

Mount Anville Montessori Junior School

Code of Behaviour



Mount Anville Montessori Junior School Code of Behaviour

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Ratified by The Board of Management on 20th January 2014

Signed: Dónal Brennan

Section 1 - Introduction

This Code of Behaviour ("Code") has been adopted in consultation with parents, staff and the pupils of Mount Anville Montessori Junior School ("School"). It is prepared taking into account the guidelines ("NEWB's Guidelines") "Developing a Code of Behaviour: Guidelines for Schools" published by the National Educational Welfare Board (NEWB, 2008). The Code also takes into account the provisions of Section 23 of the Education Welfare Act (2000) for recognised schools. Private or Independent Junior Schools are not "recognised" by the Minister for Education under the Education Act 1998.

This Code encompasses the

- School Ethos (**Section 2**),
- Behavioural Expectations (**Section 3**),
- Misbehaviour, Corrective Action & Sanctions (**Section 4**),
- Anti-Bullying Policy (**Section 5**)
- Grounds for removing a suspension (**Section 6**)
- Parental notification of absence of pupil policy (**Section 7**)
- Review of the Code (**Section 8**).

When parents* enrol their child in the School they are agreeing to support the implementation in the School of this Code and the School's codes and policies encompassed in it.

The emphasis of this Code is one promoting positive behaviour and corrective rather than punitive measures. The School continually promotes positive behaviour of self-respect and responsibility for one's behaviours. The School rules and expectations as set out in this Code are to ensure a positive and well-ordered environment within which the children and staff work to the best of their abilities. Every behavioural issue that arises, while dealt with within the provisions of this Code, is taken on its own individual merits and dealt with accordingly.

**All references in this Code to "parents" are intended to include reference to any other legal guardian or person defined as a parent in the Education Act 1998.*

Section 2 – School Ethos

2.1 Our Vision:

Inclusive Community

Montessori Approach

Self Knowledge

Ideal Atmosphere

Life-Long Learning

Mutual Respect

Spiritual

Active Involvement

Development

Personal Development



Our vision reflects the goals of the Sacred Heart Order. The philosophy of Saint Madeleine Sophie Barat, founder of the Sacred Heart Order, was the education of the 'whole person'. In the School we promote and foster the holistic development of each individual child.

The Sacred Heart Goals are adopted for everyday use in the School in the image of a flower. The images and words express our School spirit and the values that we hold dear for our pupils.

2.2 Aims

The aim of the Code is to support the promotion of positive behaviour and self-discipline, and also to ensure the safety and wellbeing of all members of the School community. The Code is designed to ensure that it can be implemented in a fair and consistent manner throughout the School. The Code aims at creating a caring, ordered environment based on respect and tolerance where each pupil can feel secure and confidently realise their potential. The Code applies everywhere on the School premises and everywhere the pupil is acting as an ambassador for the School, for example at any School related activity whether on or off the premises such as School trips and sports activities. This Code should be adhered to in order to:

- Provide guidance for pupils, teachers and parents on behavioural expectations
- Provide for the effective and safe operation of the School
- Develop pupils' self-esteem and promote positive behaviour
- Encourage the development of a sense of respect, responsibility and self-discipline in pupils based on respect, consideration and tolerance for others
- Facilitate and support the education and development of every pupil
- Foster caring attitudes amongst the School community and its environment
- Support teachers to teach without disruption.

2.3 Embracing the School Ethos

The School's principles for positive behaviour are based on the Goals of the Sacred Heart Order. We place a greater emphasis on reinforcing positive behaviour than on sanctions

- **We Believe** in God and our own abilities
- **We Care** and respect others
- We embrace our **uniqueness**
- **We learn**
- **We work together** to the best of our ability

Section 3 – Behavioural Expectations

3.1 Expectations of Staff

School rules are devised with regard to the health, safety and welfare of all members of the School community. It is imperative that adults act as role models for pupils at all times

Consequently all staff members are expected to:

- Support and implement the School's Code and in particular be familiar with and follow (i) the School's policy on Child Protection and (ii) the School's "Professional Conduct Code;
- Be cognisant of their duty of care;

- Create a safe, welcoming environment for each pupil;
- Be courteous, consistent and fair;
- Deal appropriately with misbehaviour
- Facilitate pupils to reach their full academic and personal potential;
- Recognise and provide for individual talents and differences among the pupils;
- Praise desirable behaviour and deal appropriately with misbehaviour;
- Provide support for colleagues;
- Communicate with parents and staff when necessary, always with courtesy and respect;
- Maintain appropriate records of misbehaviour, as required by the Code.

3.2 Expectations of Parents/Guardians

Parents are expected to:

- Nurture in their children a positive attitude towards school;
- Ensure their child attends School regularly and punctually in School uniform or School tracksuit;
- Contact the Welcome Office on morning of absence (text, phone or e-mail), explaining their child's absence from school (see below).
- Ensure the School has up-to-date phone numbers of family/friends to be contacted and who will be available in case of an emergency;
- Ensure their child attends School clean and with a good level of hygiene; to check their child's head regularly for head lice and treat as necessary;
- Ensure their child has a healthy lunch in school every day in line with the School policy on "Healthy Eating";
- Arrange meetings with the class teacher and/or the Principal when they are concerned about any issue relating to their child;
- Encourage their child to have a sense of respect for themselves, for others, for their own property and that of others;
- Support and encourage their child's School work
- Be familiar with the Code and other School policies and to support the implementation of these policies and follow the Code for any issues or complaints they may have
- Co-operate with teachers in instances where their child's behaviour is causing difficulties for others
- Communicate with the School any issues which may affect their child's behaviour
- Be courteous to staff, pupils and other parents when on School property and take due care when dropping and collecting pupils

3.3 Expectations of Pupils

Pupils are expected to have respect for self and respect for others, for example

- Be the best that we can be
- Be courteous and dignified
- Be neat and tidy and be proud of our uniform
- Be tolerant of differences in others
- Be considerate in classrooms and other work areas and respect the rights of others to work and learn
- Treat belongings of others as would your own - respect property of others
- Win and lose graciously - sportsmanship
- Treat School facilities and equipment with care at all times

- Be proud of our School
- Look after all living things - nature around us
- Be supportive of other pupils

Pupils (from 1st to 6th class), in consultation with their parents, annually sign ‘Our School Code’, which sets out the rules that they will follow. See Annex 3.

3.4 Philosophy to Promote Positive Behaviour

The School encourages the child to shine. All children deserve encouragement to attain their best. The School and the Montessori philosophy emphasise encouragement, rather than solely extrinsic praise, and this is developed throughout the pupil’s life in the School.

The School’s philosophy for encouraging good behaviour recognises that pupils are more likely to behave well when:

- they are given responsibility and involved in developing the Code of Behaviour
- they understand importance of the Code and their role in making it work
- they see that the Code works fairly
- the Code encourages standards that set high expectations for pupil’s behaviour
- the standards imposed are clear, consistent and widely understood
- parents support the School by encouraging good learning behaviour
- there is a good School atmosphere with good relationships between staff, parents and pupils
- adults model the behaviour that is expected from pupils.

The School’s philosophy is implemented through:

- positive everyday interactions between staff and pupils
- good School and class routines
- clear boundaries and rules for pupils
- helping pupils to recognise and affirm good learning behaviour
- recognising and giving positive feedback about behaviour
- exploring with pupils how people should treat each other
- involving the pupils in the formulation of the School and Classroom Rules.

Reward systems which are based on academic merit or particular extrinsic goals apply to a limited number of activities. Pupils who display positive attitudes, a good work ethic, self-discipline and those who generally contribute to the School ethos are positively acknowledged. Such acknowledgement may include assembly mentions or entry of a record of good behaviour in the Golden Book. For further examples please see tables

Menu of Class Recognition	
3 – 6 Montessori and 1st & 2nd class	3rd to 6th class
Jellies in a jar for whole class Verbal praise e.g. at circle time Golden Book Show work to another teacher Display special work Visiting another teacher Note in homework diary	Job chart Pick from mixed box of rewards Art day Homework pass Mini sweet treat Record of stars Marbles in a vase Rewards certificates ,Extra PE

Menu of Whole School Recognition

Positive verbal reinforcement
School outings
No uniform day
Golden Book
Extra playtime
Extended lunch time
No homework
Golden time on a Friday afternoon

Section 4 – Misbehaviour, Corrective Action & Sanctions

All matters to do with an investigation of alleged misbehavior will be dealt with in confidence.

4.1 Corrective Action

As the main element of the behavioural system intended by this Code is one based on corrective rather than punitive action, the emphasis is therefore on a restorative practice. The 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 where the pupils are given the opportunity to reflect on their behaviour and on how they and others have been affected by it so as to help heal broken relationships and prevent reoccurrence. Where suspension is deemed necessary, the School will use restorative practice involving all parties affected to manage the system and try to repair the damage. In using restorative practice, the pupil will be given guidance through specific focused questions to assist them in the process, examples are set out in the Behavioural Reflection Form in Annex 2.

4.2 Sanctions

In keeping with the ethos of restorative practice described in paragraph 4.1 above, sanctions are used by the School in a corrective way and are intended to help the pupil to change and improve his or her behavioural patterns.

The fundamental principles of the sanctions are to act as an integral part of the School's Code, and specifically, to;

- Apply discipline objectively and consistently
- Emphasise pro-active and preventative discipline rather than punitive and reactive punishment
- Ensure all children are aware of clearly defined boundaries with known consequences; while at all times applying fair procedures.

The nature of the misbehaviour and the age of the child will determine the strategy to be employed.

In certain circumstances the Gardaí may need to be informed if misbehaviours involve criminal activity.

4.3 Disciplinary Actions and Sanctions to deal with Misbehaviour

The degree of any misbehaviour will be assessed by the relevant teacher and/or the Principal based on a common sense approach with regard to the gravity/frequency of such misbehaviour and the sanction and categorisation will be based on the following;

- Age of pupil
- Severity of offence
- Number of previous warnings/offences
- Context of misbehaviour.

There are, however, clear guidelines as to the category (i.e. minor, serious or gross) in to which certain behaviour falls and these are described in the Table in Annex 1. The details contained in this Table have been developed by the School staff with parents and pupils. The pupils will be very familiar with these categorisations of misbehaviour and they will be discussed and developed on an on-going basis. Reference will be made to this Table on the occurrence of any activity requiring corrective action /sanctions. However the Table is not exhaustive and misbehaviour falling outside the examples specified in the Table will be dealt with by the relevant teacher and/or the Principal.

4.4 Suspension

The authority to suspend any pupil for circumstances justifying up to five days suspension lies with the Principal. The authority to suspend any pupil for circumstances justifying a suspension for over five days lies with the Board of Management (BOM). All decisions to suspend a pupil will be made free from any bias and only after a procedure for fair process has been followed and in particular only following consultation with the parents of the pupil in question save in exceptional circumstances requiring immediate suspension.

The sanction of suspension will be considered by the Principal/BOM in the case of gross misbehaviour or repeated instances of serious misbehaviour. The period of any suspension will be influenced by the context of the behaviour and the pupil's disciplinary record.

For further details of procedures that must be followed where suspension is considered, as well as the types of suspension that may be imposed, see the School Suspension Guidelines (also available on the School website).

In relation to suspension, the School generally follows the guidelines set out in 'Developing a Code of Behaviour: Guidelines for Schools' published by the National Education Welfare Board ('NEWB Guidelines'). The full text of the guidelines is available at http://www.newb.ie/codes_of_behaviour_guidelines/introduction.asp. Note however as the School is not a recognised school certain of the NEWB's Guidelines do not apply to the School and the references to a section 29 appeal in the NEWB's Guidelines do not apply to the School.

4.5 Expulsion

The authority to expel a pupil lies with the BOM. Expulsion shall only be used where it is considered by the BOM to be a proportionate response to the pupil's behaviour. As expulsion is a very serious step, it will only be taken by the BOM in extreme cases of unacceptable behaviour, and (save in the case of exceptional circumstances or automatic expulsion) in cases where the School has taken significant steps to address the misbehaviour and to avoid expulsion of the pupil.

For further details of procedures that must be followed where expulsion is considered, see the School Expulsion Guidelines (also available on the School website)

In relation to expulsion, the School follows the guidelines set out in 'Developing a Code of Behaviour: Guidelines for Schools' published by the National Education Welfare Board ('NEWB Guidelines'). The full text of the guidelines is available at http://www.newb.ie/codes_of_behaviour_guidelines/introduction.asp. Note however as the School is not a recognised school certain of the NEWB's Guidelines do not apply to the School and the references to a section 29 appeal in the NEWB's Guidelines do not apply to the School.

4.6 Appeals

Suspension: A parent may formally appeal the Principal's decision to suspend their child to the BOM . In the case of a suspension imposed by the BOM a parent may formally appeal this decision to the Trustees of the School. Please see the Appeals procedure in the Suspension Guidelines.

Expulsion: A parent may formally appeal a decision of the BOM to expel their child to the Trustees of the School. Please see the Appeals procedure in the Expulsion Guidelines.

Section 5 - Anti-bullying Policy

Bullying is a gross misbehaviour and the sanctions applied are the same as those listed in Section 4 for serious/ gross misbehaviours. The School's Anti-Bullying Policy is available on the School website and the sanctions set out in the Code must be read in conjunction with that Policy.

Section 6 – Grounds for Removing a Suspension

The grounds for removing a Suspension

- The time period of the suspension has elapsed and the pupil has satisfied the condition
- The Board (or the Trustees of the School as it is the relevant appeal body) decides to remove the suspension on an appeal.

Section 7 - Parental notification of absence of pupil policy

It is important that students have excellent attendance and that parents notify the school any time their child is absent. The parent can email, phone or text the school on each day of absence by 10am unless the school has already been notified as to the length of the absence. The School will inform the class teacher. If the School does not receive notification from the parent on the day of the absence, the school will make contact with the parent by phone, email or text.

Section 8 – Review of the Code

The School welcomes comments and suggestions from parents, students and staff members. Please forward comments and suggestions in writing marked for the attention of the principal.

The implementation of the Code will be a continual activity for the School staff and management in conjunction with the parents in accordance with the NEWB Guidelines. Each staff member is responsible for the implementation of the Code. Within the classroom the teacher monitors her/his class. Teachers consider themselves responsible for the behaviour of children within sight or sound of them and for responding to any instance of unacceptable behaviour. The Principal coordinates the overall implementation of the Code.

The Principal is responsible for monitoring and reviewing the provisions of the Code at a staff level on a regular basis and reports any proposed enhancements the staff deem necessary to the BOM. The BOM has ultimate responsibility to ensure that a fair code of discipline applies in the School. The BOM ensures the Code is reviewed periodically.

Annex 1 Table of Misbehaviours

The Code of Behaviour applies to pupils at all times when representing the school or on school grounds e.g. when attending classes, during class breaks and lunchtimes, attending extra-curricular activities, during school trips and other events outside the school, and whenever wearing the school uniform.

Categories	Examples (not an exhaustive list)	Sanctions	People who may be involved at each category
Minor Misbehaviours	General disruption e.g. calling out during class, talking out of turn/ during class, not following teacher, standing on a chair, messing, inattentive. horseplay Not handing up homework Teasing e.g. saying something to hurt someone's feelings, Upsetting a friend intentionally. Issues with uniform (where considered pupil's fault) Forgetting school equipment Dishonesty e.g. not telling the truth Borrowing without asking	Say sorry Re-direct to positive behaviour State 'correct' behaviour Teacher moves closer to supervise	Teacher Teacher on Duty
Serious Misbehaviours	Repeated minor misbehaviour as set out above Rude to teacher on duty Physical misbehaviour e.g. deliberate push, hitting, biting, spitting Doodling/drawing/scribbling on school property Continuous teasing or intentional exclusion of others Dishonesty e.g. intentionally taking something belonging to someone else Bad language/inappropriate gestures Having mobile phone without permission Purposely initiating inappropriate discussion Not showing good sportsmanship	Verbal warning Note in journal Reflection time / Behavioural Reflection Form/ sheet signed by parent Discussion regarding behaviour Peer discussion Stay in for break Replace 'taken' item Say sorry/Letter of apology Parental communication In house suspension Mobile phone removed from child	Principal Principal or Teacher Teacher and Parent
Gross Misbehaviours	Repeated serious misbehaviour as set out above Physical misbehaviour e.g. pushing in locker room Vandalism e.g. flooding school bathrooms, damage to school property Bullying Damaging school reputation e.g. rude on school trip, shouting rude things at hockey match Purposeful directed bad/offensive language Leaving school grounds without permission Inappropriate use of IT	Parental Communication Take away use of IT Write about incident (apology letter, essay) Behaviour Reflection form/ Sheet signed by parent Not allowed on excursions/ school trips Suspension (in house, at home, Playtime) Expulsion	Principal Teacher and parent Teacher and Principal Board of Management

ANNEX 2

Mount Anville Montessori Junior School

Behaviour Reflection Form

Child's Name: _____

Class: _____

Date: _____

Which School Rule(s) Did I Choose Not to Follow?

What Were My Reasons?

What Happened?

What Would I Do Differently?

Child's Signature: _____

Parent's/Guardian's Signature: _____

Teacher's Signature: _____

Annex 3

Mount Anville Montessori Junior School

Our School Code (1st to 6th Class)

We ask that all children staff and parents show consideration for each other and behave in a respectful manner.

In order to ensure that every pupil feels safe and happy we ask that you discuss this code with your child or children.

Please sign and return to your class teacher.

We will be respectful of others in school.

We will be polite, mannerly, honest and truthful at all times.

We will take care of our school in order that it is a happy place to be.

We will be on time for school every day. Assembly/class starts at 8.50am.

We will go to the G.P room if we arrive between 8.00-8.30am. (3rd-6th class)

We will never leave the school grounds without permission.

We will not play in the parking areas.

Our uniform, bags, books and games equipment will be clearly named.

We will wear our school uniform at all times, only small stud earrings are allowed. Nail polish is not permitted in school.

We will be conscious of good behaviour when in school uniform.

We will ask our parents to sign our homework journal and a written note must be given where homework is not complete.

We will keep to the left on the stairs, except during fire exits.

We will have a letter of permission in order to bring our mobile phone to school (5th & 6th class):
It must remain switched off at all times.

Pupil's signature: _____

Parent's signature: _____

Class: _____

Mount Anville Montessori Junior School

School Suspension Guidelines

All matters relating to suspension follow the guidelines set out in 'Developing a Code of Behaviour: Guidelines for Schools' published by the National Education Welfare Board ('NEWB Guidelines'). The full text of the guidelines is available at http://www.newb.ie/codes_of_behaviour_guidelines/introduction.asp

Note however as the School is not a recognised school certain of the NEWB's Guidelines do not apply to the School and the references to a section 29 appeal in the NEWB's Guidelines do not apply to the School.

Section 1: Introduction

Suspension is defined as 'requiring the pupil to absent himself/herself from the school for a specified, limited period of school days' (NEWB, 2007)

Suspension should be a proportionate response to the behaviour that is causing concern. The School will follow the "factors to consider before suspending a student" set out in the NEWB Guidelines which are:

- The nature and seriousness of the behaviour;
- The context of the behaviour;
- The impact of the behaviour;
- The interventions tried to-date;
- Whether suspension is a proportionate response;

The possible impact of suspension

Normally, other interventions will have been tried before suspension is considered and School staff will have reviewed the reasons why these have not worked. The decision to suspend a pupil requires serious grounds such as that:

- the pupil's behaviour has had a seriously detrimental effect on the education of other pupils
- the pupil's continued presence in the school at this time constitutes a threat to safety
- the pupil is responsible for serious damage to property.

A single incident of **gross misbehaviour** may be grounds for suspension.

In addition, any behaviour that is persistently disruptive to learning or potentially dangerous can be a serious matter (i.e. a **serious misbehaviour**). Behaviour will be examined in context to understand both the behaviour itself and the response or sanction that is most appropriate.

Section 2: Forms of Suspension

In-house suspension: The pupil will be placed in another classroom (up to 3 days) and set work appropriate to their class. Work will be set by the class teacher.

At-home suspension: The pupil will be requested to remain at home (up to 5 days) and may return to School after consultation with the Principal when the suspension has been completed.

Immediate suspension: In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the pupil in the School at the time would represent a serious threat to the safety of the pupil, other pupils or staff of the School, or any other person. Fair procedures in the circumstances will still be applied in accordance with Section 11.5 of the NEWB Guidelines.

'Automatic' suspension: The Board of Management (BOM) may decide, as part of the school's policy on sanctions, and following consultation with the Principal, parents, teachers and pupils, that particular named behaviours incur suspension as a sanction. No such decision had been made to-date. 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.

Expulsion is covered in the School Expulsion Guidelines and in Section 4.5 of the Code of Behaviour.

Section 3: Procedures in Respect of Suspension

The School is required by law to follow fair procedures when proposing to suspend a pupil.

Fair procedures have two essential parts:

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

As provided for in the NEWB Guidelines:

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.

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.

Fair procedures apply to:

- The investigation of alleged misbehaviour that may lead to suspension or expulsion; and
- The process of decision-making as to:
 - whether the pupil did engage in the misbehaviour; and
 - what sanction to impose.
- The Appeal process

The way in which fair procedures are applied will take account of the seriousness of the alleged misbehaviour and will have regard to what is reasonable in the context of the School.

The principles of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible sanction. The level of formality required, for example, for a suspension of three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

Even informal processes, however, must be fair and be seen to be fair. The principles of ensuring the right to be heard and the right to impartiality apply in all cases.

The right to be heard means that a pupil and their parents are fully informed about an allegation and the processes that will be used to investigate and decide the matter; and that they must be given an opportunity to respond to an allegation before a decision is made and before a serious sanction is imposed.

Absence of bias in the decision-maker would mean, for example that if the child of the Principal was accused of misconduct that might warrant suspension or expulsion, the Principal would not be involved in the decision. Similarly, if the child of a member of the BOM was accused of misconduct, that parent would absent themselves from the BOM for any consideration of the matter by the BOM.

The principle of impartiality in decision-making means it is preferable that, where possible, the Principal arranges for another member or members of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view about whether the pupil did engage in the behaviour and about the sanction, based on the report of the investigation.

Where circumstances require the Principal to conduct the investigation as well as making a finding and proposing the sanction, she must not only act fairly but be seen to act fairly. It is incumbent upon the Principal to review the investigation to ensure that it has been fully and fairly conducted.

It should be evident to the pupil, parents, staff and other pupils that the Principal, as decision-maker, is basing her decision, in an objective way, on the findings of the investigation.

The person alleging the misbehaviour, or who is a victim, or a witness should not usually conduct the investigation.

The Principal and BOM have a duty to ensure that there are no undue delays in an investigation and in making decisions about the imposition of suspension or expulsion.

In making its determination, the Principal and BOM may take advice from such persons as they consider appropriate.

All matters to do with an investigation of alleged misbehaviour will be dealt with in confidence.

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

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

Inform the pupil and parents

The pupil and their parents will be informed about the complaint, how it will be investigated, and that it could result in suspension. Parents will be informed by phone or in writing, depending on the seriousness of the matter.

Give an opportunity to respond

Parents and pupil will be given an opportunity to respond before a decision is made and before any sanction is imposed.

The Principal will contact the parent and outline the procedures that the School proposes to follow. A copy of this policy and copies of the sections of the NEWB Guidelines referred to in these Guidelines will be provided to a parent if a suspension is being considered.

Section 4: Implementing the Suspension

The Principal has the authority to impose in-house suspension and at home suspensions of up to 5 days. The Principal will report all suspensions without delay to the chair of the Board of Management

For behaviour that may justify the proposal of a suspension of more than 5 days, the Principal shall refer the matter to the BOM for consideration and to make a decision.

Pupils will not be suspended for an indefinite period. Any such suspension would be regarded as a de-facto expulsion.

Written notification

Where a decision to suspend has been made, the Principal will notify the parents and the pupil 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 pupil and the parents (e.g. parents and pupils will be asked to reaffirm their commitment to the School Code of Behaviour)
- the provision for an appeal to the BOM.

Section 5: Right of Appeal

Any decision of the Principal to impose a suspension may be appealed to the BOM in accordance with this appeal procedure.

Any decision of the BOM to impose a suspension may be appealed to the Trustees of the School in accordance with this appeal procedure.

Save in exceptional circumstances, an appeal must be made within 10 school days of the decision being notified to the parent.

The grounds for the appeal should be outlined in writing to the BOM where the decision to suspend had been made by the Principal or to the Trustees of the School where the decision to suspend had been made by the BOM. The written appeal should be accompanied by any relevant supporting documentation.

Appeal of decision of the Principal to suspend a pupil:

An appeal to the BOM should be address to the Chairperson of the BOM and marked "Appeal Request."

Fair procedures will be followed in the appeal process.

A copy of the appeal will be provided to the Principal and she will be invited to submit a written response if she so wishes.

Any written response will be copied to the parents.

The Parents and the Principal (together the "parties") will be notified as to the persons who will be attending the appeal hearing, including any persons specifically invited by the BOM. This information and the documentation (if any) will be provided 3 days before the hearing. All information should be treated confidentially.

The appeal will focus only on the grounds set out in the written appeal.

The Chairperson of the BOM will contact the parents within 5 school days of the written grounds of appeal being received. The date, time and venue for the appeal meeting will be arranged in consultation with the parents and the Principal.

Subject to the prior consent of the Chairperson of the BOM, the parties to the appeal may also be accompanied at the hearing by not more than two persons nominated by them for this purpose. Persons accompanying the parties to the appeal will not be permitted to make statements at the appeal hearing, save in exceptional circumstances where the BOM gives its consent.

The BOM may invite persons with relevant expertise to attend and make statements at the appeal hearing.

Where any of the parties to the appeal are unable to attend the hearing, they should contact the Chairperson of the BOM no later than 3 days before the hearing so that the hearing may be rescheduled.

Where any of the parties to the appeal fail to attend the hearing, without having given prior notification to the Chairperson of the BOM, the hearing may proceed in their absence at the discretion of the BOM.

At the hearing the parties to the appeal will be given an opportunity to present their case. They will have the right of reply and each will have the right to question the other through the chair.

The BOM may question all parties to the appeal, and seek the views of any other persons who may have been called.

Determination of Appeal

The appeal will be determined by the BOM in the light of all the facts presented to it, including the views of any persons called by it to the hearing, and having due regard to:

- the established practices within the School for dealing with suspensions which are the subject matter of the appeal, including, where relevant and available, any statutory or non-statutory procedures, guidelines, regulations or other provisions in operation at any time,
- the educational interests of the pupil who is the subject of the appeal,
- the educational interests of all other pupils in the School,
- the effective operation and management of the School,
- any resource implications arising from the issues under appeal,
- the characteristic spirit/ ethos of the School, and
- such other matters as the BOM considers relevant.

In making its determination, the BOM may take advice from such persons as it considers appropriate.

Where a vote is required in order to establish the BOM's determination of an appeal, the matter shall be determined by a majority of votes voting on the question. In the case of an equal division of votes, the Chairperson of the BOM shall have a casting vote.

A written decision of the outcome of the appeal and the reasons therefore, which is final, will be made within 10 school days of the appeal hearing and will be issued to the parties.

Where detailed investigations are necessary or a person involved is absent the timescales and means of managing the appeal may need to be amended and these will be outlined to the parties as appropriate.

Appeal of decision of the BOM to suspend a pupil

An appeal to the Trustees of the School should be addressed to the Chairperson of the Appeals Committee of the Trustees of the School marked "Appeal Request".

A copy of the appeal will be provided to the Principal and the Chairperson of the BOM and they will be invited to submit a written response if they so wish.

The parties will be notified as to the persons who will be attending the hearing, including any persons specifically invited by the Appeals Committee. This information/ documentation will be provided 3 days before the hearing. Any written response of the Principal and/or BOM will be copied to the parents. All information should be treated confidentially.

The appeal will focus only on the grounds set out in the written appeal.

The Appeals Chairperson will contact the parents within 5 school days of the written grounds of appeal being received. The date, time and venue for the appeal meeting will be arranged in consultation with the parents, the Principal and the Chairperson of the BOM.

Subject to the prior consent of the Appeals Committee, the parties (the parents, the Principal and the BOM) to the appeal may also be accompanied at the hearing by not more than two persons nominated by them for this purpose. Persons accompanying the parties to the appeal will not be permitted to make statements at the appeal hearing, save in exceptional circumstances where the Appeals Committee gives its consent.

The Appeals Committee may invite persons with relevant expertise to attend and make statements at the appeal hearing.

Where any of the parties to the appeal are unable to attend the hearing, they should contact the Appeals Chairperson no later than 3 days before the hearing so that the hearing may be rescheduled.

Where any of the parties to the appeal fail to attend the hearing, without having given prior notification to the Appeals Chairperson, the hearing may proceed in their absence at the discretion of the Appeals Committee.

At the hearing the parties to the appeal will be given an opportunity to present their case. They will have the right of reply and each will have the right to question the other through the chair.

The Appeals Committee may question all parties to the appeal, and seek the views of any other persons who may have been called.

Determination of Appeal

The appeal will be determined by the Appeals Committee in the light of all the facts presented to it, including the views of any persons called by it to the hearing, and having due regard to:

- the established practices within the school for dealing with issues/ grievances which are the subject matter of the appeal, including, where relevant and available, any statutory or non-statutory procedures, guidelines, regulations or other provisions in operation at any time,
- the educational interests of the pupil who is the subject of the appeal,
- the educational interests of all other pupils in the School,
- the effective operation and management of the School,

- any resource implications arising from the issues under appeal,
- the characteristic spirit/ ethos of the School, and
- such other matters as the Appeals Committee considers relevant.

In making its determination, the Appeals Committee may take advice from such persons as it considers appropriate.

Where a vote is required in order to establish the Appeals Committee's determination of an appeal, the matter shall be determined by a majority of votes of the Appeals Committee members voting on the question. In the case of an equal division of votes, the chairperson of the Appeals Committee shall have a casting vote.

A written decision of the outcome of the appeal and the reason therefore, which is final, will be made within 10 school days of the appeal hearing and will be issued to the parties.

Where detailed investigations are necessary or a person involved is absent the timescales and means of managing the appeal may need to be amended and these will be outlined to the parties as appropriate.

Section 6 - Grounds for Removing a Suspension

The grounds for removing a suspension are:

- The time period of the suspension has elapsed and the pupil has fulfilled the suspension;
- On appeal the BOM (or the Trustees if they are the relevant appeal body) decides to remove the suspension.

Section 7: Re-integrating the Pupil back to School

- The pupil will be supported to take responsibility for catching up on work
- A member of staff will be allocated to provide support to the pupil to re-integrate back to life in the classroom
- The pupil will be given the opportunity and support for a fresh start.

Section 8: Records and Reports

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.

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

Section 9: Review

The BOM will review the use of suspension in the School each school year.

Note: For the purposes of these guidelines "Days" mean School days .

Mount Anville Junior School

School Expulsion Guidelines

All matters relating to expulsion follow the guidelines set out in 'Developing a Code of Behaviour: Guidelines for Schools' published by the National Education Welfare Board ('NEWB Guidelines'). The full text of the guidelines is available at http://www.newb.ie/codes_of_behaviour_guidelines/introduction.asp.

Note: however as the School is not a recognised school certain of the NEWB's Guidelines do not apply to the School and the references to a section 29 appeal in the NEWB's Guidelines do not apply to the School.

Expulsion for the purposes of these guidelines is defined as 'when a Board of Management makes a decision to permanently exclude a student from the School' (NEWB, 2007).

Section 1: Introduction

Expulsion will be a proportionate response to the pupil's behaviour. Expulsion of a pupil is a very serious step, and one that will only be taken by the Board of Management (BOM) in extreme cases of unacceptable behaviour. Save in exceptional circumstances or where automatic expulsion applies, the School will have taken significant steps to address the misbehaviour and to avoid expulsion of a pupil including, as appropriate:

- Meeting with the parents and the pupil to attempt to find ways to help the pupil change the behaviour;
- Making sure that the pupil understands the possible consequences of his/her behaviour, if it persists;
- Ensuring that all other possible options have been tried;
- Seeking the assistance of support agencies as deemed appropriate.

All matters to do with an investigation of alleged misbehaviour will be dealt with in confidence.

Section 2: Grounds for Expulsion

The grounds for expulsion may be similar to the grounds for suspension. However, in addition to factors such as the degree of seriousness and the persistence of the behaviour, a key difference (save in exceptional circumstances or where an automatic expulsion applies) between the two sanctions where expulsion is considered will be where the School has tried a series of other interventions and believes that it has exhausted all possibilities for changing the pupil's behaviour.

In general terms the behaviour leading to possible expulsion would be any one of the grounds described as Gross Misbehaviour in the table in Annex 1 and referenced in paragraph 4.3 of the School's Code of Behaviour and additionally would include circumstances giving rise to the following:

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

‘Automatic’ expulsion Automatic expulsion may be decided upon by the BOM in certain circumstances following consultation with the Principal, the parents, the teachers and the pupils as the sanction for certain stated behaviours, provided that in any such instance the School shall continue to follow due process and fair procedures. No such decision has been made to -date.

There may be exceptional circumstances where the BOM may form the opinion that a pupil 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 may include

- A serious threat of violence against another pupil or member of staff
- Actual violence or physical or other, assault
- Supply of drugs.

Section 3: Procedures for Expulsion

The School is required by law to follow fair procedures when proposing to expel a pupil.

Fair procedures have two essential parts:

- the right to be heard
- the right to impartiality

As provided for in the NEWB Guidelines:

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.

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.

Fair procedures apply to:

- The investigation of alleged misbehaviour that may lead to suspension or expulsion; and
- The process of decision-making as to:
 - (a) whether the pupil did engage in the misbehaviour
 - (b) what sanction to impose
 - (c) The Appeal Process

The way in which fair procedures are applied will take account of the seriousness of the alleged misbehaviour and will have regard to what is reasonable in the context of the School.

The principles of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible sanction. The level of formality required, for example, for a suspension of three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

Even informal processes, however, must be fair and be seen to be fair. The principles of ensuring the right to be heard and the right to impartiality apply in all cases.

The right to be heard means that a pupil and their parents are fully informed about an allegation and the processes that will be used to investigate and decide the matter; and that they must be given an opportunity to respond to an allegation before a decision is made and before a serious sanction is imposed.

Absence of bias in the decision-maker would mean, for example that if the child of the Principal was accused of misconduct that might warrant suspension or expulsion, the Principal would not be involved in the decision. Similarly, if the child of a member of the BOM was accused of misconduct, that parent would absent themselves from the BOM for any consideration of the matter by the BOM.

The principle of impartiality in decision-making means it is preferable that, where possible, the Principal arranges for another member or members of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view about whether the pupil did engage in the behaviour and about the sanction, based on the report of the investigation.

Where circumstances require the Principal to conduct the investigation as well as making a finding and proposing the sanction, she must not only act fairly but be seen to act fairly. It is incumbent upon the Principal to review the investigation to ensure that it has been fully and fairly conducted. It should be evident to the pupil, parents, staff and other pupils that the Principal, as decision-maker, is basing her decision, in an objective way, on the findings of the investigation.

The person alleging the misbehaviour, or who is a victim, or a witness should not usually conduct the investigation.

The Principal and BOM have a duty to ensure that there are no undue delays in an investigation and in making decisions about the imposition of suspension or expulsion.

In making its determination, the Principal and BOM may take advice from such persons as they consider appropriate.

Given the seriousness of expulsion as a sanction, the BOM, on considering it, shall undertake a detailed review of the relevant factors and issues arising, adhering to the principles of fair procedures and in particular shall have regard to the factors for determining the appropriateness of Expulsion set out in the NEWB Guidelines (Section 12.3) which are:

- The nature and seriousness of the behaviour;
- The context of the behaviour;
- The impact of the behaviour;
- The interventions tried to -date;
- Whether expulsion is a proportionate response;

The possible impact of expulsion

Where a preliminary assessment of the facts confirms gross misbehaviour, that could warrant expulsion, the procedural steps to be followed by the BOM shall include;

- A detailed investigation carried out under the direction of the Principal.
- A recommendation to the BOM by the Principal
- Consideration by the BOM of the Principal's recommendations and the holding of a hearing.
- BOM deliberations and actions following the hearing.
- BOM notifies parents in writing of its decision and provides details of the appeal process to the Trustees (see section 4) if it is a decision to expel.

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 pupil 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 pupil every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

The parents will be informed in writing of the alleged misbehaviour and the proposed investigation. This is to ensure that the parents are very clear about what the pupil is alleged to have done.

Parents and the pupil will have an opportunity to respond to the complaint before a decision is made about the veracity of the allegation and before a sanction is imposed.

If there is any risk that the alleged misbehaviour may result in a decision to expel then the parents and the pupil will be requested to attend a meeting with the Principal. This meeting will be held within 7 days of the issue of the written notification of the alleged misbehaviour.

Parents can make a written and oral submission to the Principal with any written submission to be received 2 days in advance of the meeting with the Principal.

At the meeting with the Principal, the parents and the pupil will be given an opportunity to respond to the complaint, give their side of the story and ask questions about the evidence of serious misbehaviour. Such a meeting will also be an opportunity for parents and the pupil to make any case for the lessening of the sanction and for the School to explore with the parents how best to address the pupil's behaviour.

If the parents and the pupil fail to attend the meeting the Principal will write to the parents advising them 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 keep a record of the letters sent to the parents and any responses received.

Step 2. A recommendation to the BOM by the Principal

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted the Principal will make a recommendation to the BOM to consider expulsion.

The Principal will:

- Inform the parents and the pupil that the BOM is being asked to consider expulsion;
- Ensure that the parents and the BOM have records of:
 - ◇ The allegations against the pupil;
 - ◇ The investigation; and
 - ◇ The written notice of the grounds on which the BOM is being asked to consider expulsion.
- Notify the parents of the date of the hearing by the BOM;
- Invite the parents to attend the hearing by the BOM;
- Advise the parents that they can make a written and oral submission to the BOM (with any written submission to be received 2 days in advance of the meeting).

To ensure that the parents have enough notice to allow them to prepare for the hearing, seven days notice will be given in advance of the BOM hearing.

Step 3. Consideration by the BOM of the Principal's recommendations and the holding of a hearing.

The BOM will review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures.

The BOM will conduct its own review of all documentation and the circumstances of the case. The BOM will ensure that no party who has had any involvement with the circumstances of the case is part of the BOM's deliberations (for example, a member of the BOM who may have made an allegation about the pupil).

If the BOM decides to consider expelling a pupil it will hold a hearing.

The BOM meeting for the purpose of the hearing will be properly conducted in accordance with the BOM's procedures.

In conducting the hearing the BOM will be impartial as between the Principal and the pupil.

At the BOM hearing, the Principal and the parents will each be requested to put their case to the BOM in each other's presence. Each party will be allowed to question the evidence of the other party directly. Thereafter the BOM will deliberate on the matter in the absence of the Principal and the parents.

The hearing will also be an opportunity for parents to make any case for the lessening of the sanction.

The parents have the right to be accompanied at the hearing and the BOM will facilitate this in line with BOM procedures provided that the parents notify the BOM of the identity of the person accompanying them 2 days in advance of the hearing.

Step 4. BOM deliberations and actions following the hearing.

Having heard from all the parties at the hearing the BOM will decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

Step 5. BOM notifies parents in writing of its decision and provides details of the appeal process to the Trustees (see section 4 below) if it is a decision to expel.

The BOM will formally inform the parents and the Principal in writing about its conclusions and the decision made and provide details of the appeal process set out in Section 4 below.

If the decision is to proceed to expel the BOM will immediately inform the parents and will also inform the parents that the NEWB [National Education Welfare Board] will be notified of the expulsion.

A formal record of the BOM decision will be made and stored on the pupil's file.

A copy of this policy and copies of the sections of the NEWB Guidelines referred to in these Guidelines will be provided to a parent if an expulsion is being considered.

Section 4: Appeal to the Trustees

Any decision of the BOM to impose an expulsion may be appealed to the Trustees of the School in accordance with this appeal procedure.

Save in exceptional circumstances, an appeal must be made within 10 school days of the decision being notified to the parent.

The grounds for the appeal should be outlined in writing to the Trustees of the School. The written appeal should be accompanied by any relevant supporting documentation.

An appeal to the Trustees of the School should be addressed to the Chairperson of the Appeals Committee of the Trustees of the School marked "Appeal Request".

A copy of the appeal will be provided to the Principal and the Chairperson of the BOM and they will be invited to submit a written response if they so wish.

The parties will be notified as to the persons who will be attending the hearing, including any persons specifically invited by the Appeals Committee. This information/ documentation will be provided 3 days before the hearing. Any written response of the Principal and/or BOM will be copied to the parents. All information should be treated confidentially.

The appeal will focus only on the grounds set out in the written appeal.

The Appeals Chairperson will contact the parents within 5 school days of the written grounds of appeal being received. The date, time and venue for the appeal meeting will be arranged in consultation with the parents, the Principal, and the Chairperson of the BOM.

Subject to the prior consent of the Appeals Committee, the parties (the parents, the Principal and the BOM) to the appeal may also be accompanied at the hearing by not more than two persons nominated by them for this purpose. Persons accompanying the parties to the appeal will not be permitted to make statements at the appeal hearing, save in exceptional circumstances where the Appeals Committee gives its consent.

The Appeals Committee may invite persons with relevant expertise to attend and make statements at the appeal hearing.

Where any of the parties to the appeal are unable to attend the hearing, they should contact the Appeals Chairperson no later than 3 days before the hearing so that the hearing may be rescheduled.

Where any of the parties to the appeal fail to attend the hearing, without having given prior notification to the Appeals Chairperson, the hearing may proceed in their absence at the discretion of the Appeals Committee.

At the hearing the parties to the appeal will be given an opportunity to present their case. They will have the right of reply and each will have the right to question the other through the Chair.

The Appeals Committee may question all parties to the appeal, and seek the views of any other persons who may have been called.

Determination of Appeals

The Appeal will be determined by the Appeals Committee in the light of all the facts presented to it, including the views of any persons called by it to the hearing, and having due regard to:

- the established practices within the school for dealing with issues/ grievances which are the subject matter of the appeal, including, where relevant and available, any statutory or non-statutory procedures, guidelines, regulations or other provisions in operation at any time,
- the educational interests of the pupil who is the subject of the appeal,
- the educational interests of all other pupils in the School,
- the effective operation and management of the School,

- any resource implications arising from the issues under appeal,
- the characteristic spirit/ ethos of the School, and
- such other matters as the Appeals Committee considers relevant.

In making its determination, the Appeals Committee may take advice from such persons as it considers appropriate.

Where a vote is required in order to establish the Appeals Committee's determination of an appeal, the matter shall be determined by a majority of votes of the Appeals Committee members voting on the question. In the case of an equal division of votes, the Chairperson of the Appeals Committee shall have a casting vote.

A written decision of the outcome of the appeal and the reason therefore, which is final, will be made within 10 school days of the appeal hearing and will be issued to the parties.

Where detailed investigations are necessary or a person involved is absent the timescales and means of managing the appeal may need to be amended and these will be outlined to the parties as appropriate.

The BOM may consider it appropriate to suspend a pupil during the appeal process. Suspension will only be considered where there is a likelihood that the continued presence of the pupil during this time will seriously disrupt the learning of others, or represent a threat to the safety of other pupils or staff.

Section 5: Review

The BOM will review the use of expulsion in the School each school year.

For the purposes of these guidelines "Days" mean School days

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