

St Thomas' JNS

Code of Behaviour

Policy Summary Details

Policy Title:	Code of Behaviour
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Introduction

The code of behaviour for St. Thomas' JNS complies with the requirements of the DES Circular 20/90 on School Discipline. It also complies with 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. This behaviour code applies to all pupils in St Thomas' JNS including **all children with diagnosed special educational needs and children in our early start pre-school**. It is published on the school's website and will be made available in hardcopy, on request, to any person who requests it.

In line with Section 23(2) of the Education Welfare Act, 2000 the following areas will be addressed in this policy:

- The standards of behaviour that shall be observed by each student attending the school
- The measures that shall be taken when a student fails or refuses to observe those standards
- The procedures to be followed before a student may be suspended or expelled from the school concerned
- The grounds for removing a suspension imposed in relation to a student
- The procedures to be followed in relation to a child's absence from school.

1. Relationship of the policy to characteristic spirit of the school

1.2 Vision

We in St. Thomas' JNS believe in the potential of each child. As a staff we seek to ensure that all children in our care have equality of opportunity with regard to their education. In doing so, we endeavour to create a safe, happy, respectful, and inclusive learning environment, where the diverse needs of every learner is catered for. It is envisioned that by providing an all-inclusive approach to education that the children in our school shall reach their academic potential whilst developing the confidence and courage to be fair, kind, moral, tolerant and respectful when acting in the world.

We strive to realise this vision by seeking to:

- Craft a caring, supportive, nurturing and stimulating environment in which each child's social, emotional, spiritual and intellectual development is catered for,
 - Develop children's interests, talents and hobbies by providing a wide range of learning experiences,
 - Harness the collective talents of all staff to ensure that all children, irrespective of their medical status and/or special educational needs feel cherished and thrive in a dynamic educational setting,
 - Provide tailored learning experiences for children who present with special educational needs by meeting children where they are at and building upon their strengths,
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- Collaborate with colleagues and outside agencies (when available) to ensure focused and effective supports are in place to advance the social, emotional, and cognitive development of all the children in our care,

- Build strong and collaborative relationships with parents with a view to supporting the guidance that children receive in their home,
- Promote a culture of inclusivity by ensuring that children across the school settings integrate as appropriate during tuition time, yard breaks and school events,

1.3 Objectives of our Code of Behaviour policy

- To allow the school to function in an orderly way where children can make progress in all aspects of their development
- To create an atmosphere of respect, tolerance, and consideration for others
- To instil and promote positive behaviour and self-discipline, recognising the differences between children and the need to accommodate these differences
- To ensure the safety and well-being of all members of the school community
- 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
- To ensure that the system of rules, rewards, and sanctions are implemented in a fair and consistent manner throughout the school
- To promote self-esteem and positive relationships.

2. Guidelines for behaviour in St. Thomas' JNS

It is stated in the "The Education Welfare Act, Section 23", that the code of behaviour shall specify "the standards of behaviour that shall be observed by each student attending the school". The following are the standards of behaviour this school wishes all pupils to observe:

- **Safe behaviours** - Exercise personal safety and practise safe actions towards others
- **Kind behaviours**- Using kind words and kind actions when interacting with one another
- **Respect for property**- School property as well as their own and other children's belongings
- **Respectful behaviours**- Toward children, as well as adults working in/visiting the school
- **Positivity** - Persevere and always try your best
- **Attendance**- Be in school every day, our school motto is EVERY DAY COUNTS
- **Punctuality** -Arrive in school on time everyday

3. School rules

The following are our golden rules. The purpose of these rules is to help children meet the standards of behaviour that have been set out for St. Thomas' JNS

3.1 I am gentle and kind

Through this rule we aim to help children behave in a safe manner in our school. Children need to be gentle and kind to themselves as well as to others. While not exhaustive, the following are types of behaviours that would be considered a breach of this rule.

- Behaviour that may impact the child's safety – leaving the class or yard, swinging on chairs
- Behaviours that may impact the safety of others – hitting, kicking, slapping, using inappropriate language etc.

3.2 Rule 2 I do my work well

Through this rule we aim to help children reach their full potential. While not exhaustive, the following are types of behaviours that would be considered a breach of this rule.

- Refusing to take part in class activities

3.3 Rule 3 I take care of our school

Through this rule we aim to help children to respect their environment. While not exhaustive, the following are types of behaviours that would be considered a breach of this rule.

- Deliberately blocking toilets, writing on walls, breaking crayons or pencils ...

3.4 Rule 4 I walk quietly in the school

Through this rule we aim to help children to make sure the environment of the school is safe for everyone. While not exhaustive, the following are types of behaviours that would be considered a breach of this rule

- Running around the classroom, running in corridors or running away from a staff member

3.5 Rule 5 I tell the truth

Through this rule we aim to teach children to take responsibility for their own behaviour even when they have made a mistake. While not exhaustive the following are types of behaviours that would be considered a breach of this rule.

- Saying somebody did something that they did not do, refusing to accept responsibility for their own behaviour

3.6 Rule 6 I come to school every day

Through this rule we aim to teach children the importance of showing up. Whilst we acknowledge that children are not responsible for getting themselves to school we do want to instil the importance of it from a young age. As such, there is never a direct sanction to a child for not coming to school or for arriving late.

3.6 General procedures for dealing with minor misbehaviour

	When a rule is broken the teacher will: • Clearly point out to the child what is happening and what is expected from them • They will praise children who are doing the right thing • They will re-direct the child towards learning • If a child is spoken to three or more times about the same rule the teacher will inform the parent of the issue and create an informal plan with the parent to get the child on track

3.7 Sanctions and minor misbehaviours

The Education (Welfare) Act 2000, Section 23, states that a school must outline 'the measures that may be taken if a student fails to observe the standards of behaviour that the school has outlined'. Although not exhaustive, the following list contains the types of measures that may be taken if a student in St. Thomas' JNS continuously engages in minor misbehaviours and thus, fails to observe the standards

Teachers will track the behaviours in his/her class (this will mostly be informal but will lead to formal tracking if behaviour is persistent.) Where a child breaks a rule repeatedly within one week, the teacher may issue a communication home. If the misbehaviour persists our teachers may use some of the following strategies to manage misbehaviour in the classroom:

Examples

- Speak to the child (we will always make sure children understand what is being asked of them)
- Loss of privilege
- Time out/calm down in own classroom or another space if appropriate (other space can include another classroom, learning support room, Principal or Deputy Principal's office)
- Loss of Golden time
- Time deducted from an activity
- Communication home
- Visit to the principal

4. Serious misbehaviours

We in St. Thomas' JNS recognise that staff have a right to be protected under the Welfare Act 2005. In the table below we highlight examples of serious misbehaviour. In line with Section 23 of The Education (Welfare) Act 2000, we also detail the measures that may be taken if a child engages in these serious misbehaviours. In deciding these actions, we have considered the duty of care we have to safeguard the well-being of staff, pupils and the child exhibiting the serious behaviour.

Example of serious misbehaviour	Sanction	Justification for the sanction
Intentional physical assault on a staff member	Parents are called in and a suspension is issued If a Safety Plan is not in place parents will be asked to sign one (please see attached)	These behaviours: • Are regarded as unacceptable behaviours • Put staff members' and pupils' physical and emotional wellbeing at risk • Unsettling for children to witness
Blatant verbal abuse of a staff member (defiance/cursing)	Parents are called in for a meeting with teacher and/or principal. If there are repeated incidents a parent will be asked to collect their child and a suspension may be issued.	These behaviours: • Are regarded as unacceptable behaviours • Put staff members' emotional wellbeing at risk
Serious physical assault on another pupil	Parents will be asked to take their child home to allow him/her stabilise emotionally Parents will be asked to attend a meeting with teacher and/or principal A suspension may be issued if there is significant harm to another child or the behaviour is repetitive	These behaviours: • Are regarded as unacceptable behaviours • Put pupils' physical and emotional wellbeing at risk
Behaviours are such it warrants the evacuation of class e.g. climbing, throwing objects,	If a safety plan is in place then the plan will be followed Parents will be asked to take their child home to allow him/her stabilise	These behaviours: • Put other pupils' wellbeing at risk • Jeopardise other children's entitlement to a safe learning environment • Jeopardise children's teacher/SNA time

tearing posters from the wall	emotionally if this cannot be achieved in school Suspension may be issued if the behaviour is repetitive	• May escalate a state of distress for the child engaging in the behaviours • Are regarded as unacceptable behaviours in a school setting. We recognise however that the child may be in a heightened emotional state hence suspension is not immediate in this case
Causing intentional serious damage to school or other property	Parents will be asked to take their child home to allow him/her stabilise emotionally A suspension may be issued	These behaviours: • Incur damage and expense to the school • Put staff and other pupils' wellbeing at risk • Jeopardise other children's entitlement to a safe learning environment • Jeopardise children's teacher/SNA time • May escalate a state of distress for the child engaging in the behaviours • Are regarded as unacceptable behaviours in a school setting. We recognise however that the child may be in a heightened emotional state hence suspension is not immediate in this case
Leaving room, accessing the yard without permission, leaving designated yard	Parents may be asked to take their child home to allow him/her stabilise emotionally A suspension may be issued if the behaviour is repetitive This needs serious consideration in light of some children with SEN and their difficulty controlling impulse	These behaviours: • Put the pupils' safety at risk as we cannot account for possible scenarios such as a child accessing the yard where there may be dangers such as moving vehicles • Jeopardise other children's entitlement to teacher/SNA time, as staff may be deployed to try and keep the child safe • May escalate a state of distress for the child engaging in the behaviours • Are regarded as unacceptable behaviour in a school setting. We recognise however that the child may be in a heightened emotional state hence suspension is not immediate in this case

5. Positive strategies for supporting and managing behaviour

'The most effective methodology that teachers develop in attempting to manage challenging behaviour is to prevent it occurring in the first place'. (Managing Challenging Behaviour, Guidelines for teachers INTO 2004: 5).

5.1 Supporting children with behaviours of Concern - Continuum of Support

Supporting children using the Continuum of Support	
Level 1 Classroom Support	
	If the child does not respond to the “general procedures” a support plan will be drawn up between the child’s parent and class teacher targeting the rule and behaviour that needs addressing. The following are examples of some of the strategies that may be employed at the level of classroom support: 1. Reward chart 2. Calm down corner 3. Sensory box 4. Visual timetable The impact of these supports will be monitored, reviewed and if necessary, adapted. If there are still concerns a meeting may be held with the principal/deputy principal or AP1 on corridor. Assessments and observations may be undertaken, and new targets set. Pending the outcomes of the reviews, a decision may be taken to move to the next level of support which is called “Support for Some”
Level 2 Support for some	
	Children who access support at this level, will generally receive support from a member of our special educational needs team. The following are examples of the support that may be offered to the child at the level of “support for some” • Parent small group activities (eg lego club) • Social skills group • Nurture groups . Assessments and observations may be undertaken, and new targets set. A decision may be taken to move to the next level of support which is called “Support for a few”
Level 3 Support for a few	

Children who access support at this level, will generally receive support from a member of our special educational needs team. It is also possible that the services of outside agencies will be enlisted (where appropriate and available). Children who are accessing support at this level may be offered some of the following supports:

- Individualised Behaviour Plan
- SNA support
- Movement breaks
- Nurture group
- Clinical assessment (AON etc.)
- Educational assessment
- Referral to primary care
- With parental consent referral to appropriate setting or alternative educational placement

There will be ongoing collaboration and consultation between home and school to support children who are accessing supports at this level.

5.2 Whole school approach – Displaying and teaching children the school rules

- School rules are displayed in prominent places all around the school
- School rules are explicitly taught to all children at the beginning of each year across multiple settings e.g. the classroom, the yard, assemblies etc
- Principal reinforces the teaching of rules by focusing on a different rule each week at assembly (Principal to attend all assemblies)
- Principal to announce “Rule of the Week” every Monday morning
- Examples of how children can behave in line with the rules are explored with children at assembly
- Strategies for helping children avoid breaking the rules are also explored in class

5.3 Rewards

- Individual rewards for children will be decided at class level (e.g. communication with the principal/home, a small treat, extra golden time, prize box, stickers, class dojo) We recognise each class are different and each teacher needs to adapt rewards to meet the needs of the children
- Recognition of children with improved behaviours (communication with principal/home, sticker etc)
- If pupil displays positive behaviour a certificate may be sent home with the pupil. The certificate describes the Rule which the pupil exhibited. The pupil also gets a small reward.
- Pupils are rewarded for sustained good behaviour and application to class work. This is done at class level and sometimes assembly level when children are mature enough
- Class reward charts can be used and points are given daily
- Teachers may use class dojo to reinforce the rules.
- Teacher sets “behaviour” challenges

5.4 Supervision

- The arrangements for supervision in the playground are noted on the staff noticeboard on each corridor.
- When a teacher changes duty he/she must make the necessary arrangements to have his/her yard duty covered.
- Teachers who know they will be absent from school (e.g. EPV days, CPD) must make alternative arrangements for yard cover if they are rostered for that day.
- Unknown absences will be dealt with on each corridor by use of a rota or re-arrangement of duty roster

5.5 Wet Days

- The arrangements for wet days are that all pupils have suitable activities to do.
- An SNA will be present in rooms deemed to have the highest need in terms of pupils who need assistance and supervision
- The teachers on duty go from class to class whilst supervising ensuring all children are safe.
- The teacher on duty will following the general procedures described in section 3. He/she will notify the class teacher if rules have been broken.
- If a child is deemed to be behaving in an unsafe manner they will spend time on the corridor with the teacher

5.6 Yard Specific Details

- At the beginning of each year every corridor group will meet the AP1 on their corridor and decide on an appropriate system of rewards and sanctions for the yard. These will all be in line with this policy.
- Our main focus on the yard is to give children a chance to run and play freely in a safe environment.
- We acknowledge that yard supervision is more difficult than classroom supervision and that some children can find yard play challenging.
- If a child is behaving in an unsafe manner on yard they may be asked to take a time out and walk around with the teacher on duty.
- If the behaviour is serious and has caused harm to any person they may be asked to leave the yard and spend the remainder of their yard indoors
- We promote the following to children "if you want to play on the yard you must be safe on the yard"
- Repeated inappropriate behaviour on yard will be dealt with in line with the above measures but can also include missing future time on yard.

6. Whole school approach in promoting positive behaviour.

We in St. Thomas' JNS believe that a positive school ethos is based on the quality of relationships in the school and the ways in which pupils, teachers and SNAs treat each other. This positive ethos permeates all the activities of the school and helps in forming a strong sense of a safe place where everyone is valued.

6.1 Staff

6.1.1. Promotion of positive behaviour

In our school staff treat all children with respect and dignity. There is a strong sense of community and co-operation among staff, pupils, and parents and all are agreed that their focus is primarily on the promotion and recognition of positive behaviour. The following are examples of how we strive to promote positive behaviour in the school:

- We have a positive behaviour code which emphasises good behaviour around the school and in the yard.
- We discuss examples of positive behaviours witnessed throughout the week at our assemblies with the children
- We operate weekly assemblies where we promote positive behaviour.
- Teachers in our school believe strongly in the benefits of praise and encouragement.
- Each teacher also operates his/her own in-class reward schemes.
- Our primary goal is always to understand that all behaviour is communication and any intention with any sanction is to re-direct the child towards learning

6.1.2 Striving for a workable, accessible, functioning, and effective policy

As a staff we strive to ensure that the Code of Behaviour is a workable, accessible, functioning, and effective policy that permeates all aspects of school life. We are therefore always trying to ensure that the Code of Behaviour is part of the general school narrative. In so doing, we aim to constantly review, renew, and improve our practices on the ground. The following are examples as to how we strive to achieve this:

- Discussions at staff meetings
- Discussions at corridor meetings
- Croke Park hours dedicated to policy reviews
- Our code of behaviour is explained to new parents before their child/children start school.
- Children are taught 'Our Golden Rules' in Junior Infants and revised up through the school.
- Discussion of rules at assemblies each week
- Posters, signs displaying the rules around the school

We believe that all staff should be aware of this Code of Behaviour, including Principal, teachers, secretarial staff, caretaker, and special needs assistants. Details of our Code of Behaviour are made available to all staff.

6.1.2 The SPHE curriculum as a mechanism support the Code of Behaviour

The school's SPHE curriculum is used to support the code of behaviour. Through this programme we aim to help our children develop communication skills, appropriate ways of interacting and behaving, and conflict resolution skills. Through the teaching of SPHE we also aim to foster self-esteem and to help children accommodate differences and develop citizenship. Several different teaching methodologies are addressed including Circle Time and Co-operative Games.

6.2 Board of Management

'The Board of Management has a role to play in the maintenance of desirable standards of behaviour in a school. It should be supportive of the Principal Teacher in the application of a fair code of behaviour and discipline within the school' (Circular 20/90). In line with these assertions the Board of Management in St. Thomas' JNS shall:

- Assume overall responsibility for ensuring that the Code of Behaviour is prepared and revised in line with current legislation.
- Be briefed of any changes and revisions which may need to be addressed by the principal and/or the teacher representative.
- Assume responsibility for the ethos of the school and overall responsibility for policies. The Board will play an active role in exploring the kinds of relationships and behaviours that will reflect the school's responsibilities and ethos.
- Ensure that all members of the school community have the opportunity to be involved in creating and making revisions to the school's Code of Behaviour. It will formally record the adoption of the code of behaviour, the commencement date and decisions about when the code will be reviewed.
- Assume responsibility for dealing with serious breaches of the code by meeting with all parties concerned. Several strategies may be developed arising from such meetings and these may include suspension and/or expulsion.
- Grants permission to the Principal to suspend a pupil for up to 3 days. Suspensions that are more than three days will require the intervention and backing of the Board.

6.3 Parents

We in St. Thomas' JNS pride ourselves on creating and maintaining positive relationships with our parents. We place an emphasis on supporting parents and helping them access the resources and supports that their children may need. This is a whole school approach that is lead on a daily basis by our HSCL. We will always strive to ensure that when dealing with misbehaviours that parents are supported and understand the actions being taken. We will do this by:

- Making the code of behaviour available to all parents
- Discussing the code of behaviour at intake meetings each year
- Ensuring to the best of our ability that parents are aware of the school rules
- Teachers will speak directly to parent re: any repeated minor misbehaviour
- Communication home when the child is experiencing difficulty adhering to rules
- Informal meeting before or after school.
- For repeated misbehaviours we invite the parents to collaborate on a support plan
- Parents and teachers will meet and collaborate on a regular basis to monitor children's behavioural progress. This process is lead by the child's class teacher
- Occasionally, children would be invited to attend one of these meetings to encourage ownership of their own behaviour. For serious misbehaviours the principal will attend the meeting.

6.3.1 Procedures for parents for articulating concerns

Parents are encouraged to contact the school if they have concerns. We strive to resolve issues based on the principle of the least amount of intervention. In line with this principle we ask that parents follow the following steps:

- If you have a concern the first port of call is to make an appointment with the class teacher.
- Every effort should be made to resolve the issue at class level.
- If the issue cannot be resolved at class level a request should be made to involve the principal and a meeting convened.
- If the issue cannot be resolved by the principal, then it may be referred to the Board of Management.

6.3.2 Parents and the Code of Behaviour

The Code of Behaviour is a legal requirement for each school. The Code of Behaviour is important as it provides a framework for creating a learning environment that is conducive to supporting the children and staffs' psychological, emotional, and physical well-being. It is of the utmost importance that staff members, parents and pupils alike are familiar with the Code of Behaviour (in an age appropriate way). It is equally important that all parties adhere to the school's code of behaviour. It is against this backdrop the following should be noted:

- On enrolment every parent is made aware of our code of behaviour and agrees to accept it. Hard copies are available on request.
- **Please note that if a parent refuses to accept the school's code of behaviour, the school can refuse to enrol the child into the school**

6.3.3 Parents as supporting the code of behaviour

Parents support the school in the promotion of positive behaviour and the maintenance of high standards of behaviour in the following ways:

- They are aware and cooperate with the school's system of rewards and sanctions
- Ensure children are at school on time
- Attend meetings at the school if requested
- Comply with the requests that are made of them (e.g. signing letters that are sent home, speaking to their child about his/her behaviour etc)

6.4 Pupils

Pupils in the school play an ongoing part in the implementation of this code in the following ways:

- Taking part in School Assemblies where golden rules are emphasised
- Praise and congratulate winners of the golden medal
- Pupils are constantly given opportunities to reflect on the Code of Behaviour through classroom discussions and by observing the rules in action in the class and on the yard

7. Suspension procedures

It is stipulated in the Education Welfare Act, 2000, that a code of behaviour shall specify... 'the procedures to be followed before a student may be suspended or expelled from the school concerned' and "the grounds for removing a suspension imposed in relation to a student." (Sections 23(2) c, d)

7.1 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 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.
- Please see section 4 for examples of major misbehaviours that may warrant suspension

Please note:

- A single incident of serious misconduct may be grounds for suspension.
- The Board of Management has authorised either the Principal to exclude a pupil from the school for a maximum initial period of three school days (Rule 130, Section 5, Rules for National Schools)
- Suspensions of longer than 3 consecutive days must be sanctioned by the Board

Before a suspension is considered all other means of dealing with the behaviour should have been tried. Parents should also have been aware that their child has been engaging in challenging behaviours from previous meetings. However certain misbehaviours such as assaulting a teacher, SNA, or more violent misbehaviour may warrant an immediate suspension.

The school will use a fair procedure when suspending any pupil. Once the assessment of the facts is deemed to confirm that the misbehaviour warrants suspension the school will observe the following procedures:

- The school informs the parents of the complaint, how it will be investigated and that it could result in suspension. Parents may be informed by phone or in writing.
- Incident records will be written up.
- Parents and students will be given an opportunity to respond.
- In the case of an immediate suspension, an investigation occurs to establish the case
- The formal investigation should then immediately follow the imposition of the suspension.
- All the conditions for the suspension apply to the immediate suspension. No suspension including an immediate suspension should be open ended.
- Parents will be notified, and arrangements made for the pupil to be collected in the case of an immediate suspension.
- After a period of suspension, the parents must bring the child back to the school for re-admission.
- After the period of suspension, where appropriate, the child must express an intention to improve whilst parents and teacher monitor the situation and communicate on progress.
- If the period of suspension is in excess of three days a special decision of the Board of Management is required (Rule 130, Section 5, Rules for National Schools) Parents may be given the opportunity to be heard by the Board before a decision is reached.
- The EWO is notified for any periods of suspensions that are in excess of three days.

8 Expulsion (permanent exclusion)

Under the Education Welfare Act, 2000, it is the right of a Board of Management to take '...such other reasonable measures as it considers appropriate to ensure that good order and discipline are maintained in the school concerned and that the safety of students is secured.' (Section 24(5))

Essentially this means that the Board of Management has the authority to expel a student from any setting within the school – this includes those who are in the special class setting as well as those in the mainstream of the school.

All actions taken regarding expulsion will adhere to the National Educational Welfare Board's guidelines for developing a Code of Behaviour. Should you wish to see those guidelines in detail, they are available at https://www.tusla.ie/uploads/content/guidelines_school_codes_eng.pdf As a matter of best practice, that authority should be reserved to the Board of Management and should not be delegated.

8.1 The ground 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 will have taken significant steps to address the misbehaviour and to avoid expulsion of a student.

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, the school authorities have tried a series of other interventions, and believe they have exhausted all possibilities for changing the student's behaviour.

8.2 "Automatic" suspension

The Board of Management may automatically suspend a student for certain offences. However, this decision does not remove the duty to follow due process and fair procedures.

8.3 Expulsion 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 school code could include:

- A serious threat of violence against another student or member of staff whereby the situation cannot be managed by use of the code of behaviour
- Actual violence or physical assault that results in a safety risk that cannot be managed by the code of behaviour

8.4 Procedures for expulsion

The following procedure will be followed in the case of an expulsion.

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

In investigating an allegation, in line with fair procedure, the principal will:

- Where appropriate, 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 where appropriate, the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Parents will be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. Parents and where appropriate, the pupil 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's parents and where appropriate the student, him/herself is essential.

If parents and where appropriate, the pupil fail to attend a meeting, the Principal will write advising of the gravity of the situation, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school will record the invitations made to parents and their response.

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 will make a recommendation to the Board of Management to consider expulsion. The Principal will:

- Inform the parents and where appropriate, 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 the 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 any involvement with the circumstances of the case is part of the Board's deliberation (for example, a member of the Board who may have made an allegation about the student).

Where the 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 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 sustained 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 Education Welfare Officer in writing of its opinion, and the reason for this opinion. (Education (Welfare) Act 2000, Section 24 (1) the Board of Management should refer to the National 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 notification (Education (Welfare) Act 2000, Section 24 (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 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 (Educational (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, the Board of Management may take steps to ensure that good order is maintained and that safety of students is secured (Education (Welfare) Act 2000, section 25(5)). The 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 appeal

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 would formally confirm the decision to expel (this task may be delegated to the Chairperson and the Principal). Parents should be notified immediately and 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.

9 Appeals

Under Section 29 of the Education Act, 1998, parents (or pupils who have reached the age of 18) are entitled to appeal to the Secretary General of the Department of Education and Science against some decisions of the Board of Management, including (1) permanent exclusion from a school and

(2) suspension for a period which would bring the cumulative period of suspension to 20 school days or longer in any one school year. Accordingly, schools should advise parents of this right of appeal and associated timeframe if it has been decided to suspend or permanently exclude a pupil.

Appeals must generally be made within 42 calendar days from the date the decision of the school was notified to the parent or student. (See Circular 22/02)

- Parents/guardians are informed of their entitlement to appeal a decision of the Board of Management in relation to suspension or expulsion by the Chairperson of the Board. Parents be given a copy of Circular 22/02 and any related forms.
- The Chairperson of the BOM will prepare a response if and when an appeal is being investigated by the Dept of Education and Science. (Section 12, Circular 22/02 – Processing of an Appeal)

10. Keeping records

10.1 Classroom behaviours

- If there is a child who has a record denoting that he/she engages in repeated serious misbehaviour and has a behavioural plan, these reports will be shared with the child's new teacher. This includes when the child is at the point of transition to the senior school. These actions are to enable the child's new teacher to put supports in place for the child in question.
- A record of all serious misbehaviours and sanctions will be kept and where necessary will be recorded in the Board of Management minutes in an appropriate manner.

11. Reference to other Policies

The following school policies have a bearing on the code of behaviour e.g.

- SPHE plan
- Anti-bullying
- Enrolment
- Health & Safety and Risk Assessment Policy
- Special Educational Needs.

Ratification & Communication

The Board of Management officially ratified this policy on 9/10/24.

Signed: Mary Kenny
Chairperson, Board of Management

Date: 9/10/24

Signed: Suzanne Kelly
Principal

Date: 9/10/24.

Modification Clause

The Board of Management of St Thomas' JNS reserve the right to modify details of this code of conduct at short notice. Such modification may be needed in an ever - changing environment and social context.