

Ashbourne Community School Code of Behaviour

This Code of Behaviour is a set of practices and procedures that form the school's plan for helping students in the school to behave well and learn well.

It helps staff, students and parents to work together for a happy, safe and effective school.

It helps to ensure an orderly, harmonious school where high standards of behaviour are expected and supported (*adapted from the NEWB Guidelines, 2008*).

In our school students are encouraged to take responsibility for themselves, for their own learning and for their discipline. Good behaviour will create a good learning environment.

We have high expectations for good behaviour during the school day, travelling to and from school and on school related activities.

At enrolment students and their parents/guardians are given a copy of the Code of Behaviour and must accept this as part of the enrolment procedure. All students are expected to operate within this policy. The Year Head retains a copy in the students' files (ref Admissions Policy)

How this Code was developed:

A whole school approach was used in the development of this policy. It was developed and modified in consultation with teachers, parents and students and in line with the *NEWB Guidelines, 2008*.

Our vision for relationships and behaviour:

In Ashbourne Community School there is one basic school regulation:

We must respect other people and the property of other people.

Our Mission Statement underpins the Code of Behaviour:

Our school is a place where we foster such values as respect, inclusion and care as evident in our school policy and practice.

And

Through positive staff and student relationships and a broad extra-curricular programme, we aim to develop in each student a confident, healthy self-image and a sense of responsibility.

We aim to create a positive working environment and develop a spirit of community. The school rules and code of behaviour are subject to changes as the need arises.

Respecting others and recognising the rights of others:

- My teacher has the right to carry out her/his teaching without disruption.
- Each member of my class has the right to be educated without disturbance.
- My parents/guardians have the right to expect that I behave well at all times.
- Everyone has the right to work in a supportive and safe environment without the fear of being bullied or harassed (ref Anti-Bullying Policy). It is unacceptable to be disrespectful about someone's gender/sexual orientation, religion, age, disability, race, membership of the traveller community, family status/civil status.

Recognising my duties:

- I have a duty to work to the best of my ability in school
- I will treat everyone in a friendly and respectful manner
- I understand that fighting, bad language and rough behaviour show serious disrespect and are not tolerated.

Promoting good behaviour:

Good behaviour, commitment to school life, positive attitude and a strong work ethic may be rewarded in the following ways:

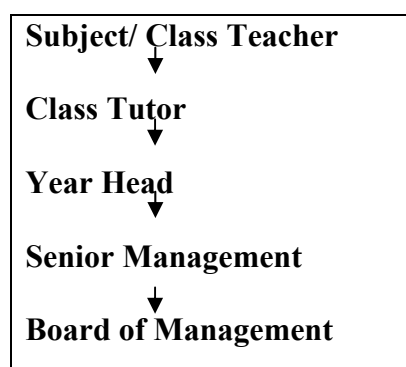
- Verbal praise and encouragement
- Individual conversations
- Good note in the Journal
- Commendation Slip
- Postcard
- Recognition at Assembly
- Tutor class rewards
- Attendance awards
- Journal competitions
- Annual whole school awards
- Annual class awards
- Class trips/ activities
- Certificates of Achievement
- Good News Friday announcements

Teacher Expectations of Students:

- Good attendance
- Punctuality
- Eagerness to learn
- Courtesy, respect and good behaviour at all times
- Full cooperation
- Full preparation for class (books, equipment, homework)
- All assigned work is produced
- Journal is signed weekly
- School rules are followed
- Full school uniform is worn

Student Expectations:

- To learn in a safe, orderly environment free from bullying, bad language and rough behaviour
- To be able to work without disturbance
- To be happy at school
- To be treated fairly

The Discipline Structure**Additional Support Staff:**

Chaplain
Guidance Counsellors
Learning Support/Resource
SNA Personnel

Roles and Responsibilities

<p>Role of Class/Subject Teacher The teacher promotes a positive learning environment with mutual respect between teacher and students. He/She is responsible for class discipline, and records punctuality and attendance.</p>	<p>Sanctions</p> <ul style="list-style-type: none"> • Meeting and discussion with student • Explanatory note in Journal • Additional class work/ homework/ lunchtime detention • Contract of behaviour form • Subject Teacher Report • Referral to Year Head 	<p>Rewards</p> <ul style="list-style-type: none"> • Verbal praise • Note in Journal • Commendation slip • Awards System • Class trips/activities • Postcards/Positive Discipline initiatives • Certificates • Other...
<p>Role of Class Tutor Tutor has particular responsibility for his/her class group. The Tutor:</p> <ul style="list-style-type: none"> • Has a caring role • Monitors attendance, punctuality, behaviour and learning through the Student Journal. • Checks and signs the • Journal weekly. • Ensures each student has a Journal or Replacement Sheet. 	<p>Sanctions:</p> <ul style="list-style-type: none"> • Meeting and discussion with student • Phone call to Parent/Guardian • Daily review of Journal • Tutor Report • Contract of Behaviour • Referral to Year Head 	<p>Rewards</p> <ul style="list-style-type: none"> • Verbal praise • Note in Journal • Commendation slip • Awards System • Class trips/activities • Postcards/Positive Discipline initiatives • Certificates
<p>Role of Year Head Year Head has overall responsibility for all the students</p>	<p>Sanctions:</p> <ul style="list-style-type: none"> • Discuss issue/ behaviour with student 	<p>Rewards</p> <ul style="list-style-type: none"> • Verbal praise • Note in Journal

<p>in the year group. The Year Head:</p> <ul style="list-style-type: none"> • Works with the Tutor Team to monitor student progress/ performance/ attendance/ punctuality/ uniform and behaviour so that teaching and learning can take place. • Acts upon all referrals. 	<ul style="list-style-type: none"> • Meet with student and/or Parent/Guardian • Detention • Contract of Behaviour • Year Head Report • Recommendation to Deputy Principal/ Principal for Suspension 	<ul style="list-style-type: none"> • Commendation slip • Awards System • Class trips/activities • Postcards/Positive Discipline initiatives • Certificates • Acknowledgement at Assembly • Referral to Deputy Principal/ Principal
<p>Role of the Principal/ Deputy Principal</p> <ul style="list-style-type: none"> • Support the Teaching and Learning in the classroom • Act upon all referrals 	<p>Sanctions</p> <ul style="list-style-type: none"> • Meeting with student • Meeting with Parent/Guardian • Deputy Principal/ Principal report • Acknowledgement at Board of Management • Recommendation for Suspension • Referral to Board of Management for Exclusion from school. 	<p>Rewards</p> <ul style="list-style-type: none"> • Verbal praise • Note in Journal • Commendation slip • Awards System • Class trips/activities • Postcards/Positive Discipline initiatives • Certificates • Acknowledgement at Assembly • Good News Friday
<p>Role of the Board of Management This is the final tier in the discipline structure. Decisions are made on the basis of recommendations of others</p>		

- All paperwork on student behaviour is kept in Student files
- Appendix 2 lists our arrangements for recording behaviour

The Purpose of our School Rules:

To help students to learn what behaviours are acceptable and what are unacceptable
To set out clear boundaries and rules for students
To prevent disruption to teaching and learning

- To keep students and adults safe
- To protect the wellbeing of students and staff
- To encourage students to take responsibility for their own behaviour
- To promote good behaviour
- To ensure good working relationships between students and staff
- To set out our high expectations for student behaviour
- To ensure our standards are clear, consistent and widely understood by students, parents and teachers

The Content of the School Rules:

- **Respect:** Students must follow all instructions given by staff. Courtesy and respect must be shown to everyone at all times, this includes walking on the right hand side of the corridor and lining up for class in an orderly fashion. Public displays of affection are not allowed.
- **Bullying** of any kind will not be tolerated. Please see our Anti-Bullying policy for the procedures for reporting bullying.
- **Attendance** All students must attend school everyday. All absences must be explained in writing by a Parent/Guardian, in advance where possible, or on immediate return to school if not.
 1. The tutor should be informed by completing an absence note in the journal, detailing the reason for absence. This is also presented to class teachers upon return to school.
 2. Absences of more than 5 days due to illness should be accompanied by a doctor's certificate.
 3. When a student is absent parents are contacted by text message. Parents need only respond with a phone call to the school where he/she has a concern.
 4. The school must report absences of 20 days to the Education Welfare Officer (Education Welfare Act 2000 s23 (2)(e) & s(18)).
 5. During class time students may only leave the classroom with written permission from the class teacher.
 6. The Tutor/Year Head/ Deputy Principal will contact home if a parent fails to notify the school about a student's absence.
- **Punctuality:** Students must report for tutorial at 8:50am (9:50am on Tuesday). After 9:00am (10:00am on Tuesdays) students must report to the main office and sign the late book. Explanatory notes should be shown at the office and to the tutor at next tutorial.
Students must be in class on time, with their **Journal**, prepared for work and in full school uniform. This includes special clothing for P.E and other activities.
- **Signing out:** No student may leave school during the day without prior notice. Students must get permission from their Tutor or Year Head or Principal/Deputy Principal before signing out in the office.
- **Uniform:** Students must wear the full school uniform at all times (Ref Uniform Policy). Any students not in school uniform must present themselves during tutorial time to the Deputy Principal.
- **Facial piercings/ Jewellery:** Facial piercings are not permitted. Students will be asked to remove facial piercings. The student will remain at home until such time as he/she conforms to these requirements. Students may be asked to remove any items of jewellery for Health and Safety reasons.

- **Mobile phones/ Musical devices:** Mobile phones/musical devices may only be switched on before 8:50am, at break and lunch time and after 3:35pm and should not be visible outside these times. If a phone is confiscated for use outside these times, it is held in the main office and is only returned to a parent/legal guardian.
- If the phone is confiscated 2 or more times it will be held for 5 school days before it is returned to a parent/ guardian.
- Failure to hand over a mobile phone/musical device when requested to do so, will result in suspension.
- **Chewing gum:** Chewing gum is expressly forbidden in school. The sanction for chewing gum is one hour clean up after school.
- **School Journal:** The Journal is considered important in communications between school and home. It must be kept graffiti-free and signed weekly by Parents/ Guardians.
Failure to hand over a Journal when requested to do so, will result in suspension. Loss of the School Journal will incur a €10 replacement fee.
- **Expressly forbidden items:** Knives, dangerous implements, cigarettes, alcohol, or other drugs/ solvents (See Suspension & Expulsion section of this policy).
- **Eating/Drinking** during class time is not permitted.
- **Lockers:** Access is only permitted at the following times: before Tutorial, at lunchtime and after school.

***This list should not be regarded as exhaustive and the mere fact that a particular matter is not specified in this code will not exonerate a student from blame should there be an infringement of another person's rights.**

***Actions, which impede the work of the school or damage the spirit of trust, respect and co-operation, which we seek to create, are subject to sanctions as the need arises.**

*** At all times the school reserves the right to question any student in relation to any incident. It also reserves the right to view and confiscate if necessary, the contents of a student's locker, bags, and/or to view any items carried by students on their person. This is in the interest of the welfare and health and safety of the entire school community.**

***Students are responsible for all of their own belongings while on the school premises. Ashbourne Community School will not be responsible for loss/stolen items. Students should not bring valuable items to school. All bags must be placed in the racks/cages provided. Bags should not be left on the corridor/floor area as these are a hazard to health and safety.**

The consequences of unacceptable behaviour:

- Failure to follow staff instructions or to show respect to others may result in a verbal warning, detention or suspension depending on the circumstances.
- Absence from class without permission may result in detention, a Principal's detention or a suspension.
- Lateness: Students who have 2 unexplained lates in a week will do a Tuesday morning detention (see below).
- Failure to do detention will result in suspension.
- Failure to sign the late book will result in suspension.
- Students who are not in full school uniform will be referred to the Deputy Principal.

- Items listed as forbidden will be confiscated and the student may be suspended or expelled.

Procedures for Detention:

- a) **After School Detention:** Wednesday 3:45- 4:45
The Year Head may place a student on Detention. A letter/ detention slip is sent home. It must be signed by the Parent/Guardian and returned to the Year Head.
Parents are given a minimum of 24 hours notice.
- b) **Tuesday Morning Detention:** Tuesday 8:30- 9:30
The Attendance Officer gives a minimum of 24 hours notice of detention.
- c) **Lunchtime Detention:**
A teacher may detain a pupil for 20 minutes of lunchtime. Parents are given 24 hour notice via the Student Journal.
- d) **Principal's Detention:** 3:45-5:45
This occurs after school on selected dates throughout the school year.
The Year Head issues a letter giving a minimum of 24 hour notice to the Parent/Guardian.

Helping each other to meet the standards of behaviour expected in the school:

a) The Role of Parents:

Read the Code of Behaviour

Discuss the school's expectations for good behaviour

Sign the Code of Behaviour to show your support

Attend Parent /Teacher meetings

Communicate any concerns that may affect student behaviour

Monitor and sign the Journal each week

b) The Role of Staff:

Promote positive behaviour

Model good behaviour

Apply discipline procedures consistently

c) The Role of Students:

Take pride in your school, your school uniform and belongings

Work within the Code of Behaviour

Communicate concerns about student behaviour

Take responsibility for your own behaviour, belongings and safety

Procedures for raising a concern about a behaviour matter:

1. Minor concerns can be addressed by writing a note in the Student Journal.
2. Telephone the school (01 8353066) to make an appointment to meet a teacher.

Students should:

- Talk to a teacher.

Related school policies:

Admissions

Anti-Bullying

Harassment and Sexual Harassment

Uniform

Homework	Special Education Needs
Whole School Guidance	Attendance
I.T	Substance Use
Health & Safety	

All school policies are based upon this Code of Behaviour

Suspension and Expulsion

The Board of Management of Ashbourne Community School in its procedures on suspension complies with sections 22 and 23 of the Education (Welfare) Act 2000 and complies with section 24 in its policy on expulsion. This policy applies to all partners in the education process, School Management (BOM), teachers, students and parents/guardians and was developed in consultation with all of the above.

The policy was ratified by the Board of Management in June 2011 and implemented thereafter.

Students aged eighteen years or more:

On occasions when an adult student requests the school to restrict or limit communication with their parents in matters relating to their education, the school authorities will inform the parents/guardians of the student about the change in practice and the reasons.

Involving the Gardai:

Where allegations of criminal behaviour are made about a student, these will be referred to the Gardai who have responsibility for investigating criminal matters.

Suspension:

- Withdrawal of permission from a pupil to attend school for a specified period of time or pending the completion of a particular event or instruction.
- Withdrawal from a particular class or subject for a period of time may be used in some circumstances.

Period of Suspension:

This depends on the severity of the offence but can vary from one to five days.

Authority to suspend:

The authority to suspend a pupil rests with the school's Board of Management. The Board of Management delegates this authority to the Principal formally and in writing and to the Deputy Principal in the Principal's absence.

This authority to suspend is subject to the right of the parents (or of a pupil who is over 18 years) to appeal to the Board of Management.

All suspensions are reported to the Board of Management.

Under the Education (Welfare) Act, Section 21 the Principal will inform the Educational Welfare Officer in writing if a pupil is suspended for 20 days or more in any academic year.

Suspension is a serious sanction and is imposed where:

- Other efforts to resolve a disciplinary situation have failed
- The nature of an incident dictates that the student be removed from the school immediately
- The student has repeated incidents of indiscipline in spite of warnings and counselling by staff.
- The student fails to recognise and submit to legitimate authority.
- The student's behaviour is considered to interfere with the right to learn of other students.
- The student's continued presence in the school constitutes threat to the safety or welfare of others.
- The student is responsible for serious damage to school property or to the property of others.
- The student fails to do detention or fails to sign the late book.

Actions, which impede the work of the school or damage the spirit of trust, respect and co-operation, which we seek to create, are subject to suspension.

Automatic Suspension:

The following behaviours will incur an 'Automatic' suspension

- 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 found to be fighting, smoking, using inappropriate language to a member of staff, interfering with a fire extinguisher or fire alarm.
- The student is responsible for serious damage to property.
- The student fails to turn up to Detention.
- The student is in possession of, uses, or supplies bangers or fireworks.
- The student possesses any kind of weapon or dangerous implement.
- Theft of school property or property belonging to staff or students.

Suspension during a State examination:

Suspension during a State examination will only be used where it is approved by the Board of Management and where there is:

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

Suspension procedure:

Fair procedures will be followed in the investigation and decision-making process in line with the Education Welfare Act 2000 and the *NEWB Guidelines (Appendix 1)*. These concern the right to be heard and the right to impartiality.

The school recognises the serious nature of the sanction of suspension and this seriousness is reflected in the school's procedures.

Parents and student will be given an opportunity ofdays to respond before the decision to suspend is made and before any sanction is imposed.

In the case of an automatic suspension a formal investigation will immediately follow the imposition of the suspension.

Parents/Guardians are contacted directly either by telephone or by letter or both to inform them in respect of a suspension. Parents are informed, in writing of:

- the reasons for the suspension
- the period of the suspension
- the requirements and arrangements for returning to school which must be fulfilled to gain reinstatement (e.g. parents and students will be asked to reaffirm their commitment to the Code of Behaviour)
- their right to appeal the decision to suspend to the Board of Management
- the procedures to be followed in making such an appeal
- the right to appeal to the Secretary General of the DES under Section 29 of the Education Act.

Pupils are not dismissed from school unless and until arrangements are made for their safe return to the care of their families.

All relevant personnel are required to keep records of all meetings and/or phone calls in connection with the suspension.

All suspensions will be reported by the Principal to the Board of Management, with the reasons for and duration of each suspension.

Reinstatement following Suspension:

Parents/Guardians will be required to meet with staff delegated by the Principal to emphasise their parental responsibility in helping the student to behave well and to discuss a plan to change the unacceptable behaviour.

Support may be given by the Pastoral Team where deemed necessary.

Review of use of Suspension:

The Board of Management will review the use of suspension in the school at regular intervals.

Expulsion

Expulsion of a student is a very serious step, and one that will only be taken by the Board of Management on extreme cases of unacceptable behaviour.

Fair procedures will be followed in the investigation and decision-making process in line with the Education Welfare Act 2000 and the *NEWB Guidelines (Appendix 1)*.

These concern the right to be heard and the right to impartiality.

Authority to Expel:

The Board of management of this school has the authority to expel a student under Section 24 of the Education (Welfare) Act 2000.

The Grounds for Expulsion:

The school will attempt to address misbehaviour and to avoid expulsion of a student by:

- Meeting with parents and the student to find ways of helping the student to change their behaviour
- Making sure the student understands the consequences of persistent misbehaviour
- Ensuring that all other options have been tried
- Seeking the assistance of relevant 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).

The decision to expel a student may be taken by the Board of Management in extreme cases of unacceptable behaviour such as:

- 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 student is in possession of, uses, or supplies drugs or illegal substances.
- The student is in possession of a weapon or dangerous implement.

The grounds for expulsion may be similar to the grounds for suspension

(see p.2). Expulsion is considered when school authorities have tried a series of interventions, and believe they have exhausted all possibilities for changing a student's behaviour.

The following behaviours may incur an Automatic Expulsion or expulsion for a first offence:

- A serious threat of violence against another student or member of staff
- Actual violence or physical assault

- Supplying illegal drugs/substances to other students in the school
- Sexual assault

Expulsion Procedure

Fair procedures will be followed in the investigation and decision-making process in line with the Education Welfare Act 2000 and the *NEWB Guidelines (Appendix 1)*.

These concern the right to be heard and the right to impartiality.

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 Education Welfare Officer.
6. Confirmation of the decision to expel.

The Board of Management is the decision-making body in relation to expulsions. The Board of Management will 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

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. *Parents will be informed in writing of the alleged misbehaviour to ensure they are clear about what their son or daughter is alleged to have done and to underline the seriousness with which the school views the alleged misbehaviour.*
- 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.

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

The Board will:

- Review all documentation and the circumstances of the case.
- Ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations.

The Hearing:

The Board meeting for the purpose of the hearing will be properly conducted in accordance with Board procedures. **This is not a court of law** and the BOM will not allow representation by persons of legal authority.

At the hearing the Principal and the parents, or a student aged eighteen years or over, will 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 strive to be, and be seen to be, impartial as between the Principal and the student.

After both sides have been heard, the Board will ensure that neither the Principal nor parents are present during its deliberations.

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

The Board has the responsibility to decide whether or not expulsion is the appropriate sanction.

Where the Board, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must **notify the Educational Welfare Officer (EWO) in writing** of its opinion. (Education (Welfare) Act 2000, s24 (1)).

The Board will follow the NEWB reporting procedures for proposed expulsions.

The student will not be expelled before the passage of **20 school days** from the date on which the EWO receives this written notification. (Education (Welfare) Act 2000, s24 (1)).

The Board will notify the parents in writing about its conclusions and the next steps in the process. The parents will be told that the Board will now inform the EWO. The expulsion will not be implemented until 20 days have elapsed from the time of notification of the EWO.

Step 5: Consultations arranged by the Educational Welfare Officer

Within 20 days of receipt of notification from the Board of Management of its opinion that a student should be expelled, the Education Welfare Officer must:

- Make all reasonable efforts to hold individual consultations with the Principal, the parents, the student and anyone else who may be of assistance
- Convene a meeting of those parties who agree to attend (Education (Welfare) Act 2000, section 24).

- Pending these consultations the Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (Education (Welfare) Act 2000, section 24 (5)). **The Board may consider it appropriate to suspend a student during this time** 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 20 day period following notification to the EWO has elapsed, and where the Board remains of the view that the student should be expelled, the Board of Management will formally confirm the decision to expel and will notify parents immediately that the expulsion will now proceed.

Parents and student will be told of their 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, or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the DES (Education Act 1998 section 29). An appeal may be brought by the NEWB on behalf of a student.

Communication of the Policy

Students and parents/guardians are informed of the policy on enrolment/ admission to the school. It is also available on the school website www.ashcom.ie. A copy of the policy is given to each member of staff at the beginning of the academic year.

Review of use of expulsion

The Board of Management will review the use of expulsion in the school at regular intervals.

Plan for reviewing the code:

This Code of Behaviour will be reviewed regularly in consultation with Students, Teachers and Parents.

This policy has been ratified by the Board of Management of Ashbourne Community School at its meeting on 9th June, 2011 (Ref. Meeting Nr. 179).

Date: _____

*Chairperson
Board of Management
Ashbourne Community School*

Appendix 1

The following is taken whole or in part from *NEWB Developing a Code of Behaviour: Guidelines for Schools*, 2008 (pp.67-68).

10.3 Fair procedures based on the principles of natural justice

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.

Fair Procedures have two essential parts:

- The right to be heard
- The right to impartiality

10.4 Applying fair procedures in school

In a school, 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 student did engage in the misbehaviour and (b) what sanction to impose.

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 this particular 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 principles of ensuring the right to be heard and the right to impartiality will apply in all cases.

These are:

The right to be heard

Absence of bias in the decision-maker and impartiality in decision-making

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

The provisions of the Guidelines relating to parents apply to the student aged 18 years or more (Age of Majority Act 1985).

Appendix 2

Arrangements for recording behaviour in student files:

Journal Report Form – replaces missing journal. It is issued by tutor at registration on same day.

Subject Report – issued by the subject teacher as the need arises.

Contract of Behaviour – issued by the teacher as the need arises.

Tutor Report – issued by tutor as the need arises.

Year Head Referral Form – issued to Year Head by any subject teacher.

Year Head Report – issued by Year Head as the need arises.

Deputy/ Principal Referral Form – issued by Year Head to Deputy/Principal.

Deputy/Principal Report – issued by DP/P as the need arises.

Incident Report Form – issued by subject teacher investigating alleged incident including bullying. A copy is kept by relevant Year Heads for each name on a report.

Bullying Report Form – issued by the investigating teacher- the incident report form can be used in bullying instances also.

Detention Reflection Sheet – is brought to detention by the teacher in charge. Completed sheets are returned to relevant Yr Heads and these become the record of detention on file.

Commendation Slips – These are found at the back of the journal, are issued by any subject teacher and are retained in the journal for record.

Post Cards – These are issued by any subject teacher and are posted home. A copy is retained for student files.

Letter 1 – Journal not signed – issued by Year Head

Letter 2 - homework not being completed – issued by Year Head

Letter 3 – Concern re lack of project/practical work not completed – issued by Year Head

Letter 4 – Detention for poor punctuality – issued by Attendance Officer

Letter 5 – Suspension Letters – issued by Year Head via main office and copied for files – signed by the Principal

Letter 6 – Suspension letters for lates – issued by Attendance Officer via main office and copied for files – signed by Principal.

Journal notes may also be copied for files.