



# Dunshaughlin Community National School

## Code of Behaviour



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### 1. Introduction

Our Code of Behaviour has been prepared in accordance with the guidelines "Developing a Code of Behaviour: Guidelines for Schools" published by the National Educational Welfare Board (NEWB, 2008). Schools are obliged under Section 23 (1) of the Education Welfare Act, 2000, to prepare a code of behaviour in respect of the children registered at the school.

#### 1.1. Guiding Principles

Dunshaughlin School strives to achieve the highest possible standards for all its children in a happy, supportive, inclusive, and caring environment, with due emphasis given to the individual needs of each child. We endeavour to ensure that the individuality of each child is accommodated while acknowledging the right of each child to an education in a safe environment. School has a central role in the children's social and moral development just as it does in their academic development. As a Community National School our core school values of excellence, care, equality, community, and respect underpin the development of our school ethos and thus every aspect of school life in Dunshaughlin School. It follows that acceptable standards of behaviour are those that reflect our core values.



Children thrive on clear structure and boundaries which help them feel secure and help develop the skills for co-operation and positive relationships. Therefore, any rules will be age appropriate, with clearly agreed consequences.

## **1.2 Vision and Aims**

- To create an environment where all partners in the school community (i.e. children, staff, parent(s)/guardian(s)) feel safe, respected and valued
- To encourage each child to be responsible for their own behaviour, by promoting self-discipline and regulation to equip them to cope and flourish in different situations and contexts
- To promote self-esteem, positive relationships among children and adults and care towards one another and their environment
- To ensure that the school's expectations and strategies regarding behaviour are well communicated and accepted by the whole school community
- To support staff with effective strategies to promote positive behaviour and best practice in managing behaviours of concern
- To encourage and support parent(s)/guardian(s) to implement the policy
- To ensure that our children become active citizens in the wider community
- To ensure all members of the school community are treated equitably regardless of their race, gender, religion/belief, age, family status, civil status, membership of the Traveller community, sexual orientation, ability or socio-economic status
- To prevent bullying behaviour

## **2. Creating a Positive School Environment**

### **2.1 Whole School Approach**

In Dunshaughlin School, we endeavour through the ongoing and consistent application of the Community National Schools ethos and the Goodness Me Goodness You (GMGY) values, to foster a positive school environment which benefits the entire school community. The Goodness Me Goodness You curriculum aims to give the children an understanding of social, ethical and moral standards in the areas of respect, justice, integrity, trust and responsibility. With this understanding, it supports the children to feel happy, successful and connected in our school.

In developing positive behaviours, we are acutely aware of the significant importance of developing effective relationships within our school community. Relationships are vital for effective teaching and learning. The better the relationships, between the teachers and children and the children themselves, the better the children can learn and develop and the fewer the challenges and conflicts there will be. When children do not know how to read - we teach them, when they do not know how to write - we teach them and when they do not understand how to behave in a school setting, we will help the children to understand appropriate and inappropriate behaviours. They will be supported to develop the skills to accept responsibility, experience being held accountable for one's own choice and learning how to put things right with those who share the problem. In doing this, it gives the children, valuable skills to support positive relationships and valuable skills for life.

Effective and consistent teaching and whole school management, in conjunction with home-school collaboration, will support the children to build positive relationships and will create a positive school environment. This includes:

- Having in place well considered policies and procedures
- Creating routines and boundaries that are easily understood
- Explicitly teaching both in-class and at assemblies about the schools' values
- Building, supporting, maintaining, and supporting relationships using a restorative approach where appropriate
- Being fair
- Encouraging the children to take responsibility
- Supporting the children to foster their skill of problem solving
- Consistently giving positive feedback when children are behaving well

Positive behaviour messages are reinforced continuously. At the beginning of each school year, Good Choices/Positive Behaviour Week is marked. The children and their teachers draw up their classroom charter for positive behaviour, which are put on display as a reminder throughout the school year.

Positive behaviour themes are discussed throughout the year. Circle Time, the Goodness Me, Goodness You programme and the Social, Health and Personal Education curriculum provide regular opportunities to discuss positive behaviour. Parent Teacher meetings, induction meetings for new parent(s)/guardian(s), class

meetings and review meetings provide additional opportunities to discuss positive behaviours with parent(s)/guardian(s).

## **2.2. Whole School Language**

In promoting positive behaviour in our school, we are very cognisant that the language we use supports positive relationships, behaviours and is inclusive. As a staff and school, we use the following language:

Language	Explanation
"Grown ups"	Instead of using the term parents/guardians with our children, we prefer to use the term "grown-ups". This term is inclusive of all children regardless of their family dynamic.
"Filling buckets"	When discussing positive behaviours with the children, we use the analogy of filling a bucket*. In restorative discussions, we may ask the children to reflect on their behaviour and its impact on filling their own buckets and the buckets of others in the school.
"Personal bubbles"	When promoting each child's personal space, we use the analogy of a personal bubble. The children are encouraged to respect their own bubble and bubbles of others.

\*"Have you filled your Bucket Today" by Carol McCloud and "How Full is Your Bucket? For Kids" by Tom Rath and Mary Reckmeyer.

## **2.3. Children with Additional Needs**

All children are required to comply with the Code of Behaviour. However, the school recognises that children with additional needs may require assistance in understanding certain expectations and in understanding the purpose of a sanction and the reason why their behaviour is unacceptable. Cognitive development will be always considered when applying this code. A decision should be reached on a case-by-case basis as to the effectiveness of applying the above sanctions given the age of the child and the nature of their additional needs.

Any behaviour plans put in place for a child with additional needs will be done in consultation with parent(s)/guardian(s), the class

teacher, SEN teacher and/or Principal. Clinical professionals supporting the child will also be consulted where appropriate. All will work closely with home to ensure that optimal support is given.

Furthermore, children in a class or class group may be taught strategies to include and support a child with additional needs. This will be done in a sensitive and safe way, acknowledging, and respecting the difference in all individuals.

## **2.4 Following School Routines**

Our school places a strong emphasis on expected behaviours. Expected behaviours are those behaviours which are generally accepted to be reasonable and anticipated. They help children to learn and to be seen in a positive light by their peers whilst also fostering a strong sense of community and cooperation within our school. This section outlines the standards of behaviours that are expected.

### **2.4.1 Expectations for Staff**

All adults encountered by the children at school have an important responsibility to model high standards of behaviour, both in their dealings with the children and with each other. As a staff, we understand that our example has an important influence on our school community.

Expected behaviours for staff are as follows:

- Model the school's behaviour expectations in their interactions with children and staff
- Create a positive climate with realistic expectations and positive language for the children. This is in line with the school motto " Believe and Achieve" which aims to support the children to believe in their abilities so they can achieve their full potential
- Provide a caring and effective learning environment
- Encourage relationships based on accepting, respecting, encouraging, listening, supporting, trusting, and negotiating
- Ensure equity of treatment for all regardless of their race, gender, religion/belief, age, family status, civil status,

membership of the Traveller community, sexual orientation, ability or socio-economic status

- Encourage the children to follow the school golden rules of 'Kind Hands, Kind Words, Kind Feet'
- Alert parent(s)/guardian(s), at an early stage, regarding concerns about a child's behaviour so that ways of helping the child can be discussed and agreed
- To make every effort to ensure the teaching and learning is maintained to the best of their ability during the school day.

#### **2.4.2 Expectations for Parent(s) and Guardian(s):**

Parent(s)/guardian(s) are implicitly aware of the important role they have in their child's development. Our school acknowledges and celebrates the diverse backgrounds our children come from. In accordance with the *Education (Welfare) Act 2000*, certain expectations for parent(s)/guardian(s) are expected by the school in relation to their child's welfare/schooling.

Expectations for parent(s)/guardian(s) are as follows:

- Become familiar with the school's Code of Behaviour.
- Cooperate with the school regarding the implementation of this policy.
- Communicate in a respectful manner with school staff and members of the school community.
- Communicate with the school about factors likely to affect the behaviour of their children in school.
- Inform the school in writing (or via Aladdin) of any absences and the reason for these absences.
- Ensure that all contact numbers, emergency contact numbers and addresses are current and up to date. Every effort should be made to ensure that these individuals are contactable throughout the school day.
- Ensure their child is in the correct uniform every day and suitably attired for weather conditions.
- Ensure their child has an appropriate lunch and drink for the duration of the school day.
- Ensure their child is on time for school each morning and collected on time each afternoon.
- Where a school-based issue arises, parent(s)/guardian(s) should **first** discuss the issue with the class teacher. If a resolution



cannot be reached, the principal can then be contacted. If deemed appropriate, the principal will arrange a phone call/meeting to discuss the issue.

- Parent(s)/guardian(s) **should never approach any child** to discuss an issue directly and are encouraged to allow the school to mediate any issues that arise with other parent(s)/guardian(s).
- Be punctual in collecting their child from school at the end of the day.
- Follow the school's complaint procedure where necessary.

### **2.4.3 Expectations for Children**

As children grow and learn, it is important they learn the appropriate behaviours in a variety of situations in our school environment. The general expected behaviours for the children are:

- To follow our golden rules of “*Kind Words, Kind Hands, Kind Feet*”
- To behave to the best of their ability and show due consideration to others
- To be respectful towards themselves, their peers, staff, and visitors either in the school environment or when out in the community
- To respect our school, school equipment, their belongings, and the belongings of others
- If an inappropriate behaviour occurs, engage with the process of remediation, and accept the consequences for inappropriate behaviours
- To behave in a safe manner, limiting the risk of injury to themselves or others. Including, but not limited to, peers, teachers, SNA, and ancillary staff

### **2.4.4 Attendance Expectations**

If enrolled in the school, children are legally required to attend. School attendance is vitally important, and any avoidable term-time absence is strongly discouraged. If a child is absent, parent(s)/guardian(s)/guardians must notify the school either in advance, or otherwise on the day of return, through Aladdin. The principal is **legally required** to notify any absences of 20 days and over in any school year to Tusla (the Child and Family Agency).

#### **2.4.5 Punctuality Expectations**

School commences at 9.00am every day and finishes at 1.40p.m. /2.40p.m. The start of the school day is as vital and integral to the educational experience as any other part of the day, and it is the responsibility of parent(s)/guardian(s) to ensure their child is present at this time. In cases of persistent lateness, parent(s)/guardian(s)/guardians will be asked to meet with the principal to discuss the reasons and to seek solutions to the problem.

#### **2.5 Promoting Positive Behaviours- The Use of Rewards**

We recognise that the use of rewards may play a beneficial role in supporting and reinforcing positive behaviour. Rewards need to be meaningful, inclusive, appropriate to a child's personal needs, and closely linked in time to the behaviour that is being rewarded.

Rewards in school are given for effort, not just for achievement at the discretion of the teacher. Rewards may be given to individual children, small groups, classes or to all children in the school.

The nature of the rewards is dependent on both age and interests of the children. Positive behaviours are reinforced using the following approaches (this list is not exhaustive):

- Verbal praise
- Written feedback/stamps
- Phonecall/positive notes sent home to parent(s)/guardian(s)
- Given responsibility to undertake certain tasks
- Morning/afternoon choice (10 minutes to undertake an activity chosen by the children)
- Golden Time (30 minutes on a Friday to undertake activities chosen by the children)
- Reward charts
- Token prizes
- Certificates/trophies
- Homework passes

### **3. Responding to Inappropriate Behaviour**

Despite best efforts to counter it, we acknowledge that inappropriate behaviour happens from time to time whether intentionally or unintentionally. We know that even minor breaches of agreed procedures and practices can be disruptive, particularly if they are persistent. Serious misbehaviour can have a damaging and possible long-lasting effect that include the disruption of the child's own learning and the learning of others. It can cause anxiety and distress and potentially compromise safety.

The majority of incidences of misbehaviour will be occasional and minor and will therefore be quickly and effectively dealt with by the class teacher. Positive relationships will be fostered with children, so a restorative approach where possible will be utilised when a misbehaviour occurs. Some children may need additional help to manage their behaviour, such as discrete teaching social skills and personal skills or drawing up a behaviour contract.

#### **3.1 Dealing with Inappropriate Behaviour**

Over time, the children learn what behaviour is and is not acceptable in school and why. They come to understand that the choices they make have consequences and may impact both themselves and others. They learn to accept responsibility for their own choices and learn how to put things right with those who are impacted by negative choices. In utilising a restorative approach in our school, opportunities are provided for the children to reflect and rebuild damaged relationships and it signals to all that positive behaviour is expected.

A restorative approach is the initial approach that will be taken by staff. However, children must take accountability for their choices and a just consequence will be applied. The purpose of a consequence/sanction is to bring about a change in behaviour by:

- Helping children to learn that their behaviour is unacceptable.
- Helping them to recognise the effect of their actions on others.
- Helping children, in ways appropriate to their age and development, to understand that they have choices about their own behaviour and that all choices have consequences.

- Helping them to learn to take responsibility for their behaviour.
- Reassuring other children that their wellbeing is being protected.
- Prevent serious disruption of teaching and learning.
- Keep the child, or other children or adults, safe.

### **3.2 Inappropriate Behaviours**

In the following section we outline a non-exhaustive list of inappropriate behaviours. These behaviours are broken into stages to help the children understand the seriousness of their misbehaviour and to aid staff judge a fair consequence.

#### **Stage 1 – Low Level Inappropriate Behaviours**

- Talking out of turn (e.g., calling out, interrupting teacher, interrupting peers)
- Inappropriate movement around the school (e.g., refusal to line up properly or walk in single file, pairs, etc)
- Distracting other children (e.g., banging equipment, fidgeting, unnecessary movement around the class, leaving an assigned area, talking with peers, whispering, humming).
- Deliberate disruption of the flow of a lesson (e.g., asking irrelevant questions, using delay tactics, procrastinating)
- Avoidance of schoolwork/homework (e.g., not doing assigned tasks, giving up quickly, making minimal effort to do tasks).
- Telling lies and refusal to accept responsibility for one's own actions
- Using an iPad for any purpose other than the assigned activity

#### **Stage 2- Moderate Level Inappropriate Behaviours**

- Behaviour with potential to cause risk to self or others e.g., climbing of equipment, unsafe behaviour on the stairs, rough play/wrestling on yard, leaving the classroom or supervised area without permission
- Inappropriate behaviour towards another child or staff member e.g., defiance, yelling, losing temper, cheekiness, poor attitude, openly challenging, ignoring or walking away from a staff member
- Using unkind words, swearing, name calling and offensive gestures

- Stealing or deliberately damaging equipment belonging to the school or others
- Deliberately telling lies in an effort to divert blame to another.

### **Stage 3- Serious Level Inappropriate Behaviours**

- Physical fighting causing injury, aggression (verbal, physical, body language, spitting, biting, pinching, scratching, hair pulling, pushing) and deliberately injuring others or posing serious risk to others
- Leaving school building / yard without permission
- Possession or use of dangerous/unsafe objects
- Use of a mobile phone/tablet to record/take and distribute photos of self or others
- Deliberate discrimination of any kind against any member of the school community on the grounds of their race, gender, religion/belief, age, family status, civil status, membership of the Traveller community, sexual orientation, ability or socio-economic status

### **Consequences**

Steps to follow (Case dependent):

**Step 1:** Whole class positive reminder of expectation and/or private individual reminder of school/class expectations

**Step 2:** Warning: a verbal warning is issued to the child, acknowledging the behaviour of concern. The child is then offered the opportunity to make a good choice at this point. If there is no improvement, move to step 3.

**Step 3:** In-class separation. Thinking time at a designated space. Restorative practice conversation with child before re-joining class

**Step 4:** If the behaviour continues, the child will again receive a verbal warning acknowledging the behaviour of concern and supported to make a good choice. If the behaviour continues, move to Step 5.

**Step 5:** Out of class separation. Thinking time at a designated space e.g. in the Special Education Teaching room or the classroom of another teacher when the Special Education teacher is unavailable. This affords the child an opportunity to take a break and complete a reflective worksheet to help them identify the impact of their behaviour (see a sample in Appendix 1). Twenty minutes is the

maximum amount of time, the child will be out of class. However, if for health and safety and/or pupil well-being reasons, it is seemed unsuitable for the child to return to the classroom, additional time may be required. The teacher supervising the child will endeavour to support the child in the process of moving forward. A restorative practice conversation with the child will take place before re-joining class.

**Step 6:** The child is sent to the principal/deputy principal.

**Step 7:** Parent(s)/Guardian(s) are called to discuss the incident.

Note: steps 1-4 may be skipped, and steps 5 - 7 immediately employed for certain stage 2/3 behaviours (case dependent).

### **3.3 Potential Consequences for All Inappropriate Behaviours**

All consequences itemised below are case dependent. Where possible, consequences should link to the initial behaviour. The following measures will be taken when a child behaves inappropriately. The list is by no means exhaustive. Teachers may put in place alternative measures bearing in mind the circumstances involved. Consequences can be used at any step.

**Note:** All children have the right to access all curricular subjects and exclusion from any subject should not be used consequently for a behaviour e.g., no yard/PE/Art etc. However temporary exclusion from these subjects/activities may be necessary where the behaviour in question is a safety concern.

- Loss of privileges
- Message/Phone call to parent
- Meeting arranged with parent(s)/guardian(s)
- Removal of trip/outing
- Loss of playtime (not yard time/PE, unless the behaviour relates to safety on yard/during PE)
- Child completes unfinished schoolwork at home.
- Sent to the Principal
- Suspension
- Expulsion

### **3.4 Responding to Serious Behaviours of Concern**

#### **3.4.1 Suspension and Expulsion**

Should suspension or expulsion be deemed an appropriate consequence, the LMETB Suspension and Expulsion Policy will be applied. The policy is outlined in Appendix 2.

#### **4. Record Keeping**

Staff members will keep records of behaviour which reach step 5 and above. Records may include:

- The child's written reflections on incidents
- Other information deemed relevant by the school

#### **5. Communicating with Parent(s)/Guardian(s)**

Communicating with parent(s)/guardian(s) is central to maintaining a positive approach to dealing with children. Parent(s)/guardian(s) and teachers should develop a joint strategy to address specific difficulties, which may be implemented at home and in school.

A high level of co-operation and open communication is seen as an important factor encouraging positive behaviour in the school. Our school facilitates a high level of communication amongst staff as well as between staff, children and parent(s)/guardian(s).

Parent(s)/guardian(s) are encouraged to talk in confidence to teachers about any significant developments in a child's life (in the past or present), which may affect the child's behaviour.

The following methods of communication are available:

- Informal/formal parent/teacher meetings
- Phone calls to parent(s)/guardian(s)
- Messages to school and home through Aladdin
- School e-mails

#### **6. Implementation and Review**

The Board of Management, Principal and school staff will be responsible for implementing this policy in the school. It will be implemented from March 2023 and will be reviewed annually.

## BOM Ratification

<b>LMETB School/College:</b>	<b>Dunshaughlin CNS</b>
<b>Date of Board of Management Meeting:</b>	<b>19/9/24</b>
<b>Policy:</b>	Code of Behaviour
<b>Proposed By:</b>	Gerry O' Connor
<b>Seconded By:</b>	Jonathan Dunne
<b>Signed by Chairperson BOM:</b>	Gerry O' Connor



## Reflection Sheet

Name: \_\_\_\_\_

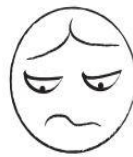
I am feeling:



Angry



Happy



Guilty



Frightened



Sad



Embarrassed

I chose to:

**I could have:**

Appendix 2



## **LOUTH AND MEATH EDUCATION AND TRAINING BOARD**

### **SUSPENSION AND EXPULSION POLICY AND PROCEDURES**

#### **1. Policy Statement**

1.1. The suspensions and expulsions policy applies to all schools established and maintained by Louth and Meath Education and Training Board.

#### **2. Legal framework**

2.1. Louth and Meath ETB acknowledges the duty of schools under its control to publish their policy concerning admission and participation in the school, including the policy of the school relating to the expulsion and suspension of students pursuant to Section 15 (d) of the Education Act 1998 and Section 23 of the Education Welfare Act 2000. The Code of Behaviour in Dunshaughlin Community National School specifies:

- The standards of behaviour that shall be observed by each student attending the school

- The measures that may 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 a school
- The grounds for removing a suspension imposed in relation to a student
- The procedures to be followed relating to notification of a child's absence from school.

2.2. Dunshaughlin Community National School affirms that its Code of Behaviour is prepared in accordance with the Guidelines issued by the Education Welfare Board 2008. The Code of Behaviour addresses:

- The standards of behaviour expected in the school
- The plan for promoting good behaviour
- The ways in which a school responds to unacceptable behaviour
- The plan for implementing the code of behaviour
- School procedures for the use of suspension and expulsion

2.3. Dunshaughlin Community National School recognises the Right to Appeal pursuant to Section 29 of the Education Act.

2.4. In regard to informing the Education Welfare Board, Dunshaughlin Community National School affirms its statutory obligation pursuant to section 21 (4)(a) of the Education Welfare Act.

2.5. Dunshaughlin Community National School affirms that data collected in relation to students and parents is in compliance with the Data Protection Acts 1988 to 2018.

### **3 Suspensions**

3.1 The Board of Management of Dunshaughlin Community National School holds the authority to suspend a student. This authority is devolved under Section 44 (11(a)) of the Education and Training Boards Act 2013 by Louth and Meath ETB to the Boards of Management of each of the schools under its control.

3.2 Louth and Meath ETB recognises that the Boards of Management of Dunshaughlin Community National School may delegate this authority to the Principal of School. The Board of Management should make a formal delegation arrangement taking due account of the provisions of the Education and Training Boards Act 2013.

3.3 Dunshaughlin Community National School recognises that suspension is only one strategy within the Dunshaughlin Community National School Code of Behaviour in response to inappropriate behaviour.

3.4. Dunshaughlin Community National School recognises that when all other strategies have been exhausted, suspension affords a student time to reflect on their behaviour, to acknowledge and accept responsibility for their behaviour and to accept the need for the behaviour to change. Dunshaughlin Community National School works closely with parents to assist a suspended student to rejoin the school community successfully.

3.5. Dunshaughlin Community National School acknowledges that suspension should be a proportionate response to the behaviour that is causing concern. 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.
- The student breaches the Code of Behaviour. (At the discretion of the Principal.)

3.6. Dunshaughlin Community National School affirms that all suspensions must be notified to the Board of Management of Dunshaughlin Community National School.

3.7. Dunshaughlin Community National School affirms that the Education Welfare Services of the Child and Family (Tusla) should be Informed of suspensions in the following circumstances:

- Where the period of suspension is for 6 or more consecutive school days.
- Where the aggregate number of days on which a student has been suspended /absent in any school year is 20 or more days.

3.8. Dunshaughlin Community National School affirms that suspension may occur after the following factors have been considered:

- o The nature and seriousness of the behaviour
- o The impact and context of the behaviour
- o The interventions tried to date
- o That all discipline options under the Dunshaughlin Community National School Code of Behaviour have been applied and documented
- o That all actions /decisions taken are recorded and all correspondence copied.
- o Discussion has occurred with the student and parent(s) regarding the specific behaviour which the school considers unacceptable, and which may lead to suspension.

3.9. The Board of Management of Dunshaughlin Community National School affirms that students attending Dunshaughlin Community National School may be suspended as follows pending investigation and /or discussion with parents. The following list is not exhaustive:

- o For serious misbehaviour
- o For an unacceptable level of repeated misbehaviour
- o For bullying, insulting, aggressive or violent behaviour towards others whether in person, by mobile phone or via social media or other electronic means; in the school, or when identifiable with the school
- o For the supply/possession /use of alcohol and /or illegal drugs
- o For the supply /possession /use of weapons/ hazardous materials
- o For behaviour that may be a danger to self or others
- o For racist behaviour /supply of racist behaviour/use of racist material
- For behaviour that is contrary to the terms of the Equal Status Act 2000

- For sexual harassment and/or the possession/supply /use of pornographic material.

3.10. Dunshaughlin Community National School acknowledges that a single incident of serious misconduct may be grounds for suspension. Such grounds may include where the continued presence of the student in the school at the time would represent a serious threat to the safety or welfare of students, staff of the school or any other person.

3.11. A student may be suspended during a state examination and such suspension should normally be approved by the Board of Management of Dunshaughlin Community National School. This type of suspension should only be used where there is:

- A threat to good order in the conduct of the examination
- A threat to the safety or welfare of other students and personnel
- A threat to the right of the other students to do their exam in a calm atmosphere.

3.12. Louth and Meath ETB recognises that the Board of Management of Dunshaughlin Community National School may decide as part of the school's policy on sanctions and following consultation process with the Principal, parents, teachers and students, that particular named behaviour incur suspension as a sanction. This does not remove the duty to follow due process and fair procedures in each case.

#### **4 Inappropriate use of Suspension**

- Rolling suspension. A student should not be suspended again shortly after they return to Dunshaughlin Community National School unless they engage in serious misbehaviour that warrants suspension, that fair procedures are observed in full and the standard applied to judging the behaviour is the same as that standard applied to the behaviour of any other student.
- Informal / unacknowledged suspension. Exclusion of a student for part of the school day as a sanction is a suspension.
- Open-ended suspension. Students should not be suspended for an indefinite period. Any such suspension would be regarded as a defacto expulsion.

#### **5 Procedures in respect of Suspension.**

5.1 Louth and Meath ETB affirms that Dunshaughlin Community National School is required to follow fair procedures when proposing to suspend a student. The school should observe the following procedures

- The student and parent(s) should be informed about the complaint
- The student and parent(s) should be given the opportunity to respond

- In the case of 'immediate' suspension, a preliminary investigation should be conducted to establish the case for the imposition of the suspension. Parents must be notified, and arrangement made for the student to be collected from the school. The school must have due regard for its duty of care for the student.

5.2A student should not be suspended for more than 3 days except in exceptional circumstances. Louth and Meath ETB recognises that the Board of Management of Dunshaughlin Community National School should provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than 3 days might be approved. If a suspension of longer than 3 days is being proposed the matter should be referred to the Board of Management for consideration and approval. However Louth and Meath ETB recognises that the Board of Management of Dunshaughlin Community National School may wish to authorise the Principal, with the approval of the Chairperson of the Board of Management, to impose a suspension of up to 5 days in circumstances where a meeting of the Board cannot be convened in a timely fashion. Such authorisation must be recorded in the minutes of meeting of the Board of Management and reviewed on an annual basis.

5.3 Louth and Meath ETB affirms the Boards of Management of Dunshaughlin Community National School should formally review any proposal to suspend a student where the suspension would bring the number of days for which the student has been suspended in the current school year to 20 days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998.

## **6 Implementing the suspension**

6.1 The Principal of Dunshaughlin Community National School should notify the Parent(s) and the student in writing of the decision to suspend. The letter will 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.
- The provision for an appeal to the Department of Education, in the case of a suspension which would bring the days suspended in one academic over 20 days.

6.2 In the case where Parents do not agree to meet with the Principal, Louth and Meath ETB confirms that written notice will serve as notice to impose a suspension.

6.3 A suspension may be removed if the Board of Management of Dunshaughlin Community National School decides to remove the suspension for any reason.

## **7 Section 29 Appeal against Suspension**

7.1 Where the total number of days for which the student has been suspended in the current school year reaches 20 days, the parent(s) or a student aged over 18 years, may appeal the suspension under Section 29 of the Education Act 1998 to the Minister for Education.

7.2 An appeal may be made by the parent of the student concerned, or by the student concerned where the student has reached the age of 18 years. In accordance with section 26 of the Education (Welfare) Act, 2000, the Child and Family Agency (Tusla) may appoint a person, independent of that Agency, to appeal a decision of a board of management or person acting on behalf of the board of management to permanently exclude a student from a school.

7.3 An appeal must be made within **42 calendar days** from the date of the decision of the board of management or a person acting on behalf of the board of management.

7.4 Appeals must be made in writing on the Section 29 Appeal Form and submitted to the Section 29 Appeals Administration Unit which has been established within the Department of Education to provide administrative support to enable appeals committees perform their functions. The Section 29 Appeal Form may be downloaded from the Department's website or obtained directly from the Section 29 Appeals Administration Unit. Contact details for the Unit are available on the Department's website [www.education.ie](http://www.education.ie).

## **8 Expulsion**

8.1 Louth and Meath ETB has the authority to expel a student. This authority may be delegated under Section 44 (11(a)) of the Education and Training Boards Act 2013 by Louth and Meath ETB to the Board of Management of Dunshaughlin Community National School.

8.2 Expulsion should be a proportionate response to the student's behaviour. Dunshaughlin Community National School acknowledges that expulsion of a student is a very serious step and one that should only be taken by the

Board of Management of Dunshaughlin Community National School in extreme cases of unacceptable behaviour.

8.3 The Board of Management of Dunshaughlin Community National School affirms that Dunshaughlin Community National School needs to have taken significant steps to address the misbehaviour and to avoid expulsion.

Such measures may include:

- Meeting with parents and students to try and find ways of helping the student to change their behaviour.
- Making sure that the student understands the possible consequences of their behaviour should it persist
- Ensuring that all possible options have been tried.

- Seeking the assistance of relevant support agencies, e.g. Child and Family Agency (Tusla) Education Welfare Services, HSE Child and Adolescent Mental Health Services. National Behavioural Support Service JLO, NEPS, NCSE.

8.4 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 the safety and welfare of others.
- The student is responsible for serious damage to property.

8.5 Before expulsion is considered, school authorities must satisfy themselves that all possibilities have been exhausted for changing the student's behaviour.

8.6 'Automatic Expulsion'

The Board of Management of Dunshaughlin Community National Sch may decide in consultation with the Principal, parents, teachers and students that particular named behaviours would result in 'Automatic' expulsion. This does not remove the duty to follow due process and fair procedure.

8.7 Expulsion for first or once-off offence

There may be exceptional circumstances where the Board of Management of Dunshaughlin Community National School decides 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 of Behaviour could include:

- A serious threat of violence against another student or member of staff
- Actual violence or physical assault
- Supplying illegal drugs to students in the school
- Sexual assault

## **9 Factors to Consider before proposing to expel a student**

9.1 The Board of Management of Dunshaughlin Community National School should take the following factors into consideration before considering expelling a student:

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions already tried to change the student's behaviour
- Whether expulsion is a proportionate response
- The possible impact of expulsion

9.2 Expulsion would not be appropriate for the following:

- Poor academic performance
- Poor attendance or lateness
- Minor breaches of the Code of Behaviour



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

## **10 Procedures in respect of expulsion**

10.1 A detailed investigation will be carried out under the direction of the Principal. The Principal should ensure that no party who has had any involvement with the circumstances of the case is part of the investigation.

10.2 The Principal should inform the student and his/her parents about the specific details of the alleged breach of behaviour, how it will be investigated and that it could result in expulsion. The Principal must ensure that the student and parents are given every opportunity to respond to the complaint of serious misbehaviour. The Principal should communicate this in writing to ensure that parents have a permanent record of having been informed.

10.3 A meeting should be arranged between the student and their parents and the Principal of Dunshaughlin Community National School before a sanction is imposed.

10.4 Should a student and their parent(s) fail to attend a meeting the Principal should write advising:

- the seriousness of the matter
- the importance of attending a re-scheduled meeting
- Failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour
- Record all correspondence

10.5 Where the Principal of Dunshaughlin Community National School forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal shall make a recommendation to the Board to consider expulsion.

10.6 The Principal should:

- Inform the student and parents in writing that the Board of Management is being asked to consider expulsion.
- Ensure that parents have written records of (a) the allegation, (b) the investigation, (c) written notice of the grounds on which the Board of Management is being asked to consider expulsion.
- Provide the Board with the same comprehensive records as are given to the student and the parents.
- Notify the parents in good time of the date of the hearing with 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 parents are given enough notice to allow them to prepare for the meeting.
- 10.7 It is the responsibility of the Board of Management of Dunshaughlin Community National School to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures.
  - 10.8 The Board of Management should undertake its own review of documentation and all circumstances of the case.
  - 10.9 The Board of Management should ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations.
  - 10.10 Where the Board of Management of Dunshaughlin Community National School decides to expel a student it must hold a hearing and this meeting should be properly conducted in accordance with Board procedures.
  - 10.11 Parents may be accompanied at the Board hearing but, as this is a lay forum; legal representation is not the normal practice, however it may be allowed due to the potentially serious consequences for the student. The Board Secretary should be informed in writing who shall be attending this meeting at least two days prior to the meeting taking place.
  - 10.12 At the start of the meeting the Chairperson shall enquire whether any member has an objective bias in respect of the matter being considered by the Board. Where the Board is satisfied that an objective bias exists, the member(s) involved shall withdraw from the meeting.
  - 10.13 At the hearing the Principal and the parents, or a student aged 18 or over, put their case to the Board in each other's presence and will be available to answer questions from Board Members. Each party should be allowed question the evidence of the other party. Questions should be directed through the Chairperson at the end of each presentation.
  - 10.14 Once the Principal and the Parents have made their cases, they will withdraw from the meeting.
  - 10.15 Should the Board require the professional advice of the Principal, the Principal may be invited to return to the meeting briefly for that purpose. While the Principal is present, there will be no discussion on the merits of the particular case being considered.
  - 10.16 In the conduct of the hearing the Board must take care to ensure 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.
  - 10.17 When both sides have been heard the Board should ensure that the Principal and Parents are not present for the Board's deliberations.
  - 10.18 In hearing and considering a proposed expulsion the Board shall have regard to:
    - (a) the nature, scale and persistence of any behaviour alleged to have given rise to, or contributed to, the decision made by or on behalf of the Board,

- (b) the reasonableness of any efforts made by the school to enable the student to whom the appeal relates (the 'student concerned') to participate in and benefit from education,
- (c) the educational interests of the student concerned and the desirability of enabling the student as far as practicable to participate in and benefit from education with his or her peers,
- (d) the educational interests of, and the effective provision of education for, other students of the school and the maintenance of a classroom and school environment which is supportive of learning among the students of the school and ensures continuity of instruction provided to students in any classroom concerned and the school,
- (e) the safety, health and welfare of teachers, students and staff of the school,
- (f) the code of behaviour under section 23 of the Education (Welfare) Act of 2000 and other relevant policies of the school and —
  - (i) in the case of that code of behaviour, the extent to which it is in compliance with that section 23 and any guidelines issued under subsection (3) of that section, and
  - (ii) in the case of those other policies, the extent to which each of them is implemented, promotes equality of access to and participation in education and is in compliance with —
- (I) any enactment that imposes duties on schools or their boards,
- (II) any relevant guidelines or policies of the Minister,
- (g) the duties on schools or their boards imposed by or under any enactment,
- (h) guidelines issued pursuant to section 22(7) of the Act of 2000, and (i) such other matters as the Board considers relevant.

## **11 Board of Management deliberations and actions following the hearing**

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

11.2 When 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 reasons for this opinion pursuant to section 24 91) of the Education Welfare Act 2000. The Board should refer to the Child and Family Agency (Tusla) Education Welfare Services reporting procedures for proposed expulsions.

11.3 The student cannot be expelled before the passage of 20 school days from the date on which the EWO receives this written notification.

11.4 The Board of Management should inform the parents in writing about its conclusions and where expulsion is proposed the parents should be informed that the Board of Management will inform the Education Welfare Officer.

## **12 Consultations arranged by the Educational Welfare Officer**

12.1 Within 20 days of receipt of a notification from a Board of Management the EWO will make all reasonable attempts to hold individual consultations with the Principal, the parent and the student. The EWO

will convene a meeting of those parties. These consultations will focus on alternative educational arrangements for the student.

12.2 Pending the consultations in 12.1 the Board of Management may consider it appropriate to suspend a student during this time. This should only be considered where the continued presence of the student during this time would seriously disrupt the learning of others or represent a risk to the safety and health of students or staff.

## **13 Confirmation of the decision to expel**

13.1 When the 20 day period following notice to the EWO has elapsed and 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. The Board of Management may delegate authority to the Chairperson and Secretary to review this decision of expulsion after the twenty days has expired.

13.2 Parents should be notified immediately that the expulsion will now proceed. Parents and the student must be informed of their right to appeal to the Minister for Education.

## **14 Section 29 Appeal against Expulsion**

14.1 The parent(s) or a student aged over 18 years, may appeal the expulsion under Section 29 of the Education Act 1998.

14.2 Parents and the student should be informed about their right to appeal to the Minister for Education.

14.3 An appeal may be made by the parent of the student concerned, or by the student concerned where the student has reached the age of 18 years. In accordance with section 26 of the Education (Welfare) Act, 2000, the Child and Family Agency (Tusla) may appoint a person, independent of that Agency, to appeal a decision of a board of management or person acting on behalf of the board of management to permanently exclude a student from a school.

14.4 An appeal must be made within **42 calendar days** from the date of the decision of the board of management or a person acting on behalf of the board of management.

14.5 Appeals must be made in writing on the **Section 29 Appeal Form** and submitted to the Section 29 Appeals Administration Unit which has been established within the Department of Education to provide administrative support to enable appeals committees perform their functions. The Section 29 Appeal Form may be downloaded from the Department's website or obtained directly from the Section 29 Appeals Administration Unit. Contact details for the Unit are available on the Department's website [www.education.ie](http://www.education.ie).

## **15 Review of use of Expulsion**

15.1 The Board of Management of Dunshaughlin Community National School should review the use of expulsion in the school at regular intervals.

## **16 Implementation and Review of Policy**

16.1 The Principal and Board of Management of Dunshaughlin Community National School will responsible for the implementation of this policy.

16.2 This policy shall be reviewed periodically, in light of emerging legislation and circulated Guidelines from the Department of Education from its official adoption by the Louth and Meath Education and Training Board and Dunshaughlin Community National School Board of Management.

This policy was reviewed and adopted by Louth and Meath Education and Training Board on 15 November 2018 for incorporation into school's Codes of Behaviour.

This policy was reviewed in November 2020 in light of commencement of changes to the Section 29 Appeals procedures under the Education (Admission to schools) Act 2018.

This policy was ratified by the Dunshaughlin Community National School Board of Management on .....

### **Definitions under the Education Act, 1998**

**“parent”** includes a foster parent, a guardian appointed under the Guardianship of Children Acts, 1964 to 1997, or other person acting in *loco parentis* who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter;

**“Principal”** means a person appointed under *section 23*;

**“school”** means an establishment which—

(a) provides primary education to its students and which may also provide early childhood education, or

(b) provides post-primary education to its students and which may also provide courses in adult, continuing or vocational education or vocational training, but does not include a school or institution established in accordance with the Children Acts, 1908 to 1989, or a school or institution established or maintained by a health board in accordance with the Health Acts, 1947 to 1996, or the Child Care Act, 1991;

**“student”**, in relation to a school, means a person enrolled at the school and in relation to a centre for education, means a person registered as a student in that centre;