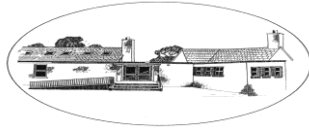


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Code of Behaviour

Introductory Statement

This policy was reviewed and updated in line with Department of Education & Skills (DES) and National Educational Welfare Board (NEWB) guidelines by the school community of St Michael's National School. It will form the basis for the interaction of the different relationships within the school community, i.e. adult/adult, adult/child and child/child. It will also inform new and temporary teachers of the Code of Behaviour in the school. In formulating this document, the following sources were consulted:-

- *Developing a Code of Behaviour: Guidelines for Schools* (NEWB: 2008)
- Code of Behaviour SMNS 2004/5
- School Development Planning Support (Primary) in conjunction with Irish National Teachers' Organisation (INTO)
- INTO website
- Irish Primary Principals' Network (IPPN)
- Child Protection Policy
- Enrolment Policy

Various groups within the school community worked on aspects of the Code i.e. pupils, Board of Management (BOM) and staff. (In this document all page numbers referenced are from the NEWB Guidelines).

Rationale

The revision of the Code of Behaviour is a legal requirement, due to the amendment section 29 of the *Education Act 1998* in the *Education (Miscellaneous Provisions) Act 2007*. "It provides for a range of factors, which must be considered by an Appeals Committee in relation to suspensions and expulsions." (p.7)

In addition, it allows for the special provision of a modified Code of Behaviour in respect of pupils with Special Educational Needs (SEN). This modification can only be allowed with due consideration for the safety of all pupils and adults in the school and for the preservation of public and personal property. This modification is also at the discretion of the principal in conjunction with the Board of Management.

Ethos of the School

This school is under the patronage of the Church of Ireland. In line with the Department of Education & Skills' advice that "a religious spirit should inform and vivify the whole work of the school", the Board of Management and the staff seek to create a Christian ethos and approach within the school. Children are expected to take part in the whole life of the school.

Philosophy

The philosophy of St. Michael's N.S. is to educate pupils in a friendly atmosphere and to develop high standards of social and moral behaviour. An opportunity is provided for each child to reach his/her full potential and to develop the capacity to think clearly, creatively and critically. Parents are encouraged to get to know and understand what is happening within the school through contact and discussion with the Principal and members of staff and to take advantage of the opportunity provided for consultation. Co-operation among the groups within the school community is encouraged, with everyone endeavouring to show mutual respect. It is firmly believed within this school community that children also learn from the example of their elders. Older pupils are given the limited and supervised responsibility of looking after younger pupils.

Relationship to the Ethos of the School

St. Michael's N.S is a school where moral values such as honesty, fairness, justice, truthfulness, tolerance, concern for and a responsible attitude towards others is fostered and encouraged. Therefore, the staff of the school strives to create a happy, safe environment for the children where they feel secure and included, knowing that if they have concerns, they

will be listened to with understanding and respect and that these concerns will be acted upon. The school promotes the development of self-esteem and encourages the child's inner sense of responsibility.

Vision

Every effort is made so that the children and staff may work together in an environment conducive to learning and where trust is built with the support of the parents/guardians.

Aims

The aims of the Code of Behaviour of St Michael's N.S. are:

- To provide guidance for pupils and adults on behavioural expectations.
- To provide for the effective and safe operation of the school.
- To develop pupils' self-esteem & self-discipline and to promote positive behaviour.
- To foster the development of a sense of responsibility and self-discipline in pupils based on respect, consideration and tolerance of others.
- To facilitate the education and development of every child.
- To foster caring attitudes to one another and to the environment.
- To enable teachers to teach without disruption.
- To promote positive behaviour and self-discipline, recognising the differences between children and the need to accommodate these differences
- To ensure the safety and well-being of all members of the school community
- To ensure that the system of rules, rewards and sanctions are implemented in a fair and consistent manner

General Guidelines for Positive Behaviour

Pupils and adults are expected to treat one another with respect and courtesy at all times. Children learn from adults' behaviour; they learn by example and observe how the adult community treats each other.

Behaviour that interferes with the rights of others to learn and to feel safe is unacceptable.

Pupils are expected to show respect for all school property and to keep the school environment clean and litter free.

As there is no school uniform, pupils are expected to be neat in their appearance. Pupils should wear age-appropriate clothing and adequate footwear for active daily school life. Pupils are expected to have all books and required materials and to be in the right place at the right time.

Pupils are expected to follow a member of staff's instructions, to work to the best of their ability and to present work neatly.

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 absence.

Behaviour

Class teachers deal with minor instances of disobedience, unsatisfactory attitudes and socially unacceptable behaviour. More serious misdemeanours will be referred to the Principal. Corporal punishment is forbidden.

Unacceptable behaviour will be discussed with the child/ren concerned.

When a child has been involved in unsatisfactory behaviour on an ongoing basis, the parents/guardians will be notified. The Code of Behaviour will be implemented by school staff.

Parents will be informed at an early stage of all instances of serious misbehaviour. Teachers will keep a written record of all such instances as well as record of improvements in the behaviour of disruptive pupils. Before resorting to serious sanctions e.g. suspension, the normal channels of communication between school and parents will be utilised.

Communication with parents will be verbal or by letter, depending on the circumstances. The parents concerned may be invited to come to the school to discuss their child's case. For gross misbehaviour or repeated instances of serious misbehaviour, suspension will be considered. Aggressive threatening or violent behaviour towards a pupil, member of staff or visitor to the school, will be regarded as serious or gross misbehaviour.

Where there are repeated instances of serious misbehaviour, the Chairperson of the BOM will be informed and the parents may be requested in writing to attend at the school to meet the Chairperson and the Principal. If the parents do not give an undertaking that the pupil will behave in an acceptable manner in the future, the pupil may have to be suspended for a temporary period. Suspension will be in accordance with the terms of Rule 130(5) of the Rules for National Schools.

In the case of gross misbehaviour, the BOM shall authorise the Principal to sanction an immediate one-day suspension, pending a discussion of the matter with the parents. Expulsion may be considered in an extreme case, in accordance with Rule 130(6) and in consultation with the BOM.

Staff

It is the Principal's responsibility to ensure the school's Code of Behaviour is administered in a manner that is consistent and fair to all pupils. However, each staff member has responsibility for the maintenance of discipline within common areas of the school

Teaching staff is specifically responsible for the management of behaviour within their own class.

They will:

- Discuss the Code of Behaviour with their class in an age appropriate manner at the beginning of the school year.
- Ensure the rules are displayed in the classroom
- Encourage self-discipline and positive behaviour
- Ensure there is an appropriate level of supervision at all times
- Implement the reward/sanction scheme in a fair and consistent manner
- Keep a written record of all incidents of continued, serious or gross misconduct.
- Inform pupils when instances of misbehaviour on their part are being recorded
- Report repeated instances of serious misbehaviour to the Principal

Parents/Guardians

Parents/guardians play crucial role in shaping attitudes in their children, which produce positive behaviour in school. Parents/guardians can assist the school by encouraging their children to abide by the school rules, encouraging punctuality and regular attendance and by ensuring that homework is given due time and effort.

Should a parent/guardian be concerned about any aspect of their child's behaviour they are welcome to make an appointment through the school office to discuss their concerns.

Complaints Procedure

If a parent wishes to make a complaint, they should follow the procedures set out by the BOM. Please see *Parental Complaints Procedure* on our school website.

Level One

Level One Behaviours:

Level 1 Behaviours are those that interfere with the orderly learning environment of the school, classroom, and common areas. Students learn through their mistakes. To this extent, responses to the daily behaviours, which occur in school, will be developmentally appropriate, instructive and positive. Children will be taught what is expected and how they should behave. Listed below are some examples of the types of Behaviour that are included in Level 1. Please note the list is not exhaustive.

- Failure to prepare for class, as defined by individual teachers
- Running in the hallways
- Disturbing the work or play of others
- Disrespectful language, tone, or manner
- Ignoring staff requests
- Interrupting class work
- Misbehaving in class line
- Leaving seat without permission at lunch time
- Leaving litter on the ground
- Not completing homework frequently without good reason/note from parent guardian

- Bringing mobile phone to school

Level 1: Disciplinary Actions

Consequences for Level 1 behaviour are dependent upon the severity and frequency of the specific behaviour. Teachers will discipline students at level 1. Some examples of Level 1 responses are:

- Verbal reprimand/reminder(s)
- Reinforcement of alternative positive behaviour
- Temporary separation from peers, friends or others within class and/or temporary removal to another class
- Reflection Time Out during break or lunch time (red wall)
- Loss of privileges
- Parent contact
- Behaviour Tracking Chart – **See Appendix 1a or 1b**

Level 1 Supportive Interventions

Listed below are some examples of Level 1 supportive actions:

- Discussion of behaviour with the child
- Informal notes regarding incident/intervention/date. This information would be useful should a problem persist.
- Behaviour Contract – **Appendix 2**
- Classroom-based interventions, such as Circle Time, or class meetings, with the option of informal consultation, (e.g. with parent(s)/guardian(s) or staff members)

Level Two

Level 2: Behaviours

Level 2 behaviours are those that seriously interfere with the orderly environment of the school and are potentially dangerous to the safety and well-being of the students and staff. Listed below are some examples of the types of behaviour that are included in Level 2. Please note the list is not exhaustive.

- Repeated instances of Level 1 behaviour which have not been modified by intervention
- Constantly disruptive in class, or when lined up
- Behaviour which is dangerous to self or others (e.g. pushing, shoving, hitting)

- Telling lies
- Stealing
- Damaging property
- Bullying, e.g. persistent name calling, continuous bumping into one another, etc.
- Threatening or physically hurting another person
- Engaging inappropriately on social media platforms
- Cyberbullying
- Being discourteous and back-answering a teacher
- Leaving school premises
- Using unacceptable language
- Possession of or use of dangerous toys, school equipment etc
- Bringing weapons to school, e.g. catapults, pen knives, pellet guns, etc.
- Behaviour that is hurtful (including bullying, harassment, discrimination and victimisation)

Level 2: Disciplinary Actions

The disciplining of students for Level 2 behaviour is dependent upon the severity and frequency of the specific behaviour and developmentally appropriate levels. The disciplinary actions at Level 2 are administered by the Principal, and include formally notifying parents. Some examples of Level 2 responses are:

- Referral to principal
- Communication with parent(s)/guardian(s)
- Reflection time extended to a longer period (red wall)
- Yard suspension – parent removes the child from school premises at lunch time
- Exclusion from school excursions within a specified timeframe e.g. tours, park visits etc
- Suspension from school of one to five days, depending on the severity of the behaviour
- Re-engage/Continue with Behaviour Tracking Chart – **Appendix 1a & 1b**. Followed by Class Teacher meeting with parents if behaviour persists.
- Option of creating a Behaviour Contract – **Appendix 2**
- Report submitted to the Board of Management/Tusla as deemed appropriate

Level 2: Supportive Interventions

Listed below are some examples of Level 2 supportive actions:

- Class Meeting
- Team conference to include classroom teacher, other involved staff, Assistant Principal or Principal.
- Request for assistance from external agencies such as the National Educational Psychological Service, Health Service Executive Community Services, the National Behavioural Support Service, SESS, Child and Adolescent Mental Health Services, National Council for Special Education.
- Referral of a Child displaying behavioural problems for psychological assessment (with the parent(s)/guardian(s) consent).

Level 3: Behaviours

Level 3 behaviours are considered the most serious violations. These behaviours endanger the immediate health, safety and personal well-being of the pupils and staff of the school. They represent a direct threat to the orderly operation of the school environment. Situations, which include illegal activity, may result in contact with an Garda Síochána and parents. Listed below are some examples of the types of behaviour that are included in Level 3. Please note that the list is not exhaustive.

- A very serious/extreme one-off offence
- Repeated or serious instances of Level 2 behaviour which have not been modified by intervention
- Cyberbullying
- Engaging inappropriately on social media platforms
- Setting fires
- Intentional possession or use of weapons
- Violent fighting or intentionally causing physical harm to others
- Discriminatory or prejudicial activities or actions toward another person or group involving race, gender, religion, physical condition, disability, or ethnic origin

Level 3: Disciplinary Actions

Behaviour at Level 3 may involve suspension from school. The length of the suspension will depend

upon the severity and frequency of the specific behaviour. Specific information about due process and procedures in respect of the issuing of a suspension is contained in this document in Appendix 53.

Level 3 responses:

- **Suspension from school for one to five days:**

This response will occur with the first incidence of Level 3 behaviour or Level 2 behaviour of significant severity. The Principal following due process and procedure, can issue a suspension of one day. Suspensions longer than one day should be authorised by the Board of Management.

- **Suspension from school for five to ten days:**

This response will occur with the repeated incidence of Level 3 behaviour or a severe expression of this behaviour. A suspension of this magnitude will only be issued with the approval of the Board of Management.

- **Expulsion:**

Repeated incidents of Level 3 behaviour can result in a pupil being expelled.

Suspension, Expulsion & Appeals

This section of the Code of Behaviour is in direct reference to chapters 10, 11 & 12 of NEWB's Guidelines.

The entitlement to education is protected in a range of constitutional and legal provisions and in human rights Conventions. These legal protections for the individual student's right to education mean that decisions to suspend or expel a student are open to appeal and may be subject to judicial review by the High Court. Schools are required, under section 23(2) of the Education (Welfare) Act 2000, to include their procedures for suspension and expulsion in their code of behaviour. (p. 66)

Suspension

Suspension will be considered after other interventions have been tried and a review will take place as to why these interventions have not worked, except in cases where an immediate suspension is warranted. (p. 71)

For serious and continuous misbehaviour, a pupil may be suspended for a period of up to five days following the decision of the Board of Management. (The BOM must convene an emergency meeting for suspensions longer than five days and can sanction a suspension of up to a maximum of ten schooldays.)

Serious misbehaviour is defined in the National Educational Welfare Board's (NEWB) Guidelines as:

- a) The student's behaviour has had a seriously detrimental effect on the education of other students*
- b) The student's continued presence in the school at this time constitutes a threat to safety*
- c) The student is responsible for serious damage to property.*

A single incident of serious misconduct may be grounds for suspension. (p. 71)

Expulsion - Grounds for Expulsion:

In most cases the school will have tried other interventions and sought advice in an effort to endeavour to change the student's behaviour.

The grounds for expulsion are similar to the grounds for suspension:

- the student's behaviour is a persistent cause of 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. (p. 81)

In some cases, expulsion for a first offence may be warranted:

- 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.
- Serious/extreme Cyber Bullying incident

Appendix 53: Suspension and Expulsion Procedures

Appendix 64: Letter of notification of suspension to parents/guardians



My Behaviour Tracker

Behaviour being targeted:			
Day	Up to Breaktime	From Breaktime to 1.20pm	Signature of parent
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			

Pupils Name: _____



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Behaviour Tracker						
	Monday	Tuesday	Wednesday	Thursday	Friday	
Behaviour						
Time of day behaviour occurred						
Cause of behaviour						
Adult response to behaviour						

Appendix 1C

Private and Confidential

Individual Behaviour Report

S.N. Mhichil Naofa,
11, Sr. Ó'Bearáin,
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Website: www.smnslimerick.ie

Pupil's Name

Parents'/Guardians' Name(s)

Date of Birth Class

Date	Incident	Teacher

Date	Incident	Teacher

Appendix 2

Behaviour Contract

Pupil Name: _____

Class: _____ Date: _____

Goals Set:

If I do not meet these goals these are my consequences

Pupil Signature: _____

Parent Signature: _____

Appendix 53

Procedures for Suspension

Fair procedures should be based on the principles of natural justice, with due regard to the rights of the whole school community.

Schools are required by law to follow fair procedures when proposing to suspend or expel a student. The requirement for fair procedures derives from the Constitution of Ireland, international Conventions and case law. (p. 67)

Fair procedures have two essential parts:

- ***the right to be heard***
- ***the right to impartiality.***

*The **right to be heard** means:*

- *the right to know that the alleged misbehaviour is being investigated*
- *the right to know the details of the allegations being made and any other information that will be taken into account*
- *the right to know how the issue will be decided*
- *the right to respond to the allegations*
- *where the possible sanction is of a serious nature, the right to be heard by the decision-making body*
- *where the possible sanction is of a serious nature, the right to ask questions of the other party or witnesses where there is a dispute about the facts. (Please note that a pupil may not be questioned by the parents/guardians of the child who committed a breach of the Code of Behaviour. the parents/guardians must be present if there is to be any direct questioning. Staff, being 'in loco parentis', may question any pupil who witnessed the incident.)*

*The **right to impartiality** means:*

- *the right to an absence of bias in the decision-maker*
- *the right to impartiality in the investigation and the decision-making.*

Freedom from bias entails ensuring that a person with an interest in the matter is not involved in the investigation or decision-making. If a person has pre-conceived opinions, a vested interest or personal involvement in the matter, they should not attempt to settle that matter.

An impartial process is one that allows a decision to be made based on an unbiased evaluation of information and evidence. Generally, impartiality requires that the investigation is separated from the process of making a decision so that the decision-maker comes to the task with an open mind.

Decision making will be impartial: the decision will be made, in an objective way, on the findings of the investigation.

(c.f. p.68 - it is preferable for investigation to be carried out by other members of staff and the findings reported to Principal)

Where immediate suspension is warranted for the reasons of the safety of the student, other students, staff or others, a preliminary investigation will be conducted and a formal investigation will follow. (c.f. p.75)

Procedures for Expulsion (c.f. p.83)

A letter of *Intent to Expel* must be sent to the parents/guardians by the BOM.

1. An investigation will be carried out under the direction of the Principal.

The student and his/her parents/guardians will be informed in writing about the complaint, how the matter will be investigated, and that it could result in expulsion. They will be given an opportunity to respond before a decision is made and before a sanction is imposed.

2. A recommendation will be made to the Board of Management by the Principal.

Where the Principal is of the opinion that expulsion may be warranted, the Principal will:

- inform the parents and the student that the BOM is being asked to consider expulsion
- ensure that the parents have records of
 - the allegations against the student
 - the investigation
 - written notice of the grounds on which BOM is being asked to consider expulsion

- provide the BOM with the same records as are given to parents
- notify the parents of the date of the hearing by BOM and invite them to that hearing
- advise the parents that they can make a written and oral submission the BOM
- ensure that parents/guardians have enough notice to allow them to prepare for the hearing

The BOM will review the initial investigation. The Board will undertake its own review of all documentation and circumstances of the case. The Board will ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations.

3. Where the Board decides to consider expelling a student, it must hold a hearing.

Hearing

The following procedure is recommended in the interests of fairness and justice.

- The Principal and parents/guardians 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
- Parents may take the opportunity to make their case for lessening the sanction
- The Board will be impartial between the Principal and the student
- Parents may, if they wish, be accompanied at the hearing
- After both sides have been heard, the Board should ensure that the Principal and parents are not present for the Board's deliberations

4. Following the hearing, the Board of Management will have deliberations and may proceed with the following actions.

If the BOM is of the opinion that the student should be expelled: -

- it will inform the parents in writing about its conclusions and the next steps in the process and the fact that the BOM will inform the Education Welfare Officer (EWO)

- it will notify the EWO in writing of its opinion and the reasons for this opinion (Education (Welfare) Act 2000, s24(1)). 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 BOM will refer to NEWB reporting procedures for proposed expulsions

5. Consultations arranged by the Education Welfare Officer

Pending such consultations, the BOM may consider it appropriate to suspend a student where there is the likelihood that the continued presence of the student during this time will disrupt the learning of others or represent a threat to the safety of others.

6. Confirmation of the decision to expel

The BOM will formally confirm the decision to expel and parents will be notified that the expulsion will now proceed where:-

- the twenty-day period following notification to EWO has elapsed
- the BOM remains of the view that the student should be expelled

Parents will be informed of their right to appeal.

Appeals

Parents'/guardians' right to appeal the decision of the BOM to suspend or to expel a pupil is outlined in NEWB Guidelines. (cf. pp.76 & 86) This is under Section 29 of Education Act 1998.

Keeping Records

All records of conversations, interviews, telephone calls or other communication dealing with each suspension should be kept in a confidential manner. (Emails are not a confidential means of communication as stated by BOM.)

Where possible, a witness should be present at the interview with the parent(s)/guardian(s), the pupil/pupils being suspended and with any other pupil or person involved in a serious incident.

****NNB****

In each record of suspension (or expulsion) discussed and brought to the attention of the BOM, the pupil MUST be referred to as X.

Appendix 64

S.N. Mhichíl Naofa,
11, Sr. Ó'Bearáin,
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Email: info@smnslimerick.ie



St. Michael's N.S.,
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Tel/Fax 061 – 31 59 27
Website: www.smnslimerick.ie

Dear _____

The Board of Management (BOM) wishes to advise you that _____'s conduct while

- in school
- on the field trip
- on an out-of-school activity

has breached the schools Code of Behaviour.

The Chairperson of the Board of Management has been formally notified.

It has been decided that your child's conduct warrants a ____ -day suspension. This begins on _____ and ends on _____.

The reason for the suspension is:

- a) the student's behaviour has had a seriously detrimental effect on the education of other students
- b) the student's continued presence in the school at this time constitutes a threat to safety
- c) the student is responsible for serious damage to property
- d) a single incident of serious misconduct

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A copy of the Code of Behaviour is included with this letter of notification to suspend.

The BOM has a duty of care for pupils, staff, visitors and school property. The BOM formally advises you of your right to appeal.

Yours sincerely,

Miriam Smyth

Principal (On behalf of BOM)