



SCOIL MHUIRE

ROBINSTOWN PRIMARY SCHOOL

Baile Róibín, An Uaimh, Co. na Mí • Robinstown, Navan, Co. Meath

046 902 9583

office@robinstownns.com

www.robinstownns.com

Code of Behaviour

Introduction:

Robinstown N.S strives to achieve a happy, secure learning environment, where children can develop to their full potential. Each individual is valued, encouraged and respected for their uniqueness and facilitated to reach their full potential in a positive atmosphere. Our school promotes constructive behaviour and discourages unacceptable behaviour.

The staff of our school are committed to the realisation of these objectives; our aim is to create a happy, secure and safe environment for our pupils in which there is a sense of good order and a reasonable approach to discipline. In this way, a large group can be organised so that the school can operate smoothly for the benefit of all.

Rationale:

In compliance with Section 23 of the Education (Welfare) Act 2000, the Board of Management of St. Robinstown N.S. has prepared and made available a Code of Behaviour for its pupils, staff and parent(s)/guardian(s).

The Code of Behaviour details:

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

The Code of Behaviour of Robinstown N.S. has been developed in accordance with 'Developing a Code of Behaviour: Guidelines for Schools' and National Educational Welfare Board, 2008.

The revised Code of behaviour comes into effect on the 1st September 2025. The Code of Behaviour has been considered by the Staff, Parents and ratified by the Board of Management.

Aims of a Code of Behaviour:

The Code of Behaviour aims to:

- Provide guidance for pupils, teachers and parent(s)/guardian(s) on behavioural expectations.
- Provide for the effective and safe operation of the school
- Develop pupils' self-esteem and to promote positive behaviour.
- Foster the development of a sense of responsibility and self-discipline in pupils based on respect, consideration and tolerance of others.
- Facilitate the education and development of every child.
- Foster caring attitudes to one another and to the environment.
- Help create a positive, stimulating, learning environment in which every pupil can benefit from the school.
- Enable teachers to teach without disruption.

Scope of the Policy:

This policy applies to all students of Robinstown NS and is relevant to all school activities, both during and outside normal school hours. Students are expected to uphold and respect the good reputation of the school at all times. Any actions that may bring the school into disrepute, whether during or outside of school hours, will be subject to appropriate sanctions, as determined by the Principal or Board of Management:

Students are subject to the terms of this Code of Behaviour in the following situations:

- On school premises:
While on school grounds or in school buildings, even outside of regular school hours
- In the surrounding areas:
In the vicinity of the school, including local shops, adjacent grounds, or public spaces during school days (before school and after school).
- During travel:
While commuting to and from school, whether walking, cycling, or using public or private transport, and while using transport organised by the school for events or activities.
- During extracurricular and off-campus activities:
While participating in sports, school tours, or other events organised by the school.
- In uniform:

At all times when wearing the school uniform, as students are representatives of the school community.

In addition, the school reserves the right to consider the impact of any actions taken outside of the aforementioned circumstances that affect the safety, welfare, or reputation of the school.

This includes, but is not limited to, involvement in criminal activity, violence, substance abuse, or any behaviour deemed detrimental to the school's good name. The Principal or Board of Management reserves the right to impose sanctions, up to and including suspension or expulsion, in such cases. Moreover, all interactions between school staff and parents are expected to follow the normal protocols of mutual respect and professionalism.

Implementation:

Every member of the school community has a role to play in the implementation of the Code of Behaviour. Rules are kept to a minimum, emphasising positive behaviour and are applied in a fair and consistent manner, with due regard to the age of the pupils and to individual difference. Good behaviour is encouraged and rewarded. Individual pupils are rewarded for their behaviour and this leads to the whole class being rewarded when targets are reached. Where difficulties arise, parent(s)/guardian(s) are contacted at an early stage in the process.

General Guidelines for Positive Behaviour:

1. Pupils are expected to treat all adults and fellow pupils with respect and courtesy at all times. Behaviour that interferes with the rights of others to learn and to feel safe is unacceptable.
2. Pupils are expected to show respect for all school property and to keep the school environment clean and litter free.
3. Pupils are expected to take pride in their appearance, to have all books and required materials and to be in the right place at the right time.
4. Pupils are expected to obey a teacher's instructions, to work to the best of their ability and to present assignments neatly.
5. Pupils are expected to attend every day, unless there is a genuine reason for absence, in which case the school **must** be informed in writing, stating the reason for this absence.
6. School rules are kept to a minimum and are devised with regard for the health, safety and welfare of all members of the school community. If a school is to function efficiently, it is necessary that rules and regulations are clearly stated and enforced consistently and fairly

Discipline for Learning (DFL)

In our school, we have a positive approach to teaching and learning. Positive rules for behaviour in class and out of class are reinforced by teachers at the beginning of each school year. Pupils are disciplined by being motivated to keep the rules.

We have many ways of recognising good behaviour including awards, stickers, positive cards, smiles, comments and homework passes. Good behaviour and achievement will be recognised. Consistent positive influences are the key to success in our school.

Restorative Practice

Restorative Practice in our school provides a focus on developing positive relationships between all members of the school community. It gives opportunities for pupils to take responsibility for their behaviour and learning. Restorative Practice is a process whereby children are given the opportunity to reflect on their behaviour and how they and others have been affected by it so as to help heal broken relationships and prevent reoccurrence. Where suspension occurs, the school will use restorative practice involving all parties to help repair the harm done.

Restorative questions to respond to challenging behaviour:
1) What happened? 2) What were you thinking about at the time? 3) What have your thoughts been since? 4) Who has been affected by what you did? 5) In what way have they been affected? 6) What do you think needs to happen to make things right?
Restorative questions to help those harmed by other actions:
1) What did you think when you realised what had happened? 2) What have your thoughts been since? 3) How has this affected others? 4) What has been the hardest thing for you? 5) What do you think needs to happen to make things right?

Enactment of the Code of Behaviour:

The Code of Behaviour covers the following areas:

- Behaviour in class.
- Behaviour on the playground and in the school environment.
- Extra-curricular activities.
- Bus transport.

Behaviour in class:

Courtesy and respect are essential. Disrespectful behaviour towards other pupils or towards a teacher/staff member is unacceptable. Pupils must respect the rights of other pupils to learn. Any behaviour which interferes with this right is considered unacceptable behaviour.

In order that all pupils benefit from their work in class, full co-operation is required at all times. Pupils must co-operate with instructions given by the teacher.

A sample set of classroom rules may include the following:

- 1) Be ready for class.
- 2) Good manners are expected at all times.
- 3) Always do your best and allow others to do the same.
- 4) Take good care of personal and classroom property.
- 5) Ensure you are safe in class and make it safe for others.

Behaviour on the playground and in the school environment:

Rough behaviour e.g. fighting, kicking or pushing is forbidden. Games or activities considered to be dangerous shall be prohibited, e.g. Bulldog.

Any behaviour which interferes with another pupil's play is not permitted. Pupils may not leave the playground for any reason during breaks without permission of the supervising teacher, this includes re-entering the school building.

A sample set of playground rules and/or out-of-classroom rules may include:

- 1) Stay within the boundaries in yard (classes are assigned to zones each year).
- 2) Play safely and fairly. Treat others fairly, the way you would like yourself to be treated.
- 3) Keep the yard and school environment litter free and tidy.
- 4) Stay clear of the fire alarm and respect all school property.
- 5) Line up quickly and quietly.
- 6) Leave and return to your classroom in an orderly fashion.

Extra-curricular activities:

All children are expected to behave in a courteous and respectful manner when representing the school. This includes school trips, extra-curricular activities, sporting events, etc.

Bus transport:

The code of behaviour extends to school bus transport both to and from school. It also extends to transport arranged to facilitate school events outside of the school grounds.

Individual Rewards:

We will endeavour to create an environment where positive behaviour is acknowledged and rewarded through praise and in class systems. Rewards will be given to children at intervals throughout the school day. This will be carried out on a graded system according to the child's age. Rewards systems vary from class to class.

Examples of Rewards

- A word of praise in front of class.
- Occasional comment on good behaviour in homework journal/notebook where appropriate.
- A system of merit stamps/stickers.
- Class Dojo points.
- Homework passes.
- Certificates.
- Golden time.
- Small prizes.
- Personalised letters to parent(s)/guardian(s).
- Special privileges.
- Group rewards.
- Whole class rewards.

Robinstown N.S. – Lollipop Awards System

At Robinstown National School, we promote positive behaviour, responsibility, and teamwork through our **Lollipop Awards System**. This initiative encourages pupils to take pride in their classroom environment and follow school routines respectfully and consistently.

Each day, classes can earn *lollipop sticks* by:

- Keeping their **classrooms neat and tidy**
- **Lining up appropriately** when the first bell rings
- Remaining **silent and orderly** when the second bell rings
- Consistently **observing school rules**

The **first person** in a silent, well-formed line may be rewarded by the principal with a **lollipop stick** for the class. Similarly, teachers may award sticks when classrooms are well maintained and show evidence of teamwork and care.

These sticks are collected in a classroom jar. Once the class has collected a set number of sticks (e.g., **10 sticks**), they receive a **special reward**—such as extra playtime—as recognition of their collective efforts.

The Lollipop Awards System fosters a sense of shared responsibility, encourages positive habits, and builds a strong, supportive school culture where all students can thrive.

Inappropriate Behaviour:

In Robinstown N.S. we are very happy and proud of the exemplary behaviour displayed by the students of the school. However, for the purposes of this policy and to establish a common understanding and consistent response, the Code of Behaviour classifies misbehaviour into three levels - Offences which will be:

- 1) Cautioned.
- 2) Unacceptable behaviour.
- 3) Serious incident.

Cautioned:

- Inattentiveness.
- Disrupting others.
- Disobedience.
- Failure to adhere to instructions.
- Talking/chatting that causes disruption.
- Swinging on chair.

Unacceptable behaviour:

- Constantly not following instructions.
- Using abusive and/or vulgar language.
- Repeated rough play on yard.
- Writing or defacing another child's property or school property.
- Leaving school premises without permission.
- Throwing objects.
- Unacceptable attitude/gestures.
- Disrespect of any member of the school community saying "no" when asked to do something / insolence of any kind (e.g. imitating a teacher, insulting a member of staff or cheeky comments to a staff member, inappropriately calling or using a teacher's first name).

Serious incident:

- Bullying.
- Physical violence in any manner/biting/spitting/pulling hair etc.
- Serious disrespect of any member of school community.
- Possession or use of dangerous articles.
- Stealing (found in possession of school or other children's property without permission).

Pupils with Special Educational Needs:

While all pupils in the school are subject to the school's code of behaviour, some pupils come to school with special educational needs. Staff at Robinstown NS. have an appreciation and awareness of these complex and individual needs. These needs are taken into account during the implementation of the school's Code of Behaviour. Where a pupil with special needs is in breach of the school's Code of Behaviour the teachers will use their professional judgment in relation to regularity and level of sanctions. While teachers must be seen to be fair in the eyes of other pupils who may have exhibited the same type of misdemeanours, they may also

show leniency in relation to pupils with specific learning/behavioural difficulties. Parents of these pupils will be kept informed of their child's behaviour on a regular basis and may be requested to work with the school in devising effective strategies to help the pupil to improve his/her behaviour. The devising of such strategies may also entail contacting and meeting with relevant out of school agencies.

Sanctions:

The following strategies may be used to show disapproval of unacceptable behaviour:

- Reasoning with pupil.
- Verbal reprimand, including advice on how to improve.
- Temporary separation from peers, friends and others.
- Loss of privileges.
- Prescribed additional work signed by parent(s)/guardian(s) – consequence sheet.
- Recording of incident of misbehaviour on the official school incident sheets.
- Detention during breaks.
- Referral to Principal.
- Internal suspension.
- External suspension (see appendix 1).
- Expulsion from school (in accordance with Rule 130 of the Rules for National Schools as amended by circular and Education Welfare Act 2000). (See appendix 2).

Pupils who misbehave frequently, having no remorse for their actions, will not be allowed to participate in school outings for their own safety and that of others. Parent(s)/guardian(s) will be informed at an early stage if problems occur and not simply at the point where a crisis has arisen.

Before serious sanctions such as suspension or expulsion are used, the normal channels of communication between school and parent(s)/guardian(s) will be utilised. Communication with parent(s)/guardian(s) may be verbal or by letter depending on the circumstances.

Where there are repeated instances of serious misbehaviour, or a very serious incident, the Chairperson of the Board of Management will be informed and the parent(s)/guardian(s) will be requested to attend at the school to meet the Principal.

If the parent(s)/guardian(s) do not give an undertaking that the pupil will behave in an acceptable manner in the future, the pupil may be externally suspended for a period of up to three school days. Prior to suspension, where possible, the Principal may review the case in consultation with teachers and other members of the school community involved, with due regard to records of previous misbehaviours, their pattern and context, sanctions and other interventions used and their outcomes and any relevant medical information.

Suspension:

****Suspension** will be in accordance with the Rules for National Schools and the Education Welfare Act 2000 (see appendix 1).

In the case of gross misbehaviour, where it is necessary to ensure that order and discipline are maintained and to secure the safety of the pupils, the Board of Management may authorise the Chairperson or Principal to sanction an immediate suspension for a minimum of three consecutive days, pending a discussion of the matter with the parent(s)/guardian(s).

A child may be immediately suspended from the school, for a minimum of three consecutive days, for any serious offence or for any of the following:

- Striking a teacher, additional needs assistant (ANA) and/or any member of school staff.
- Verbally abusing or seriously disrespecting a teacher, additional needs assistant (ANA) and/or any member of school staff.
- Assault of another child.
- Continuous bullying of a child or children with no effort to reform.
- Continuous disobedience.
- Sexual talk, gestures or in-appropriate sexual behaviour.
- **This list is not exhaustive**

Removal of Suspension (Reinstatement):

The parent(s)/guardian(s) must give a satisfactory undertaking that a suspended pupil will behave in accordance with the Code of Behaviour and the Principal must be satisfied that the pupil's reinstatement will not constitute a risk to the pupil's own safety or that of the other pupils or staff. The Principal will facilitate the preparation of a "Behaviour Plan" for the pupil, if required, and will re-admit the pupil formally to the class. **(See appendix 1).**

Expulsion:

****Expulsion** may be considered in an extreme case, in accordance with the Rules for National Schools and the Education Welfare Act 2000 (see appendix 2).

Before and After School:

Parents/guardians are reminded of the official school opening time of 8:50a.m. and the closing time of:

- 1:30 p.m. for infants
- 2:30 p.m. for other classes

Exceptions apply to pupils engaged in extra-curricular activities organized by the school and approved by the Board of Management. During these activities, pupils are expected to adhere to the schools Code of Behaviour policy.

It is the responsibility of parents/guardians to ensure that their children arrive after the official opening time and are picked up promptly at the official closing time. However, any breaches

of discipline that occur on school grounds within the scope of the policy as set out above, may be investigated by the school.

Review and Monitoring:

This policy will be monitored and reviewed annually by the Board of Management. This policy will be made available to school personnel and the Parents' Association and is readily accessible to parent(s)/guardian(s) on request. A copy of this policy will be made available to the Department and the Patron, if requested.

Ratification:

This policy was reviewed by staff in September 2025 and ratified by the Board of Management and signed into effect by the Board of Management.

Principal: _____

Ms. Ailish McKeown

Date: _____

Chairperson: _____

Fr Noel Horneck

Date: _____

Appendix 1: Suspension

Definition of Suspension:

The student will be required to absent himself/herself from the school for a specified, limited period of school days. During the period of a suspension, the student will retain their place in the school.

The Grounds for Suspension:

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.
- Single incident of serious misconduct may be grounds for suspension.

Forms of Suspension:

Immediate Suspension:

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

'Automatic' Suspension:

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

Informal or Unacknowledged Suspension:

Exclusion of a student for part of the school day, as a sanction, or asking parent(s)/guardian(s) to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by the school is a suspension, and should follow the guidelines relating to suspension.

Open-Ended Suspension:

Students will not be suspended for an indefinite period. Any such suspension would be regarded as *ade-facto* expulsion and would be treated as such under section 29 of the Education Act 1998.

Rolling Suspension:

A student will not be suspended again shortly after they return to school unless:

- They engage in serious misbehaviour that warrants suspension.
- Fair procedures are observed in full.

Appendix 1: Suspension

- The standard applied to judging the behaviour is the same as the standard applied to the behaviour of any other student.

Inappropriate Use of Suspension:

Students will **not** usually be suspended for:

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

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

Procedures in Respect of Suspension:

Robinstown N.S will observe the following procedures:

- Inform the student and their parent(s)/guardian(s) about the complaint.
- Give parent(s)/guardian(s) and student an opportunity to respond.

Inform the student and parent(s)/guardian(s):

Let the student and their parent(s)/guardian(s) know about the complaint, how it will be investigated, and that it could result in suspension.

Give an opportunity to respond:

Parent(s)/guardian(s) and student should be given an opportunity to respond before a decision is made and before any sanction is imposed.

A meeting with the student and their parent(s)/guardian(s) provides an opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts. It may also be an opportunity for parent(s)/guardian(s) to make their case for lessening the sanction and for the school to explore with parent(s)/guardian(s) how best to address the student's behaviour. If a student and their parent(s)/guardian(s) fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school should record the invitations made to parent(s)/guardian(s) and their response.

Procedures in Relation to Immediate Suspension:

Where an immediate suspension is considered by the Principal to be warranted for reasons of the safety of the student, other students, staff or others, a preliminary investigation should be conducted to establish the case for the imposition of the suspension. The formal investigation should immediately follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, should be open-ended.

Appendix 1: Suspension

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

Duration of Suspension:

A student should not be suspended for no more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective. Each Board of Management should provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than three days might be approved.

If a suspension longer than three days is being proposed by the Principal, the matter will be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.

However, a Board of Management may wish to authorise the Principal, with the approval of the Chairperson of the Board, to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions.

The Board of Management should normally place a ceiling of ten days on any one period of suspension imposed by it.

The Board should formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998.

Appeals:

The Board of Management should offer an opportunity to appeal a Principal's decision to suspend a student. In the case of decisions to suspend made by the Board of Management, an appeals process may be provided by the Patron.

Section 29 Appeal:

Where the total number of days for which the student has been suspended in the current school year reaches twenty days, the parent(s)/guardians(s), or a student aged over eighteen years, may appeal the suspension under section 29 of the Education Act 1998, as amended by the Education (Miscellaneous Provisions) Act 2007.

Appendix 1: Suspension

At the time when parent(s)/guardian(s) are being formally notified of such a suspension, they and the student should be told about their right to appeal to the Secretary General of the Department of Education and Science under section 29 of the Education Act 1998, and should be given information about how to appeal.

Implementing the Suspension:

Written notification:

The Principal should notify the parent(s)/guardian(s) and the student in writing of the decision to suspend. The letter should be clear and easy to understand. Particular care should be taken in communicating with parent(s)/guardian(s) who may have reading difficulties, or whose first language is not the language of the school. The letter should confirm:

- The duration 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.
- Arrangements for returning to school, including any commitments to be entered into by the student and the parent(s)/guardian(s) (for example, parent(s)/guardian(s) might be asked to reaffirm their commitment to the Code of Behaviour and Excellence).
- The provision for an appeal to the Board of Management.
- The right to appeal to the Secretary General of the Department of Education and Science (Education Act 1998, section 29).

Grounds for Removing a Suspension:

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

After the Suspension Ends:

A period of suspension will end on the date given in the letter of notification to the parent(s)/guardian(s) about the suspension.

Re-integrating the Student:

The school should have a plan to help the student to take responsibility for catching up on work missed. This plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure. Successful re-integration goes beyond academic work. A suspended student may feel angry or resentful about their suspension, and these feelings can trigger problems with re-integration which, in turn, may lead to further problem behaviour. Where possible, the school should arrange for a member of staff to provide support to the student during the re-integration process.

Clean slate

Appendix 1: Suspension

When any sanction, including suspension, is completed, a student should be given the opportunity and support for a fresh start. Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed the school should expect the same behaviour of this student as of all other students.

Records and Reports - Records of Investigation and Decision-Making:

Formal written records should be kept of:

- The investigation (including notes of all interviews held).
- The decision-making process.
- The decision and the rationale for the decision.
- The duration of the suspension and any conditions attached to the suspension.

Report to the Board of management

The Principal should report all suspensions to the Board of Management with the reasons for and the duration of each suspension.

Report to NEWB

The Principal is required to report suspensions in accordance with the NEWB reporting guidelines – Education (Welfare) Act, 2000, section 21(4)(a).

Appendix 2: Expulsion

Definition of Expulsion:

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

Authority to Expel:

The Board of Management of a recognised school has the authority to expel a student. As a matter of best practice, that authority should be reserved to the Board of Management and should not be delegated.

The Grounds for Expulsion:

Expulsion should be a proportionate response to the student's behaviour. Expulsion of a student is a very serious step, and one that should only be taken by the Board of Management in extreme cases of unacceptable behaviour. The school should have taken significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- Meeting with parent(s)/guardian(s) and the student to try to find ways of helping the student to change their behaviour.
- Making sure that the student understands the possible consequences of their behaviour, if it should persist.
- Ensuring that all other possible options have been tried.
- Seeking the assistance of support agencies (e.g. National Educational Psychological Service, Health Service Executive Community Services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education).

A Proposal to Expel a Student Requires Serious Grounds such as that:

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

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

'Automatic' Expulsion:

Appendix 2: Expulsion

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

Expulsion for a First Offence:

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the Code 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 other students in the school.
- Sexual assault.

Determining the Appropriateness of Expelling a Student:

Given the seriousness of expulsion as a sanction the Board of Management should undertake a very detailed review of a range of factors in deciding whether to expel a student.

Inappropriate Use of Expulsion:

Expulsion should not be proposed for:

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

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

Procedures in Respect of Expulsion:

Schools are required by law to follow fair procedures as well as procedures prescribed under the Education (Welfare) Act 2000, when proposing to expel a student (see 10.3 and 10.4 for information about fair procedures). Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

- 1) A detailed investigation carried out under the direction of the Principal.
- 2) A recommendation to the Board of Management by the Principal.
- 3) Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.
- 4) Board of Management deliberations and actions following the hearing.
- 5) Consultations arranged by the Educational Welfare Officer.
- 6) Confirmation of the decision to expel.

Appendix 2: Expulsion

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

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

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

In investigating an allegation, in line with fair procedures, the Principal should:

- Inform the student and their parent(s)/guardian(s) about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.
- Give parent(s)/guardian(s) and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Parent(s)/guardian(s) should be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. This also ensures that parent(s)/guardian(s) are very clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parent(s)/guardian(s) the seriousness with which the school views the alleged misbehaviour.

Parent(s)/guardian(s) and the student must have every opportunity to respond to the complaint of serious misbehaviour before a decision is made about the veracity of the allegation, and before a sanction is imposed. Where expulsion may result from an investigation, a meeting with the student and their parent(s)/guardian(s) is essential. It provides the opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts. It may also be an opportunity for parent(s)/guardian(s) to make their case for lessening the sanction, and for the school to explore with parent(s)/guardian(s) how best to address the student's behaviour.

If a student and their parent(s)/guardian(s) fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour. The school should record the invitation issued to parent(s)/guardian(s) and their response.

Step 2: A recommendation to the Board of Management by the Principal.

Appendix 2: Expulsion

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal should:

- Inform the parent(s)/guardian(s) and the student that the Board of Management is being asked to consider expulsion.
- Ensure that parent(s)/guardian(s) 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 parent(s)/guardian(s).
- Notify the parent(s)/guardian(s) of the date of the hearing by the Board of Management and invite them to that hearing.
- Advise the parent(s)/guardian(s) that they can make a written and oral submission to the Board of Management.
- Ensure that parent(s)/guardian(s) have enough notice to allow them to prepare for the hearing.

Step 3: Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.

It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. The Board should undertake its own review of all documentation and the circumstances of the case. It should ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).

Where a Board of Management decides to consider expelling a student, it must hold a hearing. The Board meeting for the purpose of the hearing should be properly conducted in accordance with Board procedures. At the hearing, the Principal and the parent(s)/guardian(s), or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly.

The meeting may also be an opportunity for parent(s)/guardian(s) 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.

Parent(s)/guardian(s) 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 parent(s)/guardian(s) are not present for the Board's deliberations.

Appendix 2: Expulsion

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

Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction. Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion – Education (Welfare) Act 2000, s24 (1).

The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification – Education (Welfare) Act 2000, s24 (1).

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

The Board should inform the parent(s)/guardian(s) in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parent(s)/guardian(s) 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 parent(s)/guardian(s) and the student, and anyone else who may be of assistance.
- Convene a meeting of those parties who agree to attend – Education (Welfare) Act 2000, section 24.

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

In the interests of the educational welfare of the student, those concerned should come together with the Educational Welfare Officer to plan for the student's future education. Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured – Education (Welfare) Act 2000, s24(5). A Board may consider it appropriate to

Appendix 2: Expulsion

suspend a student during this time. Suspension should only be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others, or represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel.

Where the twenty-day period following notification to the Educational Welfare Officer has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management should formally confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parent(s)/guardian(s) should be notified immediately that the expulsion will now proceed. Parent(s)/guardian(s) and the student should be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record should be made of the decision to expel the student.

Appeals:

Parent(s)/guardian(s), or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the Department of Education and Science (Education Act 1998 section 29). An appeal may also be brought by the National Educational Welfare Board on behalf of a student.

The Appeals Process:

The appeals process under section 29 of the Education Act 1998 begins with the provision of mediation by a mediator nominated by the Appeals Committee (Department of Education and Science). For further details about the Appeals process, including requirements for documentation, and the steps in the process, refer to current DES guidance.