



SN Seosamh Naofa/St. Joseph's NS

Code of Behaviour and Discipline Policy

Introduction

The code of behaviour was formulated by the Parents, Staff and Board of Management of St. Joseph's N.S. Bree/S.N. Seosamh Naofa, Brí. This policy should be read in conjunction with the booklet: Developing a Code of Behaviour: Guidelines for schools, National Educational Welfare Board.

Rationale

The school has a central role in the children's social and moral development just as it does in their academic development. In seeking to define acceptable standards of behaviour it is acknowledged that these are goals to be worked towards rather than expectations that are either fulfilled or not.

The children bring to school a wide variety of behaviour. As a community environment, in school we must work towards standards of behaviour based on the principles of honesty, respect, consideration and responsibility.

Children need limits set for them in order to feel secure and develop the skills for co-operation. Therefore any rules will be age appropriate, with clear agreed consequences.

Parents can co-operate with the school by encouraging their children to understand the need for school rules. A code of behaviour is established to ensure that the individuality of each child is accommodated while at the same time acknowledging the right of each child to education in a relatively disruption free environment.

Vision and Ethos

In line with our mission statement our vision and ethos this school is a Catholic school which welcomes all religions and nationalities. Our ethos is a Catholic ethos. Our school community promotes a caring, happy and safe environment, which strives to foster a love

of lifelong learning. We aim to develop each person's academic, physical, moral, cultural and spiritual potential based on mutual respect, fairness and honesty. We want our students to emerge as confident, adaptable, responsible and caring citizens.

Our aim is to create a happy, secure environment for all our pupils, within which there is a good sense of order, effective teaching and an agreed approach to behaviour.

We aim to:

- Develop pupil self-esteem by promoting positive behaviour.
- Foster the development of a sense of responsibility and self-discipline in pupils based on respect, consideration and tolerance of others.
- Foster caring attitudes to one another and to the environment.

General Guidelines for Positive Behaviour

1. Pupils are expected to treat all adults and fellow pupils with respect and courtesy at all times. Behaviour that interferes with the rights of others to learn and to feel safe is unacceptable.
2. Pupils are expected to show respect for all school property and to keep the school environment clean and litter free.
3. Pupils are expected to take pride in their appearance, to wear the school uniform & tracksuit, to have all books and equipment and to be in the right place at the right time.
4. Pupils are expected to obey a teacher's instructions, to work to the best of their ability and to present assignments neatly.
5. Pupils are expected to attend every day unless there is a genuine reason for absence, in which case the school must be informed by parents stating the reason for absence.

Implementation

Every member of the school community has a role to play in the implementation of the Code of Behaviour and Discipline. Rules will be kept to a minimum, positive behaviour will be emphasised and the code will be applied in a fair and consistent manner. Due regard will be given to the age of the pupils and to individual needs. Good behaviour will be encouraged and rewarded. Where difficulties arise, parents will be contacted at an early stage. Teachers are obliged to follow the codes of professional conduct as outlined by The Teaching Council. All members of staff are obliged to adhere to our Child Protection Policy.

Responsibilities

Board of Management

- Provide a comfortable, safe environment.
- Support the Principal and staff in implementing the code.
- Ratify the Code of Behaviour and Discipline policy.

Principal and In-School Management Team

- Promote a positive climate in the school.
- Ensure that the Code of Behaviour is implemented in a fair and consistent manner.
- Arrange for review of the Code of Behaviour and Discipline policy, as required.

Teachers

- Support and implement the school's code of behaviour.
- Create a safe working environment for each pupil.
- Recognise and affirm good work.
- Prepare schoolwork and correct work done by pupils.
- Recognise and provide for individual talents and differences among pupils.
- Be courteous, consistent and fair.
- Keep opportunities for disruptive behaviour to a minimum.
- Deal appropriately with misbehaviour.
- Keep a record of instances of serious misbehaviour or repeated instances of misbehaviour.
- Provide support for colleagues.
- Communicate with parents as early as possible when necessary and provide reports on matters of mutual concern.

Pupils

- Attend school regularly and punctually.
- Listen to their teachers and act on instructions/advice.
- Show respect for all members of the school community.
- Respect all school property and the property of other pupils.
- Avoid behaving in any way which would endanger others.

- Avoid all nasty remarks, swearing and name-calling.
- Include other pupils in games and activities.
- Bring correct materials/books to school.
- Follow school and class rules.
- Be truthful and honest.

Parents/Guardians

- Encourage children to have a sense of respect for themselves and for property.
- Ensure that children attend regularly and punctually and wear the school uniform/tracksuit.
- Be interested in, support and encourage their children's schoolwork.
- Be familiar with the code of behaviour and support its implementation.
- Co-operate with teachers in instances where their child's behaviour is causing difficulties for others.
- Communicate with the school in relation to any problems which may affect child's progress/behaviour.
- Be courteous and respectful when communicating with staff members

Misbehaviour

Misbehaviour is made up of:

- Minor misdemeanours
- Serious misdemeanours
- Gross misdemeanours

Examples of Misbehaviour

NB This is not an exhaustive list. They are merely examples.

Minor Misdemeanours

1. Continuous talking
2. Fidgeting
3. Inattention
4. Pushing in the line
5. Spitting

6. Repeated non-completion of homework
7. Refusal to do work
8. Writing and passing notes*
9. Name calling *
10. Littering

*can also be a serious misdemeanour depending on the gravity of the offence.

Serious Misdemeanours

1. All minor misdemeanours when on a continuous or egregious basis.
2. Rough play causing injury
3. Serious fighting
4. Bullying
5. Stealing
6. Lying/dishonesty on an on-going basis
7. Disrespect
8. Unprovoked hitting/aggressive behaviour
9. Inappropriate language directed at somebody
10. Racist remarks
11. Biting
12. Uncontrolled behaviour
13. Writing and passing notes (defamatory/lewd)
14. Deliberately coughing or spitting into a person's face during a pandemic.
15. Undermining discipline in online learning platforms and video conferencing
16. Exposing other students to danger or inappropriate material on online learning platforms or video conferencing
17. Any other behaviour deemed by the staff, Principal and Board of Management to be a serious misdemeanour.

Gross Misdemeanours

1. Deliberately vandalising school property
2. Bringing drugs, alcohol, cigarettes (including tobacco or nicotine products), lighters or matches to school.
3. Aggressive, insulting, violent or threatening behaviour towards a person.
4. Repeating bullying behaviour when having already been sanctioned for earlier bullying behaviour.

Strategies for Dealing with Misbehaviour

Positive reinforcement of good behaviour leads to better self-discipline and we place a greater emphasis on rewards and incentives than on sanctions.

Strategies/Rewards for Encouraging Positive Behaviour

- A quiet word or gesture to show approval.
- A comment on a child's exercise book.
- A visit to another class or principal for commendation.
- Praise in front of class group.
- Individual class merit awards, points awards or award stamps.
- Delegating some special responsibility or privilege.
- Written or verbal communication with parent.
- School assembly may be used to promote good behaviour and give awards.
- Class treat.
- Golden Time.

NB This is not an exhaustive list.

Sanctions

The purpose of sanctions and other strategies is to promote positive behaviour and to discourage misbehaviour. Sanctions will be applied according to the gravity of the misbehaviour with due regard to age and needs of the pupil. The needs and challenges of children with Special Educational Needs will be taken into account when dealing with disciplinary issues but they cannot be used to excuse such behaviour. The safety and welfare of all children must be the priority. Support teachers will review school rules with pupils regularly and work with pupils to ensure that they understand these rules.

NB This is not an exhaustive list.

- Reasoning with pupil.
- Guided discussion with both the misbehaving child and the child subject to unwanted behaviour as to how the unwanted behaviour affected him/her.
- Verbal reprimand including advice on how to improve.
- Removal to another class for a short time.
- Prescribing extra work or Behaviour Reflection Form.
- Loss of privileges.
- Detention during break or thinking time on the ramp
- Communication with parents.
- Withdrawal from school tour or school excursion

- Referral to Principal.
- Principal communicating with parents.
- Exclusion (suspension or expulsion) from school.

Homework

Pupils who have not completed homework or parts thereof may be asked to complete it the following night or at the weekend. If work is still not completed, teachers may notify parents in the pupils' homework journal and further sanctions may apply.

Anti-bullying Policy/Bí Cineálta

Bullying is unacceptable and will be dealt with appropriately using our Bí Cineálta anti-bullying policy in conjunction with the Code of Behaviour. This policy is available on the school website.

School Excursions

It must be noted that when taking children on trips the same standards of behaviour that apply in school also apply when out of school.

- The teacher/supervisor/guide/bus driver must be obeyed at all times.
- When travelling on buses or in cars children must be seated and belted at all times.
- Rules of swimming pools and safety points are to be followed.

Pupils who misbehave frequently may not be allowed to participate in school outings for their own safety and that of other pupils.

Before and After School

Parents/guardians are reminded regularly that the staff of the school does not accept responsibility for pupils before official supervision time in the morning (8:55am) or after the official supervision time when school closes (2:55pm), except where pupils are engaged in an extra-curricular activity organised by the school and approved by the Board of Management. Incidents involving pupils that occur on school premises before or after the official supervision times will be subject to the Code of Behaviour. They may also be referred to the Gardaí if the principal deems it appropriate.

Behaviour on Yard

A 'time-out' system applies in the yard. Serious misbehaviour or repeated disobedience at break time is brought to the attention of the supervising/class teacher and/or Principal. Pupils may be asked to stand in on the ramp for a 'time out' or 'thinking time' period and detention may be applied in cases of serious/repeated misbehaviour. If a pupil needs 'time out/thinking time' or, is in detention, repeatedly over a term, the Principal will contact the parents/guardians to discuss this.

On a wet day, pupils will remain in their classrooms and be supervised by patrolling teachers. Infant pupils may sit on their seats or the floor to play while older pupils will be expected to remain in the seats for the break, unless allowed to move by class teacher, and good behaviour is expected at all times.

Recording Misbehaviour

A record of pupils misbehaving and the steps taken should be kept if it appears to be an ongoing and serious issue, as this allows the teacher to easily track the behaviour over the course of the year and provides evidence of misbehaviour should it be needed. Teachers should keep relevant notes regarding misbehaviour. Not all misbehaviour will be recorded and teachers will use their discretion in this regard.

SCHOOL RULES

(Rules should be reviewed regularly by teachers in all classes)

Corridor Rules

1. I will always walk quietly, never run.
2. I will let adults pass.
3. I will not push or shove.

Classroom Rules

1. I will be mannerly at all times.
2. I will sit on my chair and do my work.
3. I will listen and I will let others speak.
4. I will always walk and never run.
5. I will help to keep a tidy classroom.
6. I will use the toilet properly and wash my hands.
7. I will be kind and helpful and not hurt other people's feelings.
8. I will wear my school uniform or school tracksuit as required.

Yard Rules

1. I will walk quietly in my line to and from the yard.
2. I will let other children join in my games.
3. I will not play rough, physical games e.g. Red Rover, rugby, trains etc.
4. I will not use anything that could injure someone.
5. I will be gentle. I will not push, kick, punch or hurt any child or teacher.
6. I will ask the yard teacher for permission to use the toilet.
7. I will do what I am told when I am told.
8. I will not use bad language or call names.
9. I will be fair.
10. I will walk to my line when I hear the bell and I will wait in my line until the teacher calls my class.
11. I understand that I am not allowed in the school (except for the toilet) at break times unsupervised.
12. I will ask permission to retrieve a ball from the ditches/hedges/trees.

General Rules

1. Pupils are not allowed to wear makeup of any sort at school or at school events including First Holy Communion and Confirmation.
2. Pupils who travel home by bus are not allowed to cross the road to use the shop before or after school. They must alight from or board the bus immediately.
3. Pupils must wear school uniform/school tracksuit and parents are asked to respect our school uniform policy.
4. Pupils are not allowed to have mobile phones in school.
5. Jewellery that may be a hazard to other pupils is not allowed.

Steps for Dealing with Repeated & Serious Misbehaviour

Right to fair procedure:

Fair procedures apply in the investigation of alleged misbehaviour that may lead to suspension or expulsion.

Fair procedures have two essential parts:

- The right to be heard
- The right to impartiality

The Right to Be Heard

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

The Right to Impartiality

The right to impartiality means that, if possible, the Principal arranges for another teacher to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal could then take a view about whether the pupil did engage in the behaviour and the sanction, based on the report. However, this procedure is difficult to implement in a primary school where staff have responsibilities and time constraints, and may need the support of the Principal.

In St. Joseph's NS, the Principal often helps support teachers who are dealing with disciplinary issues. However, when the student's alleged behaviour is such that there is a possibility of suspension or expulsion, the Principal may ask, if the circumstances allow, the Deputy Principal, or another teacher, to conduct the investigation, and then present a full report to the Principal. This may prove impossible if the Principal has been involved with a class or pupil at an earlier stage.

To ensure an absence of bias, if there is a connection between the Principal or a Board member and the pupil that is accused of the misconduct, the Principal or Board member would absent themselves from the decision.

The Principal must ensure that the investigation is fully and fairly conducted.

The degree of formality required will depend on the gravity of the alleged misbehaviour and the seriousness of the possible sanction. The level of formality required, for example for a suspension of fewer than three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

In the case of suspension or expulsion, we will follow the steps outlined in Chapters 10-12 of the National Education Welfare Board's Guidelines for Code of Behaviour. Parents will be informed of the procedure and their right to appeal as per the guidelines.

Formal Steps 1-6

When using the following steps, extra time, care and discretion should be used when dealing with pupils who have extra special needs.

- **Steps 1-4: Verbal/written warnings**
- **Step 5: Suspension**
- **Step 6: Expulsion**

Step 1

Verbal warning.

Teacher may also send a note home if deemed necessary. If behaviour continues move to step 2.

Step 2

Verbal warning and sanctions.

Sanctions could be:

- Some extra work
- Homework on Friday
- Student Behaviour Reflection Form to be filled out by pupil. A sample of this form is available in Appendix A.
- Loss of other privileges

If behaviour continues move to Step 3

Step 3

Verbal warning and moved to a desk on their own or removed to another class for a short period of time.

For a serious breach of school rules pupils can move to stage 3 immediately. At this stage parents of pupils who misbehave repeatedly or misbehave seriously must be contacted by

the principal. Parents should be forwarded a copy of Code of Behaviour at this stage. The principal, in doing so, will seek the help, support and assistance of parents.

A behavioural plan may be put in place for a number of weeks to help improve behaviour. Help from support teachers may be sought at this stage also.

Sanctions from step 2 can be used also. If behaviour is recurring move to step 4.

Step 4

Parents and pupil will be informed that the pupil is moving to step 4.

Where there are repeated infringements of the rules the school may then support the pupil by implementing the following:

1. A targeted individual behaviour plan will be implemented with all teachers supporting the pupil.
2. A restricted timetable may be used if deemed practicable, DES Inspector to be informed if used.
3. NEPS psychologist will be contacted for support and advice.

Parents must aid school with this behaviour plan. Without their assistance it will be more difficult to change the recurring behaviour. The Board of Management will be updated at the next Board meeting. Sanctions from Step 2 can be used also.

Step 5 Suspension

Suspension should be a proportionate response to the behaviour that is causing concern. Normally other interventions will have been tried before suspension, and school staff will have reviewed the reasons why they have not worked. However, a single incident of serious misconduct may be grounds for suspension.

Step 6 Expulsion

Suspension and Expulsion

Legal and Procedural requirements

a) The Legal Context

The entitlement to education is protected in a range of constitutional and legal provisions in human rights Conventions. These legal protections for the individual pupil's right to education mean that decisions to suspend or expel a pupil are open to appeal and may be subject to judicial review by the High Court. Schools are required under section 23 (2) of the Education (Welfare) Act 2000, to include their procedures for suspension and expulsion in their Code of Behaviour.

b) The responsibility of the Board of Management.

The Board of Management should:

- Ensure that the school has a policy on, and procedures for, the use of suspension and expulsion that are in line with these guidelines.
- Ensure that all pupils and parents are advised about, and aware of, the school's policy for suspension and expulsion.
- Ensure that fair procedures are used for suspension and expulsion and that all staff are aware of these procedures.
- Take special care to ensure that fair procedures are accessible to people with disabilities or those from different language or cultural backgrounds.
- Ensure that the Board of Management and the Principal are equipped for their roles in relation to the use of suspension and expulsion.

The Board and Principal of SN Seosamh Naofa/St. Joseph's NS has a duty to ensure that there are no undue delays in an investigation and in making decisions about the imposition of suspension or expulsion. Great care should be taken to ensure that all matters to do with an investigation of alleged behaviour are dealt with in confidence.

c) Applying fair procedures in school.

In a school, fair procedures apply to:

- The investigation of alleged misbehaviour that may lead to suspension or expulsion.
- The process of decision-making as to:

- a) whether the pupil did engage in misbehaviour
- and
- b) what sanction to impose.

The way in which fair procedures are applied will take account of the seriousness of alleged misbehaviour and will have regard to what is reasonable in the context of a particular school. The principles of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible sanction. The level of formality required, for example for a suspension of fewer than three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

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

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

Absence of bias in the decision-maker would mean, for example that if the child of the Principal was accused of misconduct that might warrant suspension or expulsion, the Principal would not be involved in the decision.

The principle of impartiality in decision-making means it is preferable that, where possible, the Principal arranges for another member of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view about whether the pupil did engage in the behaviour and about the sanction based on the report of the investigation. This can be very difficult to implement in a primary school due to time constraints on school staff.

Where circumstances require the Principal to conduct the investigation as well as make a finding and propose the sanction, he or she must not only act fairly but be seen to act fairly.

It is incumbent on the Principal to review the investigation to ensure that it has been fully and fairly conducted. It should be evident to the pupil, parents, staff and other pupils that the Principal, as decision-maker, is basing their decision, in an objective

way, on the findings of the investigation. The person alleging the misbehaviour, or who is a victim, or a witness should not usually conduct the investigation. Thoughtful application of professional judgement and knowledge of the requirements of fair procedures will generally guide decision-making about suspension and expulsion. However, in circumstances of particular complexity, school authorities may need to seek legal advice to support their decision-making.

d) Involving the Gardai.

Where allegations of criminal behaviour are made about a pupil, these will usually be referred to the Gardaí who have responsibility for investigating criminal matters.

Suspension

a) Authority to suspend.

The Board of Management of SN Seosamh Naofa/St. Joseph's NS has the authority to suspend a pupil. The board has delegated the authority to suspend a pupil for up to three days to the Principal.

b) The grounds for suspension.

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

- The pupil's behaviour has had a seriously detrimental effect on the education of the other pupils.
- The pupil's continued presence in the school at this time constitutes a threat to safety.
- The pupil is responsible for serious damage to property.
- Repeated bullying behaviour when having already been sanctioned for earlier bullying behaviour.

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

c) Forms of suspension

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

“Automatic” suspension – a Board of Management may decide, as part of the school’s policy on sanctions, and following the consultation process, that particular named behaviours incur suspension as a sanction.

Rolling suspension – A pupil may be suspended again shortly after they return to school if

- They engage in serious misbehaviour that warrants suspension.
- The standard applied to judging the behaviour is the same as the standard applied to the behaviour of any other pupil.

Exclusion of a pupil for part of the school day as a sanction, or asking parents to keep a child from school, as a sanction, is a suspension and will follow guidelines relating to suspension.

d) Procedures in relation to immediate suspension.

Where an immediate suspension is considered by the Principal to be warranted for reasons of the safety of the pupil, other pupils, staff or others, a preliminary investigation 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 the conditions of suspension apply to immediate suspension. Parents must be notified and arrangements made with them for the pupil to be collected.

e) The period of suspension.

A pupil 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. If a suspension for 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, the Board 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 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 pupil, where the suspension would bring the number of days for which the pupil has been suspended in the current year to twenty days or more. Any such suspension is subject to appeal under section 29 of the Education Act.

f) Section 29 Appeals.

Where the total number of days for which the pupil has been suspended in the current school year reaches twenty days, the parents may appeal the suspension under Section 29 of the Education Act. At the time when parents are being formally notified of such a suspension, they and the pupil should be told about their right to appeal to the Secretary General of the Department of Education and Science and should be given information about how to appeal.

g) Implementing the suspension

Written notification

The Principal should notify the parents and the pupil 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 reason for the suspension.
- Any study programme to be followed.
- The arrangements for returning to school, including any commitments to be entered into by the pupil and the parents (parents may be asked to sign a behaviour plan or 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.

h) Records and reports.

Formal written records will be kept of:

- The investigation (including notes of all interviews held)
- The decision-making process.
- The decision and rationale for the decision.
- The duration of the suspension and any conditions attached to the suspension.
- The Principal should report all suspensions to the Board of Management, with the reasons for and the duration of each suspension. The Principal is required to report suspensions in accordance with the NEWB reporting guidelines if a pupil is suspended for six days or more.
- Meetings with parents and the pupil to try to find ways of helping the pupil to change their behavior.
- Making sure that the pupil understands the possible consequences of their behavior, if it should persist.
- Ensuring that all other possible options have been tried.
- Seeking the help of support agencies i.e. National Educational Psychological Service (NEPS); Health Service Executive (HSE); National Council for Special Education (NCSE); National Behavioural Support Service (NBSS); Special Education Support Service (SESS).

Expulsion

The sanction of expulsion will only be considered in exceptional circumstances when all other avenues have been exhausted. However, SN Seosamh Naofa/St. Joseph's NS has a duty of care to all its pupils and employees. The Health and Safety at Work Act 2005 requires that Boards of Management conduct their business, as far as reasonably practicable, in ways that prevent improper conduct or behaviour likely to put the safety, health or welfare at work of employees or the health and safety of pupils, parents or visitors at risk. Provisions relating to expulsion of a student are contained in section 24 of The Educational Welfare Act 2000.

The authority to expel is reserved for the Board of Management. Expulsion will be a proportionate response to the student's behaviour.

The following steps will be undertaken to address misbehaviour and to avoid expulsion:

- a) Meeting with parents and pupils to try to help the student change the behaviour.
- b) Making sure the pupil and parents understand the possible consequences of the behaviour.
- c) Exhausting all other possible options.
- d) Seeking the help of support agencies i.e. National Educational Psychological Service (NEPS); Health Service Executive (HSE); National Council for Special Education (NCSE); National Behavioural Support Service (NBSS); Special Education Support Service (SESS).

Grounds for Expulsion

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

Difference between Suspension/Expulsion.

- a) The degree, seriousness and persistence of the behaviour.
- b) Where expulsion is considered, a series of interventions have been tried by the school.
- c) All possibilities of changing the pupil's behaviour have been exhausted.

Expulsion for a First Offence.

The Board of SN Seosamh Naofa/St. Joseph's NS can impose automatic expulsion for certain prescribed behaviours or in exceptional cases for a first offence. These behaviours, in accordance with the National Welfare Board (NEWB) may include:

- a) Sexual assault
- b) Supplying illegal drugs to other pupils in the school.

- c) Actual violence or physical assault.
- d) Serious threat of violence against another pupil or member of staff.

Procedures in Respect of Expulsion

- a) Detailed investigation carried out under the direction of the Principal.
- b) Recommendations by the Principal to the Board.
- c) Board considers Principal's recommendation and holds hearing.
- d) Board deliberates and proposes action following the hearing. If BOM is of the opinion that the student will be expelled, the Board must notify the Educational Welfare Officer (EWO) in writing, of its opinion and the reasons for this opinion. The intention to expel a student does not take effect until 20 school days have elapsed after NEWB have received written notification. The NEWB will be notified using a Notice of Intention to Expel form.
- e) Consultations arranged by the Educational Welfare Officer.
- f) Confirmation of the decision to expel.

Appeals

A parent may appeal a decision to expel to the Secretary General of the Department of Education and Skills (Education Act 1998 section 29)

Fairness of Procedures

The constitution of Ireland gives rights to parents and pupils in the matter of education and these must be respected as fundamental in the school code of behaviour. The requirement of fairness of procedures also derives from the constitution. There are two basic rules of fairness of procedures:

1. The right to be heard i.e. the right to respond, the right to know what alleged misbehaviour is being investigated, the right to know how the issue is decided. If there is a possibility of a serious sanction, the right to be heard by the Board of

Management. If the dispute is about facts, the right to ask questions of the other party or witnesses.

2. The right to impartiality i.e. the right to an absence of bias in the decision-maker.
Generally, impartiality requires that the investigation is separated from the process of making a decision so that the decision maker comes to the task with an open mind. However, this may not be possible due to the circumstances of an individual case and time constraints on school staff, and in such circumstances, the Principal will do his/her best to ensure impartiality.

Ratification

This plan was ratified by the board of management in (date) 5th March 2019

It was reviewed on the 8th of April 2025.

Chairperson BoM (signature) Mrs. Catherine Byrne _____

Communication

This policy will be published on the school website.

It will also be available in the principal's office in the ratified policies folder. The school will supply a hard copy on request.