangling earring and necklaces may be a danger to the children during Physical Education Lesson and play time at breaks.

Homework

Homework is an integral part of our School Programme. Homework helps to consolidate the work carried out in school. Parents are encouraged to take an active interest in their child's homework. Homework is normally given from Monday to Thursday nights. Homework must be taken down each day in the Homework Journal. Parents should sign the homework journal each night when they are satisfied that it is completed to the child's best ability. A written note is required to explain the non-completion of a pupil's homework. In the event of a pupil experiencing genuine difficulty with homework, parents should inform the teacher outlining the particular aspect causing concern.

Home – School Links

Homework Journal

The school endeavours to keep parents fully informed of their children's application to work and progress. The Homework Journal will be used as a means of communication between parents and teachers, e.g. following an absence from school, late arrival, early departure, homework incomplete, etc. Parents are welcome to visit the school **by appointment** to meet the Class Teacher or Principal. Formal Parent – Teacher Meetings are also arranged where an up to date report on a child's progress will be communicated to the parent.

School Books

Pupils must treat school books including school library books with respect. Books have to be covered and kept clean to facilitate passing books on and to make sure our book rental scheme remains in operation.

The school authorities are conscious of the concern regarding the weight of schoolbags and it is recommended that books not required for homework are left in school. The teachers at Bunscoil Mhuire encourage parents to help their children become responsible for the proper care of their schoolbags and books, for instance, empty out the schoolbag on a regular basis.

Travel to and from class

While the school has no legal responsibility or control over pupils travelling to and from school, they are expected nonetheless, to behave in a manner in keeping with school standards.

Pupils will be regularly instructed and advised on Road Safety.

The Board of Management recently installed a bicycle rack on the school premises to encourage children to exercise more by cycling to school. Pupils with bicycles have to wear bicycle helmets and they must not cycle until they are outside of the school grounds.

Health, Accident and Illness

Any infectious illness should be notified to the school immediately. The teacher should be informed at the beginning of every school year of any significant health problems requiring attention. It is not the responsibility of the teacher to administer medication. If a child requires medication it is necessary to apply in writing to the school and to seek the support of the Board of Management in the administration of medication.

Parents are strongly advised to keep the school abreast of any changes in school-home contacts numbers to facilitate communication during an emergency. It is essential that the school has up to date home and work telephone numbers as well as contact details of a responsible person chosen by the parent to act on their behalf in an emergency. If contact can not be made in an emergency the doctor or ambulance will be called.

Teachers shall instruct all pupils on correct fire-drill procedure to be adopted in the case of a fire in the school. Regular fire-drills will be carried out throughout the school year. The lower yard shall be the meeting point in the case of a fire.

Normal basic standards of hygiene are expected.

Proper and hygienic use of toilets is required at all times.
Smoking or substance abuse is not permitted.

Pupils are encouraged to eat healthy food and to avoid sweets, fizzy drinks or crisps for lunch. There is a milk scheme in operation in our school. The school also operates a reduce, reuse and recycle scheme. Please have your child bring their lunch in a lunch box. Children are expected to take home all uneaten lunches and wrappers and items which can not be made into compost.

Applying the Code of Behaviour

The standards and rules contained in this Code of Behaviour also applies in any situation where the student, although outside the school, is still the responsibility of the school, i.e. school tours, games, attendance at events organised by the school or in representing the school.

In the event that a pupil is alleged to have engaged in serious misbehaviour outside of the school, when not under the care or responsibility of the school, the code of behaviour may apply if there is a clear connection with the school and there is a demonstrable impact on its work, i.e. before entering or after leaving the school premises during a school day, while in the private bus service to and from school.

The staff at Bunscoil Mhuire realise that for any Code of Behaviour and Discipline Policy to work, there must be contact and harmonisation of school-home relations. Above all else, the basic human dignity of teachers, parents and children must be respected at all times. Where correction is necessary it will be enforced with the following goals:

- to re-establish positive teaching which has been ignored
- to protect the safety, respect and education of the pupils as a whole
- to impress upon the pupil the important fact that it is the behaviour of the pupil and not the school, that is unacceptable.

The Rules of Respect and Order

The standard behaviour from a pupil should reflect values such as:

Respect for self and others, including the Principal, the class teacher, the teaching staff, other staff members, all of their fellow pupils and visitors.

Above all pupils should respect themselves and believe in their own self-worth.

Respect for the property of others and the property of the school.

Respect for the opinion of others.

Respect for the good name of the school both within and without the school environs.

Respect is shown by

Kindness and willingness to help others

Courtesy and good manners

Fairness

Readiness to use respectful ways of resolving difficulties and conflict

Forgiveness

Being polite, kind, gentle and non-aggressive at all times.

Wearing your full school uniform and looking after your appearance and possessions.

Stopping and standing aside when an adult passes, particularly in the corridors and at entry and exit points.

Attending school regularly and punctually

Doing one's best in class. Pupils are expected to work to the best of their ability and to present written work neatly.

Taking responsibility for one's work.

Being reverent during religious services.

Being truthful, honest and honourable.

Helping to create a safe, positive environment

Respecting other students and their learning environment

Participating in school activities.

Moving with caution to avoid accidents.

Staying silent when silence is expected.

Any form of disruption, distraction or interference with the effective work of the teacher in the classroom is unacceptable.

Order is created by

Class Time.

Obedying your own teacher, the teaching staff and the Principal.

Paying attention during lesson time.

Having all school materials organised properly.

Responding immediately to the teachers' requests.

Speaking politely during oral class.

Remaining seated when requested to sit.

Eating healthy, wholesome food at lunchtimes.

Play Time.

Pupils are encouraged to enjoy the play areas safely and by playing in areas which are visible to the supervising teacher. Food must not be brought out into the yard. The school and grounds must be kept free of litter at all times. Chewing gum is strictly forbidden at any time on the school premises. The following are strictly forbidden in the school yard and playing areas: reckless running, wrestling, headlocks, jockeybacks, jeering, bullying, intimidation, teasing, fighting,

spitting, biting, kicking, pushing or any activity deemed by a member of staff as being dangerous.

Pupils whose names are recorded three times in any term for serious misbehaviour in the yard will be spoken to by the principal and may be kept in supervised detention for up to one week. Each pupil will start every term with a clean sheet.

Pupils should at all times:

Follow directions from the teacher on yard duty.

Be careful on entering and leaving your classroom in a quiet and orderly fashion.

Play in the permitted areas during playtime.

Play in a gentle and friendly manner.

Move safely and with caution.

Mobile phones and their use by children, is not permitted on school property. The use of mobile phones with cameras is strictly forbidden.

Procedure for dealing with GOOD behaviour.

Pupils who are respectful and orderly will be given due recognition within the school system through:

- ↳ Affirmation.
- ↳ Special privileges.
- ↳ Award and Reward.

Unacceptable behaviour

Behaviour that is hurtful

Bullying (please refer to individual policy on this matter)

Harassment

Sexual harassment

Discrimination

Victimisation

Behaviour that interferes with teaching and learning

Threats or physical hurt to another person

Damage to property

Theft

Strategies for dealing with UNACCEPTABLE behaviour

Gather information. Understand the context and the factors that may be affecting behaviour.
Reasoning with the pupil.
Reprimand (including advice on how to improve).
Temporary separation from peers, friends, others.
Loss of privileges.
Prescribing additional work.
Referral to Principal.
Communication with parents.
Suspension (temporary).
A single incident of gross misbehaviour may warrant an immediate period of suspension.
Restricted timetable.
Expulsion (Please refer to Suspension and Expulsion policy)

Card System:

A system of Yellow and Red Card is also in operation. A Yellow Card will be issued for minor misdemeanours and will require signature and return of card to school. A Red Card will be issued for more serious offences and will require parents signature, return of card and will also request parents to make an appointment to meet Principal and /or Class Teacher. Please see Appendix 1 at the end of this policy for more information regarding the card system.

N.B. In the case of Truancy, a Red card will issue on the first occasion and parents will be informed that the National Educational Welfare Board will be notified if there is a further occurrence.

Dealing with concerns or complaints :

Teachers, parents and students are expected to be familiar with the contents of the Code of Behaviour. Parents/guardians with their children are required to co-sign this code.

If any parent/guardian or any student has any concerns about behaviour, they may feel free to contact the class teacher and arrange an appointment to discuss the matter further. If the issue is not resolved the parent/guardian may contact the school to arrange an appointment with the school Principal. If matters are not resolved after these meetings concerns may be put in writing to the Board of Management.

Concerns or complaints provide valuable feedback to the school and are welcomed and encouraged
Solutions should be sought as early as possible and as close as possible to the origin of the problem.

The school will ensure that anyone who complains about discrimination, harassment or sexual harassment is not victimised for speaking out.

Notification of a pupil's absence from school:

Regular and full attendance is required of all students. The school staff routinely monitor student attendance.

The following procedures must be followed by parents when notifying the school about a child's absence (*Education Welfare Act 2000* section 23(2)(e) & section 18).

- Parents/guardians are required to supply an absence note to cover any student absence. A note in the homework journal will suffice from 1st class to 6th class.
- In the event of a student illness, a medical certificate or a copy of the certificate should be supplied to the school, where possible.
- Parents/guardians are requested to make medical, dental or other such appointments outside class time. In the event of unavoidable appointment during school time, parents/guardians are asked to request in writing that the school releases the student for the duration of the appointment.
- Students may not be absent from the school for the purpose of holidays.
- As per the Education (Welfare) Act, 2000, the school is obliged by law to submit a report to the National Educational Welfare Board on the levels of school attendance. If a child is out for more than 20 days the school must report this absence to the NEWB.

Board of Management

1 Where the Board deems it necessary to deal with a continuously disruptive pupil, or with a serious breach of discipline, by authorising the Chairperson or Principal to exclude a pupil or pupils from school, the maximum initial period of such exclusion shall be **3 school-days**.

A special decision of the Board of Management is necessary to authorise a further period of exclusion up to a maximum of **10 school-days** to allow for consultation with the pupils or pupils' parents or guardians.

In exceptional circumstances, the Board of Management may authorise a further period of exclusion in order to enable the matter to be reviewed.

(Rule 130 of Rules for National Schools).

2. In certain circumstances the Board of Management has authorised the Principal, in the case of a particularly disruptive child, to implement the sanction of a Restricted School Timetable and a Specific Education Plan in relation to that particular child. The operation of the Restricted School Timetable shall be reviewed on a monthly basis. The Board of Management favours the gradual reintegration of the pupil to a full timetable as the pupil's behaviour improves. The use of a Restricted School Timetable is not seen by the Board of Management as a suspension.

Suspension

Suspension is 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 misconduct may be grounds for suspension.

Determining the appropriateness of suspending a student

Where the purpose of a proposed suspension is clearly identified, and that purpose cannot be achieved in any other way, suspension can have value. Suspensions can provide a respite for staff and the student; give the student time to reflect on the link between their action and its consequences and give staff time to plan ways of helping the student to change unacceptable behaviour. However, suspension can be counter-productive if used without a clear rationale or without measuring its impact and value. School management should consider the risk of any unwanted outcomes from suspension, such as an increased sense of alienation from school that could lead to a cycle of behavioural and academic problems. School management may consider the following questions when addressing the issue of suspension:

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been?
- Has the problem behaviour escalated, in spite of the intervention tried?

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
 - What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
 - What is the age, stage of development and cognitive ability of the student?
 - Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?
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- 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?
 - Does the behaviour have a particular or greater impact on some students or teachers?
 - Does the student understand the impact of their behaviour on others?
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- What interventions have been tried? Over what period?
 - How have the interventions been recorded and monitored?
 - What has been the result of those interventions?
 - Have the parents been involved in finding a solution to the problem behaviour?
 - Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
 - Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
 - Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
 - Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent services)?
 - Does the student's behaviour warrant suspension?
 - Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?
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- Will suspension allow additional or alternative interventions to be made?
 - Will suspension help the student to change the inappropriate behaviour?
 - How will suspension help teachers or other students affected by the behaviour?
 - 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

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 will still be applied.

The sanction should be a proportionate response to the behaviour. For example, it would rarely be appropriate for a first offence, unless there is a threat to the good order of the school and/or the safety of staff or pupils. This sanction should be treated like any other suspension, and the principles and fair procedures governing suspensions should be applied.

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

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.

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.

Procedures in respect of suspension

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

- inform the student and their parents about the complaint

- give parents and student an opportunity to respond.

Inform the student and parents

Let the student and their parents know about the complaint, how it will be investigated, and that it could result in suspension.

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

Give an opportunity to respond

Parents and 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.

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 conducted to establish the case for the imposition of the suspension. The formal investigation should immediately follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, should be open-ended.

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

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 1998*. These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

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.

Implementing the suspension

Written notification

The Principal should notify the parents and the student in writing of the decision to suspend. The letter may contain information on :

- 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 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.

Grounds for removing a suspension

A suspension may be removed if the Board of Management decides to remove the suspension for any reason or if the Secretary General of the Department of Education and Science directs that it be removed following an appeal under section 29 of the *Education Act 1998*.

After the suspension ends

A period of suspension will end on the date given in the letter of notification to the parents about the suspension.

Re-integrating the student

The school 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.

Records and reports

Formal written records 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.

Reporting to the Board of Management and the National Educational Welfare Board

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 to the National Educational Welfare Board in accordance with the National Educational Welfare Board reporting guidelines (*Education (Welfare) Act, 2000*, section 21(4)(a)).

Review of use of suspension

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

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 on the use of suspension in the school.

Developing a Code of Behaviour: Guidelines for Schools. Sections 10 and 11. Pages 66-78.

Expulsion

A student is expelled from a school when a Board of Management makes a decision to permanently exclude him or her from the school, having complied with the provisions of section 24 of the *Education (Welfare) Act 2000*. As part of the code of behaviour, the Board of Management should ensure that the school has a policy on, and procedures for, expulsion which are in line with these Guidelines and with any additional requirements set down by the Patron.

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.

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).

Guidelines for Expulsion

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

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

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

'Automatic' expulsion

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

Expulsion for a first offence

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include:

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

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?

(Developing a Code of Behaviour: Guidelines for Schools. Section 12 Expulsion. Pages 81-82.).

Inappropriate use of expulsion

Expulsion should not be proposed 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 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.

Procedures in respect of expulsion

Schools are required by law to follow fair procedures as well as procedures prescribed under the *Education (Welfare) Act 2000*, when proposing to expel a student (see **10.3** and **10.4** Developing a Code of Behaviour: Guidelines for Schools. for information about fair 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 Board of Management by the Principal.
3. Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.
4. Board of Management deliberations and actions following the hearing.
5. Consultations arranged by the Educational Welfare Officer.
6. Confirmation of the decision to expel.

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

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

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

In investigating an allegation, in line with fair procedures, the Principal 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 conducted 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 conducted in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case for lessening the sanction. In the conduct of the hearing, the Board must take care to ensure that they are, and are seen to be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board should facilitate this, in line with good practice and Board procedures.

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

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

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

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

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

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

Step 5: Consultations arranged by the Educational Welfare Officer

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

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

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement about an alternative intervention that would avoid expulsion. However, where the possibility of continuing in the school is not an option, at least in the short term, the consultation should focus on alternative educational possibilities.

In the interests of the educational welfare of the student, those concerned should come together with the Educational Welfare Officer to plan for the student's future education.

Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (*Education (Welfare) Act 2000*, s24(5)). A Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others, or represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel

Where the twenty-day period following notification to the Educational Welfare Officer has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management 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.

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).

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

Developing a Code of Behaviour: Guidelines for Schools. Section 12 Expulsion. Pages 79-87.

Appendix 1.

Minor misdemeanours necessitating a yellow card.

(Teacher may issue a verbal warning first)

May include but is not limited to the following:

- General behavior showing lack of respect for staff and/or other pupils.
- Lack of notes for lateness/absences.
- Failure to do homework not explained with a note.
- Continuous minor disruptions.
- Misbehaviour on school premises at any time.
- Unexplained absence from class.
- Fighting, spitting, name calling, hair pulling, tripping etc.,.
- Re-entering the school during break times without permission.

- Taking or damaging other pupil's belongings.
- Offensive hand signals.
- Staring as a form of intimidation.
- Inappropriate literature.
- Not wearing the school uniform or tracksuit.

Major discipline issues necessitating a red card.

(May include but is not limited to the following)

- Extremely offensive behaviour and/or language.
- Serious damage to other pupil's belongings and/or school property.
- Theft.
- Biting.
- Forging notes.
- Truancy or absence from school without permission.
- A refusal to obey reasonable instruction.
- Gross insolence and/or disrespect to staff or visitors.
- Ongoing disruption of educational process.
- Misbehaving on a school event.
- Any behaviour that damages the reputation of the school and its community.

Ratified by Board of Management on _____
Date

Signed _____
Chairperson, Board of Management

Please detach and return to class teacher.

I have read the School's Code of Behaviour and Discipline and agree to co-operate with its implementation.

Name of Pupil _____

Class _____

Signature of Parent/Guardian _____

Date: _____

Bunscoil Mhuire, O'Brien's Place, Youghal, Co. Cork