



## Our Lady of Lourdes National School Hospital Hill, Bunclody, Co. Wexford

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School Roll Number: 03633H

**Rev. Laurence O'Connor**

Chairperson  
Board of Management

**Mr. James Roberts**

Principal

**Mr. John Byrne**

Treasurer  
Board of Management

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### Code of Behaviour

Our code of behaviour is the set of programmes, practices and procedures that together form the school's plan for helping students in the school to behave well and learn well.

Our code of behaviour helps our school community to promote the school ethos, relationships, policies, procedures and practices that encourage good behaviour and prevent unacceptable behaviour. Our code of behaviour helps teachers, other members of staff, students and parents to work together for a happy, effective and safe school. It translates the expectations of staff, parents and students into practical arrangements that will help to ensure continuity of instruction to all students. It helps to foster an orderly, harmonious school where high standards of behaviour are expected and supported.

Our code of behaviour enables the school authorities to strike an appropriate balance between our duty to maintain an effective learning environment for all and our responsibility to students whose behaviour presents a challenge to the teaching and learning process. Our code of behaviour is a key tool in enabling us to support the learning of every student in the school.

Maintaining a harmonious environment can present a challenge to any school, given competing needs, time pressures and varying capacities or readiness to learn. A code of behaviour that has the support of the school community can go a long way to helping schools to meet this challenge successfully.

Staff, Board of Management and Parents Council, have approved this document on school behaviour. The school recognises that standards of behaviour come from the home. It is therefore vital that parents regularly instruct their children as to what constitutes correct behaviour. The children will receive a far better quality of education if the teachers can devote all their time to teaching and not have to disrupt classes to deal with poor behaviour. No individual child has a right to waste valuable time on those who wish to learn and gain maximum benefit from their time in school.

Throwing things, unnecessary comments, arguments of any kind or any such behaviour cannot be tolerated and if repeated must lead to the removal of the offending child from the class. Parents must explain the seriousness of this to their children. The school expects the full co-operation of parents in dealing with all incidents of misbehaviour.

The Board of Management will strive to keep the school environment clean and as bright and stimulating as possible. The Board acknowledges that a good environment can help children have more respect for school and create a better atmosphere in which to work.

**Every effort will be made by all members of the staff to adopt a positive approach to the question of behaviour in the school.** The school places greater emphasis on rewards than on sanctions in the belief that this will, in the long run, give the best results.

The overall responsibility for behaviour within the school rests with the Principal. Each teacher has responsibility for the maintenance of behaviour within his/her classroom while sharing a common responsibility for good order within the school premises. Staff will consider that they are responsible at all times for the behaviour of children within sight or sound of them and will respond promptly and firmly to incidences of unacceptable behaviour.

**Following consideration by the Board of Management in April 2006 the following were agreed as incidences that would warrant immediate suspension from school:**

1. Behaviour likely to cause serious injury to self or others
2. Physical or verbal assault or threat of assault on any member of staff
3. Unprovoked assault on a pupil – not the result of a clash during sports etc
4. Throwing stones or other objects (other than a ball at games) in either the play yard or classroom likely to cause injury
5. Possession of or use of weapons that might constitute a threat to the Health and Safety of pupils, parents, staff and any other personnel attached to the school
6. Bullying – though proof would need to be clear and culpability accepted by child in question
7. Drug abuse or dealing in prohibited substances

Incidents of serious misbehaviour will be noted in writing on the child's **Detention Form by the relevant teacher.**

#### **Our Golden Rules**

- Do be gentle - Don't hurt anyone
- Do be kind - Don't hurt anyone's feelings
- Do listen well - Don't shout out
- Do work hard - Don't waste your or other peoples time
- Do look after property - Don't damage it
- Do be honest - Don't cover up the truth

#### **Changes to Code of Behaviour following BOM meeting 27<sup>th</sup> May 2008**

The following is a list of unacceptable behaviour – categorised into misdemeanours, serious and gross.

It is important to note that the list not exhaustive and other breaches of the school's Code of Behaviour – not included here, will be dealt with under the Code of Behaviour.

## **Misdemeanours**

### *Type A*

- 1) Inattentiveness leading to class disruption.
- 2) Interrupting teacher and pupils unnecessarily.
- 3) Fidgeting and unnecessary movement in class and lines.
- 4) Pranks leading to class disruption.
- 5) Refusal to do work

### *Type B*

- 1) Unfinished, untidy assignment (class work or homework)
- 2) Coming to school unprepared for the work of the day (on recurrence).

(Type B will be dealt with under the school's Homework Policy)

### *Type C*

- 1) Lack of punctuality (Rule: children arriving late must have an explanatory note from parent)
- 2) Lack of attendance (Rule: teacher must receive a written explanation for absences from parent).

(Type C will be dealt with by the HSCL as these issues are the responsibility of parents)

### *Type D*

- 1) Littering
- 2) Chewing gum

## **Serious**

- Messing and reoccurrence of corrected misdemeanour.
- Lack of sportsmanship (taking part is the important thing)
- Verbal abuse between children
- Constant physical interference with other children (lifting, pushing, tripping etc.)
- Running, pushing, shoving in classroom and corridor, or when lined up in playground
- Riding of bicycles, skateboards, rollerblades in the school grounds
- Bringing containers made from glass to school
- Being in school buildings without teacher supervision
- Writing and passing of notes in class
- Biting
- Racist remarks
- Bad/ inappropriate language directed at someone
- Uncontrolled behaviour
- Cheek/Defiance of Teacher
- Damaging school property
- Being in prohibited areas of school without permission
- Unauthorised possession or use of a camera/mobile phone in school
- Being in possession of chewing gum in school
- Unsociable behaviour towards others
- Spitting
- Theft

### **Gross Misbehaviour**

- Behaviour likely to cause serious injury to self or others
- Physical or verbal assault or threat of assault on any member of staff
- Unprovoked assault on a pupil – not the result of a clash during sports etc
- Throwing stones or other objects (other than a ball at games) in either the play yard or classroom likely to cause injury
- Possession of or use of weapons that might constitute a threat to the Health and Safety of pupils, parents, staff and any other personnel attached to the school.
- Bullying – though proof would need to be clear and culpability accepted by child in question
- Drug abuse or dealing in prohibited substances
- Smoking in school
- Vandalism
- Mithing
- Leaving school grounds without permission.
- Re-occurrence of serious misbehaviours.
- Gross indecency.
- Climbing of trees, buildings etc
- Consuming alcohol in school
- Leaving staff member when on trips outside school
- Inappropriate sexual behaviour

### **Strategies & Sanctions used:**

- Quiet word / gesture
- Correction
- Reminder of school or class rules
- Short instruction
- Seek an explanation
- Change position in class
- Temporary isolation from group
- Longer interview away from class group
- Loss of minor privileges
- Note in homework journal
- Send to another class
- Referral to principal
- Detention

### **Supports:**

- Early intervention and involvement of parents
- Support as per school's Pastoral Care Policy
- Counselling Service (provided in the school at no expense to family) e.g. anger management support etc
- Referral to NEWB for support
- Referral to HSE for psychiatric counselling
- S.A.L.T. Programme

**Exclusion** is a sanction by which a pupil prevents him/herself by his/her behaviour, from being admitted to school. Generally, exclusion means debarment from school for a specified period during which the compliance of the pupil or parents with a requirement of the school is sought, e.g. the maintenance of standards of behaviour, dress, or hygiene. In the case of pupil who is excluded for disruptive behaviour, the condition is that the/she undertakes to comply with

the school rules and code of behaviour on his/her return. Once the condition is fulfilled by the pupil, he/she will be allowed back into the school. By the reasonable use of exclusion, time is made available for negotiating with parents and students and in seeking their co-operation prior to the use of the more serious sanction of suspension. The Board agreed to the inclusion of "**Exclusion**" in the school policy.

**Suspension** is a sanction by which a Board of Management bars a pupil from attendance at school for a specific period of time. Suspension from our school will be in accordance with the terms of Rule 130 (5) of the Rules for National Schools.

In our school this authority is delegated to the Principal. This delegation will be done formally and in writing each year by the Board. The Principal is accountable to the Board of Management for his use of that authority and will a full report to the Board for each suspension carried out on its behalf.

For Serious or Gross misbehaviour the Board has authorised the Chairperson and/or Principal Teacher to sanction an immediate suspension, pending a discussion of the matter with parents. Suspension should be a proportionate response to the behaviour that is causing concern. Normally, other interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student requires serious grounds such as those outlined under **Gross Misbehaviour** earlier in this document. Before a suspension a formal investigation will be carried out by the deputy principal and assistant principal and a written report with its findings given to the principal. The principal will not take part in this formal investigation to ensure fair procedures are observed and seen to be observed. An agreed form called the "Record of Investigation for Serious Breaches of Code of Behaviour" will be used. This covers information such as the following:

- names(s) of child/children involved nature of incident
- witnesses to incident
- victim's account of the incident
- witnesses' account of incident
- accused's account
- supervising teachers
- acceptance or denial of culpability
- child/children's reaction to correction
- findings of investigation

### **Factors which will be considered before suspending a student**

#### **The nature and seriousness of the behaviour**

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been?
- Has the problem behaviour escalated, in spite of the interventions tried?

#### **The context of the behaviour**

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

- What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- What is the age, stage of development and cognitive ability of the student?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

### **The impact of the behaviour**

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?
- Does the behaviour have a particular or greater impact on some students or teachers?
- Does the student understand the impact of their behaviour on others?

### **The interventions tried to date**

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of those interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent services)?

### **Whether suspension is a proportionate response**

- Does the student's behaviour warrant suspension?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

### **The possible impact of suspension**

- Will suspension allow additional or alternative interventions to be made?
- Will suspension help the student to change the inappropriate behaviour?
- How will suspension help teachers or other students affected by the behaviour?
- Will suspension exacerbate any educational vulnerability of the student?

### **Suspension will be part of a behaviour management plan**

Suspension will be part of an agreed plan to address the student's behaviour. The suspension should:

- enable the school to set behavioural goals with the student and their parents
- give school staff an opportunity to plan other interventions
- impress on a student and their parents the seriousness of the behaviour.

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school will observe the following procedures:

- inform the student and their parents about the complaint
- give parents and student an opportunity to respond.

### **Inform the student and parents**

The school will let the student and their parents know about the complaint, how it will be investigated, and that it could result in suspension. Parents may be informed by phone or in writing, depending on the seriousness of the matter. Informing parents in writing has the benefit of ensuring that there is a formal and permanent record of having let parents know. It also ensures that parents are clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

### **Give an opportunity to respond**

Parents and student will be given an opportunity to respond before a decision is made and before any sanction is imposed. A meeting with the student and their parents 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 parents to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour. If a student and their parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school will record the invitations made to parents 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, will be open-ended.

In the case of an immediate suspension, parents will be notified, and arrangements made with them for the student to be collected. The school will have regard to its duty of care for the student. In no circumstances will a student be sent home from school without first notifying parents.

### **The period of suspension**

A student will not be suspended for more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective. If a suspension 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, the 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 will normally place a ceiling of ten days on any one period of suspension imposed by it. The Board will 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*

These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

### **Appeals**

The Board of Management will 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 parents, may appeal the suspension under section 29 of the *Education Act 1998*, as amended by the *Education (Miscellaneous Provisions) Act 2007*.

At the time when parents are being formally notified of such a suspension, they and the student will 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 will be given information about how to appeal.

### **Implementing the suspension**

#### **Written notification**

The Principal will notify the parents 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 (for example, parents might be asked to reaffirm their commitment to the Code of Behaviour)
- the provision for an appeal to the Board of Management
- the right to appeal to the Secretary General of the Department of Education and Science (*Education Act 1998*, section 29).

#### **Engaging with student and parents**

Where a decision to suspend has been made, it can maximise the impact and value of suspension if the Principal or another staff member delegated by the Principal meets with the parents to emphasise their responsibility in helping the student to behave well when the student returns to school and to offer help and guidance in this. Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

#### **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 parents about the suspension.

### **Re-integrating the student**

The school will have a plan to help the student to take responsibility for catching up on work missed. This will be the responsibility of the class teacher. 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 reintegration which, in turn, may lead to further problem behaviour. Where possible, the school will arrange for a member of staff to provide support to the student during the re-integration process.

### **Clean slate**

When any sanction, including suspension, is completed, a student will 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 will 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 will 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)). This will be carried out by the HSCL who has responsibility for attendance.

#### **Review of use of suspension**

The Board of Management will review the use of suspension in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school and to ensure that use of suspension is appropriate and effective.

**Expulsion** from our school will be considered in extreme cases and will be carried out in accordance with Rule 130 (6) of the Rules for National Schools.

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*.

### **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 is reserved to the Board of Management and will not be delegated

### **The grounds for expulsion**

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

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

A proposal to expel a student requires serious grounds such as that:

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

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

### **Expulsion for a first offence**

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include:

- a serious threat of violence against another student or member of staff
- actual violence or physical assault
- supplying illegal drugs to other students in the school
- sexual assault.

### **Determining the appropriateness of expelling a student**

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

## **Factors to consider before proposing to expel a student**

### **The nature and seriousness of the behaviour**

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been and over what period of time?
- Has the problem behaviour escalated, in spite of the interventions tried?

### **The context of the behaviour**

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

### **The impact of the behaviour**

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

### **The interventions tried to date**

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of these interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health services)?
- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?

### **Whether expulsion is a proportionate response**

- Is the student's behaviour sufficiently serious to warrant expulsion?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

### **The possible impact of expulsion**

- To what extent may expulsion exacerbate any social or educational vulnerability of the student?
- Will the student be able to take part in, and benefit from, education with their peers?
- In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?

## **Inappropriate use of expulsion**

Expulsion will not be proposed 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 dangerous can be a serious matter. Behaviour will 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. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

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

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

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

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

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

- inform the student and their parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion
- give parents and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Parents will be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. This also ensures that parents are very clear about what their son or daughter is

alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

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

If a student and their parents fail to attend a meeting, the Principal will 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 will record the invitation issued to parents and their response.

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

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

- inform the parents and the student that the Board of Management is being asked to consider expulsion
- ensure that parents have records of: the allegations against the student; the investigation; and written notice of the grounds on which the Board of Management is being asked to consider expulsion
- provide the Board of Management with the same comprehensive records as are given to parents
- notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
- advise the parents that they can make a written and oral submission to the Board of Management
- ensure that parents have enough notice to allow them to prepare for the hearing.

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

It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. The Board will undertake its own review of all documentation and the circumstances of the case. It will 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 the Board of Management decides to consider expelling a student, it will hold a hearing. The Board meeting for the purpose of the hearing will be properly conducted in accordance with Board procedures. At the hearing, the Principal and the parents, put their case to the Board in each other's presence. Each party will be

allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case for lessening the sanction. In the conduct of the hearing, the Board will take care to ensure that they are, and are seen to be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board will facilitate this, in line with good practice and Board procedures.

After both sides have been heard, the Board will ensure that the Principal and parents are not present for the Board's deliberations.

**Step 4: Board of Management deliberations and actions following the hearing** Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction. Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board will notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. The Board of Management will refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student will not be expelled before the passage of twenty school days from the date on which the EWO receives this written notification

The Board will inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents will be told that the Board of Management will now inform the Educational Welfare Officer.

**Step 5: Consultations arranged by the Educational Welfare Officer**

Within twenty days of receipt of a notification from a Board of Management of its opinion that a student should be expelled, the Educational Welfare Officer must:

- make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance
- convene a meeting of those parties who agree to attend

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. The Board may consider it appropriate to suspend a student during this time. Suspension will 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 will formally confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parents will be notified immediately that the expulsion will now proceed. Parents and the student will be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record will be made of the decision to expel the student.

### **Appeals**

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

### **Review of use of expulsion**

The Board of Management will review the use of expulsion in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school, and to ensure that expulsion is used appropriately.