



# Code of Behaviour

## Introductory Statement

Scoil Mhuire National School's Code of Behaviour reflects the vision and values of our school, its patron and the National Education Welfare Board guidelines for schools. Scoil Mhuire's Code of Behaviour was formulated during the school year 2016/2017 involving consultations among staff and Board of Management members, in compliance with Section 23 of the Education (Welfare) Act, 2000. It translates the expectations of the school community into practical arrangements, routines and procedures which ensure that its aims are implemented and that the particular needs and circumstances of our school and community are met.

This policy was formally ratified by the Board of Management on Monday, 23<sup>rd</sup> of January 2017.

## Rationale

It is necessary to formulate a Code of Behaviour for Scoil Mhuire NS, in order to

- Ensure an orderly climate for learning in the school
- Fulfil 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 student attending the school
  - b) The measures that shall be taken when a student fails or refuses to observe those standards
  - c) The procedures to be followed before a student may be suspended or expelled from the school concerned
  - d) The grounds for removing a suspension imposed in relation to a student
  - e) The procedures to be followed in relation to a child's absence from school.

- Ensure that Scoil Mhuire's Code of Behaviour is in compliance with legal requirements and good practice as set out in Developing a Code of Behaviour: Guidelines for Schools, NEWB, 2008.

## **Relationship to the characteristic spirit of the school**

Scoil Mhuire's Code of Behaviour is linked to its Ethos:

### **School Ethos:**

Our school ethos is to create a warm, caring, friendly atmosphere where learning and willingness to learn are central. In this school, pupils of all ages and abilities are encouraged to reach their maximum potential in all curricular, spiritual and extra-curricular areas through the work of a committed staff, parents, Board of Management, Parents Association and wider school community.

With such an ethos we strive and aim that Scoil Mhuire N.S will...

- have a warm, caring and friendly atmosphere amongst parents, pupils and staff with communication being pivotal.
- have an ethos of hard work and fair play amongst all partners in the school community.
- be a welcoming place where learning and willingness to learn will be central.
- nurture amongst all those associated with the school a strong sense of pride in the school, its pupils and the wider school community.
- As a Catholic school under the patronage of the Bishop of Cork and Ross carry out Catholic religious instruction and prepare pupils for the sacraments of Communion and Confirmation.
- be innovative, modern and committed to adapting to ever changing educational strategies.
- be fully inclusive and committed to helping every child reach their full potential.
- promote a rich and varied curriculum.
- have an active and committed staff, Board of Management and Parent's Association.
- be a place where everyone will know everybody's name and where all will feel safe and wanted.
- have strong community links to the village of Schull and its surroundings. With such links the community feel part of the school and the school feels part of the community.
- aesthetically reflect the natural beauty of Schull and its harbour.

### **Aims of the Code of Behaviour**

1. To ensure that the individuality of each child is accommodated, whilst acknowledging the right of each child to education in a relatively disruption-free environment.
2. To facilitate the development of self-discipline, respect and tolerance for others

3. To provide for the efficient operation of the school and the structuring of in-class discipline so that there exists an effective and stimulating learning environment
4. To ensure the maintenance of good order throughout the school and respect for the school environment
5. To encourage good home/school communication and to foster a positive atmosphere in the school
6. To promote a positive learning environment in which all children may fully enter into the life of the school
7. To ensure the safety and wellbeing of all members of the school community
8. To assist parents and pupils in understanding the systems and procedures that form part of the Code of Behaviour and to seek their co-operation in the application of these procedures
9. To ensure that the system of rules, rewards and sanctions are implemented in a fair and consistent manner.

### **Principles Underlining the Code of Behaviour**

- Every effort will be made to ensure that our code is implemented in a reasonable, fair and consistent manner and that all members of staff adopt a positive approach to the question of behaviour in the school.
- Differences amongst our pupils e.g. S.E.N. pupils will be acknowledged.
- A whole school approach will be adopted. This requires a strong sense of community within the school and a high level of co-operation and sense of ownership from all the stake holders – B.O.M. teachers, parents, pupils and ancillary staff.
- Good behaviour will be encouraged and rewarded. Where difficulties arise, parents will be contacted at an early stage.

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

An effective Code of behaviour requires the co-operation of all stakeholders in the school. To this end there are specific roles and responsibilities in achieving high standards of behaviour in our school.

#### **Board of Management**

- Members of the Board of Management were involved in drafting this policy and the board will be involved in any future review of the policy.
- The Board of Management supports the code of behaviour in the school on an ongoing basis.
- The Board of Management supports the staff in implementing the code of behaviour and provides as necessary professional development in behaviour management education and training.

- The Board of Management gives authorisation for particular sanctions in the case of serious breaches of behaviour.

## Staff

- Teachers are expected to adhere to the Code of Professional Behaviour and Practice for teachers as developed by the Teaching Council of Ireland.
- As a staff we work together to devise reward/sanction programmes as necessary and we undergo any professional development necessary to ensure that there is a agreement and understanding in dealing with behavioural matters.
- The SPHE curriculum also supports our code of behaviour. This curriculum helps children to develop communication and problem-solving skills while fostering self-esteem.
- For children with Special Educational Needs, who may present with behavioural difficulties arising from their needs, learning support and class teachers liaise regularly to develop behavioural targets for such children consulting with NEPS as necessary.
- This behaviour policy is circulated to all teachers and all temporary or new staff are also made aware of the policy and its content. Through regular staff meetings and good communication, the policy is reviewed and updated on an ongoing basis.

## Parents/Guardians

- Positive relationships are built from the start with parents and they are encouraged to take an active role in the development of their child. Teachers work in collaboration with parents to develop any specific behaviour plans needed for their child.
- There are clear channels through which parents can communicate any concerns they may have about a pupil.
- On the enrolment day, parents are given a copy of the Code of Behaviour in the school and the expectations of pupils are discussed, along with the role of parents in helping pupils to meet these expectations. Parents are encouraged to share information about anything that might affect a pupil's behaviour in school.
- Parents are notified early if there is a concern about a pupil's behaviour, so that ways of helping the pupils can be discussed and agreed.
- The school has a Parent Association. Parents are encouraged to get involved in this association as a structure through which they can work together for the best possible education for their children. Information is often offered through the Parent Association, such as talks or workshops or courses on behavioural matters and aspects of child and adolescent development.
- Parents are expected to:

- Equip pupils with appropriate school materials, a sufficiently healthy lunch and full uniform.
- Ensure pupils attend school regularly and punctually
- Be courteous towards pupils and staff
- Make an appointment to meet with a teacher/ Principal through the school office
- Respect school property and encourage their children to do the same
- Label pupils' coats and other property.
- Supervise their young children on school premises when collecting other pupils or visiting the school

## Pupils

- At the beginning of each academic year, the class teacher will draft a list of class rules with the children which reflect and support the school rules, but are presented in a way that is accessible to the children.
- The children attend assemblies with the principal at which any behavioural concerns are raised and discussed.
- They experience being part of a collective effort to make sure the school is a good place to teach and learn
- They learn about taking personal responsibility for their behaviour and for each other's wellbeing and the wellbeing of the teachers
- They learn essential skills of listening, negotiating and managing differences.

## Content of the Code of Behaviour

### General Guidelines

Scoil Mhuire NS is a community consisting of pupils, teachers, support staff, parents and visitors to the school. Each member of this community must be treated with respect and tolerance. The dignity and individuality of each member must be respected. The well-being of the school as a community is dependent on this and also on the level of care and co-operation among its members. The Code of Behaviour provides a framework to support this sense of community and wellbeing. Within it, school rules are kept to a minimum and are devised with regard to the health, welfare and safety of all members of the school community. In formulating the Code of Behaviour account was taken of the variety of differences that exist among children and of the need to accommodate these differences. Every effort is made to emphasise the positive over the negative in terms of encouraging, monitoring and evaluating pupils' behaviour.

The Code of Behaviour also provides a framework within which positive strategies/techniques of motivation, reward and encouragement are utilised. Many forms of positive reinforcement are used within the school including praise, encouragement, acknowledgement, reward/merit stickers/cards/stamps, prizes, etc as teachers and other members of staff seek to 'catch the pupil being good'.

## **Rules for Good Behaviour in School**

- 1) We will show kindness and respect to everyone in our school.
- 2) We are expected to show respect for our own property, the property of others and of the school.
- 3) We will speak in a mannerly way at all times.
- 4) We will co-operate with instructions given by teachers/other staff members.
- 5) We are expected to complete neatly all homework/schoolwork to the best of our ability.
- 6) We will keep our school clean and litter free.
- 7) We will line up in an orderly manner at all times.
- 8) We will walk at all times within the school building.
- 9) We understand that chewing gum is not allowed within the school grounds.
- 10) We will leave mobile phones and electronic devices at home.

## **Rules for Good Behaviour on the Yard**

- 1) We will respect the rights of others to enjoy their break times and understand that playtime is a privilege which may be withdrawn.
- 2) We will observe the yard bell and teacher hand signals on the yard.
- 3) We will walk to and from the yard in an orderly manner.
- 4) We will avoid any dangerous/reckless play/activity which put our health and safety or the health and safety of others at risk.
- 5) We will always request permission from the teacher on duty to leave the yard.
- 6) We understand that records of unacceptable behaviour are stored in student files.

## **Rules for Good Order in School**

- 1) Pupils should arrive in good time for school. If late, a note of explanation from the parent/guardian is required.
- 2) No child may leave the school premises during the school day without permission from the Principal or Deputy Principal. To leave the school, a letter, telephone call or visit from a parent/guardian will be required before permission is granted. The child must be signed out in the Sign Out/In Book in the Secretary's Office. The child must be accompanied from the school by a responsible adult.
- 3) Every absence of a child must be accounted for by means of a note of explanation or telephone call from the parent/guardian to the school.
- 4) In the interest of orderly school management, all meetings between parents and teachers should be by means of prior appointment.
- 5) Pupils should be neatly dressed in full school uniform/tracksuit at all times.

- 6) Pupils will have in school each day the books, copies and other materials necessary to do their work properly. Pupils will take proper care of these items.
- 7) The school is not responsible for personal belongings left behind by pupils.

### **Operation of the Code of Behaviour**

The staff of Scoil Mhuire NS promotes a caring attitude to child behaviour and approaches difficult situations in an effort to achieve a positive outcome for all involved.

#### a) Positive Approach

Every effort is made by all members of staff to adopt a positive approach to the question of behaviour in our school. Positive reinforcement of good behaviour leads to better self-discipline and we place a great emphasis on incentives and rewards rather than on sanctions.

We encourage the children to take pride in themselves, their work, their school and their community.

Children are encouraged in each class and throughout the whole school to be positive and well-behaved towards each other.

#### b) Difference

Scoil Mhuire NS recognises the variety of differences that exist between children and the need to accommodate these differences. All efforts will be made to match the curriculum to the abilities, aptitudes and interests of each pupil.

#### c) Acknowledging and Rewarding Good Behaviour

- Samples of Strategies/Incentives:
  - A quiet word or gesture to show approval
  - A comment on a child's exercise book
  - A visit to another class, Deputy Principal or Principal for commendation
  - Praise in front of class group
  - Awarding some special privilege e.g. Golden Time, Homework Off Vouchers, extra Playtime
  - Acknowledgment at assembly
  - Written or verbal communication with parents.
  
- Strategies to Affirm and Promote Good Behaviour

The following strategies may be availed of by a teacher in order to bring about an improvement in a child's behaviour:

- 1) Discussion with the class regarding the need for appropriate behaviour.
- 2) Collaborative development of a set of Classroom Golden Rules.
- 3) Discussion with an individual pupil in order to ensure that the pupil understands why the behaviour is unacceptable.
- 4) The seating arrangement in the classroom may be changed.
- 5) Daily/weekly journal to inform parents/guardians of pupil's behaviour, both positive and negative.
- 6) Behaviour Contract (agreed to and signed by the pupil, teacher, parents/guardians and Principal) may be formulated for a particular pupil with the aim of positively assessing the pupil's behaviour on an on-going basis. Particular targets are set, acknowledgement and reward for achievement are built into the process.
- 7) It may be desirable/necessary in some cases to refer a pupil for medical/educational psychological/psychiatric assessment with a view to further addressing the issues around a pupil's behavior. Referral to Child Protection Agencies may also be considered necessary to assist in the regulation of a pupil's behaviour.

d) Guidelines for dealing with inappropriate behaviour

Inappropriate behaviour can range from misdemeanour to gross misbehaviour and is judged having regard to the pupil's age, temperament, range of ability and other relevant factors. When imposing a sanction the teacher will make it clear to the child that it is the inappropriate behaviour which is unacceptable and not the individual concerned.

The level of sanction to be imposed will be appropriate to the misbehaviour. As a general rule, a whole class is not punished because of one child's/small group's unacceptable behaviour except in exceptional cases. Inappropriate behaviour at break time is generally dealt with by the teacher on supervision duty on the yard. As a general rule, inappropriate behaviour in the classroom is dealt with by the class teacher within the classroom.



## Inappropriate Behaviour

The following are some examples of what is regarded as inappropriate behaviour.

### a) Minor Misbehaviours

Homework not done and no note provided, rudeness, borrowing items without asking, inattentiveness, answering out of turn, walking around the classroom without permission, distracting others, not wearing uniform.

### b) Serious Misbehaviours

Repeated instances of minor misbehaviour, fighting, bad language, biting, name calling, exclusion, rough play, hitting, kicking, damaging property, stealing, leaving school without permission, throwing objects, making hurtful comments.

### c) Gross Misbehaviours

Gross misbehaviours are where a student's misbehaviour has a seriously detrimental effect on the safe operation of the school. Examples include

- aggressive, threatening of violent behaviour towards a pupil or staff member
- knowingly bringing dangerous weapons to school
- serious physical violence which threaten safety of others.

## Sanctions:

When a pupil displays inappropriate behaviour the following is a list of possible sanctions which may be used at the teacher's discretion:

- 1) Discussion/Reasoning with the pupil: the pupil is made aware that the behaviour is unacceptable.
- 2) The child may receive a verbal reprimand (including advice on how to improve).
- 3) Loss of privilege, this may include loss of playtime.
- 4) Extra homework
- 5) A note in the pupil's Homework Journal to be signed by parents/guardians
- 6) A child may be temporarily separated from the class group, peers, friends or others, and may be sent to a support teachers room.
- 7) Call a meeting with Parents.
- 8) Referral to Principal Teacher.

- 9) Formal report to the Board of Management.
- 10) Suspension
- 11) Expulsion

Behaviour on the Yard Sanctions:

- 1) Discussion with pupil
- 2) Verbal reprimand
- 3) Sitting for small break or big break
- 4) Sitting for both breaks
- 5) Referral to support teacher
- 6) A note in the pupils homework journal to be signed by parents
- 7) Meeting with parents
- 8) Referral to principal teacher.

General Procedure to be followed when a behaviour problem arises:

- 1) The class teacher/teacher in charge deals with it and may impose a sanction.
- 2) If the problem is not solved/resolved the class teacher/teacher in charge shall consult with other teachers, and/or the Principal and/or the parents/guardians of the pupil(s) with a view to helping the pupil(s) overcome the difficulty.
- 3) If the problem persists or in the case of serious misbehaviour as outlined above it may be necessary to have on-going discussions between the parents/guardians, teacher(s) and Principal/Board of Management to monitor the situation and to deal appropriately with it, always with the objective of helping the child.
- 4) Instances of serious misbehaviour will be recorded, filed and discussed with the parents of the child, and may result in a referral to the Board of Management who will deal with the situation in accordance with the Rules for National Schools, The Education Act 1998, and the Education (Welfare) Act 2000.
- 5) In the case of an incidence of gross misbehaviour or where there are

repeated instances of serious misbehavior and where suspension or expulsion is being considered, the Chairperson of the Board of Management will be informed and the parents/guardians will be requested in writing to attend at the school to meet the Chairperson and/or Principal. (See Suspension and Expulsion Procedures)

## **Suspension and Expulsion**

In accordance with the Department of Education and Science guidelines and current legislation, the following general guidelines and procedures shall apply when a child is being considered for suspension/expulsion or is to be suspended/expelled from the school.

### **Suspension**

If the possibility of suspension is going to arise it shall be considered within the context of Scoil Mhuire's Code of Behaviour, a copy of which is made available to all parents/guardians at the time of the child's enrolment in the school, or if the Code is revised.

#### **1) Authority to suspend**

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

#### **2) Grounds for suspension**

- 1) The student's behaviour has had a serious detrimental effect on the education of other students
- 2) The student's continued presence in the school at this time, constitutes a threat to safety
- 3) The student is responsible for serious damage to property
- 4) A single incident of serious misconduct may be grounds for suspension

#### **3) Determining the appropriateness of suspending a student**

The following factors should be considered before suspending a student

- i) The nature and seriousness of the behaviour
  - What is the precise description of the behaviour?
  - How persistent has the unacceptable behaviour been?
  - Has the problem behaviour escalated, in spite of the interventions tried?
- ii) The context of the behaviour

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered 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)?

iii) The impact of the behaviour

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

iv) The interventions tried to date

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of 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)?

v) Whether suspension is a proportionate response

- 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?

vi) The possible impact of suspension

- 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?

#### **4) Procedures in respect of suspension**

##### **i) Informing students and parents:**

At the earliest possible time, the parents/guardians shall be informed of the difficulties regarding their child's behaviour, the nature of the misbehaviour, and the sanctions being considered/to be imposed on the child.

##### **ii) Opportunity to respond:**

A meeting shall be arranged with the parents/guardians and the teacher(s), Principal and/or member(s)/Chairperson of the Board of Management, to allow the parent and child an opportunity to respond before a decision is made and before any sanction is imposed.

##### **iii) Procedures relating to immediate suspension:**

If suspension is to be immediate (e.g. in the interest of health and safety) 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. In the case of an immediate suspension, parents must be notified and arrangements made with them for the child to be collected.

#### **5) Period of suspension**

A student should not be suspended for more than three days except in exceptional circumstances where the Principal considers that of a period suspension of longer than three days is needed in order to achieve a particular objective, this will be done in consultation with the Board of Management.

#### **6) 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.

##### **i) 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, 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.

## **7) Implementation of a suspension**

### **i) 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 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.

### **ii) 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.

## **8) 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.

### **9) 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.

#### **i) Re-integrating the student**

The school should have a plan to help the student to take responsibility for catching up on work missed. A student may feel angry about their suspension. Where possible, the school should arrange for a member of staff to provide support to the student during the reintegration process.

#### **ii) 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.

### **10) Records and reports**

- Records will be kept of investigation and decision making
- Records of suspensions will be kept by the Board of Management
- All suspension of 5 days or more will be reported to the NEWB

### **11) Review of the use of suspension**

The Board of Management should review the use of suspension in the school at regular intervals.

## **Expulsion**

If the possibility of expulsion is going to arise it shall be considered within the context of Scoil Mhuire's Code of Behaviour, a copy of which is made available to all parents/guardians at the time of the child's enrolment in the school, or if the Code is revised.

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.

## 1) Authority to expel

The Board of Management of Scoil Mhuire 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

- i) 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.

### ii) '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.

### iii) 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.

The following factors are to be considered before proposing to expel a student

- i) The nature and seriousness of the behaviour
  - What is the precise description of the behaviour?
  - How persistent has the unacceptable behaviour been and over what period of time?
  - Has the problem behaviour escalated, in spite of the interventions tried?
  
- ii) The context of the behaviour
  - What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
  - What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
  - Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?
  
- iii) The impact of the behaviour
  - How are other students and staff affected by the student's behaviour?
  - What is the impact of the behaviour on the teaching and learning of the class?
  
- iv) The interventions tried to date
  - What interventions have been tried? Over what period?
  - How have the interventions been recorded and monitored?
  - What has been the result of these interventions?
  - Have the parents been involved in finding a solution to the problem behaviour?
  - Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
  - Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
  - Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health services)?

- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?
- v) Whether expulsion is a proportionate response
- Is the student's behaviour sufficiently serious to warrant expulsion?
  - Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?
- vi) The possible impact of expulsion
- To what extent may expulsion exacerbate any social or educational vulnerability of the student?
  - Will the student be able to take part in, and benefit from, education with their peers?
  - In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?

#### 4) 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. 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 and a permanent record of same kept in the school. 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, 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.

## **5) Appeals**

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

i) **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.

## **6) 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.

## **Success Evaluation of Policy**

Some practical indicators of the success of this policy

- Observation of positive behaviour in the school environment

- Practices and procedures of this policy being implemented
- Positive feedback from members of the school community

### **Review of Policy**

This Policy is subject to review at the discretion of the Board of Management and will be kept under on-going review.

### **Availability of Policy**

A copy of this Code of Behaviour, as approved by the BOM, will be forwarded to the Catholic Bishop of Cork and Ross as Patron of Scoil Mhuire NS. The Code of Behaviour has been made available to school personnel, published on the school website ([www.scoilmhuirens.com](http://www.scoilmhuirens.com)) and provided to the Parent Association.

### **Pupil registration and the Code of Behaviour**

It shall be a condition of the registration of a pupil in Scoil Mhuire NS, from the date of formal ratification of this Code of Behaviour by the Board of Management, that all parents/guardians seeking to have a child enrolled Scoil Mhuire NS shall confirm in writing that the code of behaviour so provided 'is acceptable to them and that they shall make all reasonable efforts to ensure compliance with such code by the child'. Failure to do so may result in refusal to enrol the child in Scoil Mhuire N.S., Schull.

### **Ratification of Policy**

This policy was ratified by the Board of Management on Monday, January 23<sup>rd</sup> 2017.

Signed: \_\_\_\_\_  
Terence Hogan  
(Chairperson, Board of Management)

Date: \_\_\_\_\_