

St. Kilian's German Primary School

Dublin

Code of Behaviour

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Deutsche Schule Dublin

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1. Introduction

This Code was formulated following consultation with students, parents, teachers and the Board of Management. The Code of Behaviour takes cognisance of the Education Act 1998, the Education Welfare Act 2000, the Equal Status Act, the Epsen Act 2004, the Operating Agreement 2007 between St Kilian's Deutsche Schule, Dublin and the Lycée Français d'Irlande, and the Guidelines for Schools on Developing a Code of Behaviour (NEWB 2008). This Code of Behaviour and its interpretation is governed by Irish law.

2. Scope

2:1 The Code of Behaviour applies to all pupils in St Kilian's German Primary School. The Code of Behaviour should be observed while in school and while attending any school activity including all school outings, trips and sporting fixtures.

2:2 References to the Code of Behaviour are made during the taught curriculum. The Code of Behaviour should be read in conjunction with the House Rules, the Internet Acceptable Use policy, Substance Use policy, and the Anti-Bullying policy. In the event of any conflict between these documents, the Code of Behaviour shall apply.

3. General Principles underpinning the Code of Behaviour

3.1. The Code of Behaviour at St. Kilian's German Primary School describes the school's expectations of how each member of the school community should make the school a better environment for teaching and learning.

3.2: The Code of Behaviour promotes equality for all members of the school community; it respects difference and prevents discrimination in accordance with the Equal Status legislation. Each member of the school community is entitled to fairness and justice, to courteousness and decency.

3.3: The Code of Behaviour reflects the school's commitment to the welfare of every pupil and to promote a positive and safe learning environment.

3.4: The Code of Behaviour helps to promote a positive and safe working environment for all staff, including a positive and safe classroom environment for teachers and pupils.

3.5: The Code of Behaviour is based upon the fundamental principle of respect which pupils, parents and teachers owe each other. Respecting one another means that each individual is treated with due regard to her or his dignity and integrity, be it physical or mental. The general principles regarding standards of behaviour expected at St Kilian's German Primary School are guided by the following:

- We treat each other with respect. We do not hurt each other, neither with blows nor with words.
- We respect property, ours, our fellow pupils', our teachers' and the school's.
- This means that we do not damage it, and tamper with it or take it away.
- We do not behave in such a way that we might hurt ourselves or others.
- We do not behave in such a way that we might damage the good name and image of our school.

The basic rules governing behaviour in school from day to day are outlined in the House Rules appended to this Code of Behaviour (See House Rules)

4. School Community Response

It is a condition of registration in our school that parents sign up to the Code of Behaviour and make all reasonable efforts to ensure compliance with the Code of Behaviour. The Code of Behaviour is circulated to the parents of all pupils and new entrants into the school and they are asked to read it and to sign their agreement with the content. By doing so, they acknowledge their support and co-operation with it. This is to ensure that parents and pupils understand what our rules are, why they must be adhered to and what procedures will be followed if the rules are not upheld. In accordance with best practice this Code of Behaviour will be subject to an annual review.

5. The Promotion of Good Behaviour

The Code of Behaviour and the school rules and the reasons for them are discussed by class teachers with their classes at the beginning of each school year and through the year as the need arises. The concepts of tolerance, self-control, fairness and the principles of natural justice are demonstrated in practice as well as being explored as part of curricular programmes. The Class Teachers, The Subject Teachers, The Learning Support Teachers, The Coordinator of Discipline and Detention, Head of Primary School and Principal all have specific roles to play in upholding the Code of Behaviour.



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5.1 Strategies to Encourage and Promote Good Behaviour

- Teachers model behaviour expected from pupils and give positive feedback
- Teachers recognise the importance of having positive interaction with pupils and developing mutually respectful relationships.
- Teachers set high expectations for pupil behaviour and have good class routines eg. Waiting in line to go to Music class, Changing Room Rules
- Pupils are clear on the contents of the Code of Behaviour and the standards expected of them.
- Parents are clear on the contents of the Code of Behaviour and the procedures which must be followed if the rules are not upheld. The Code of Behaviour is circulated to parents at the start of each school year and is posted on the school website.
- The pupil's sensitivity and consideration for others is developed and the pupil is assisted in upholding the rules in the future. If a pupil is in breach of a rule, he/she is asked to explain the rule he/she has broken and his/her awareness is drawn to the effect this has on the school community. The pupil is encouraged not to repeat the offence, if this is ignored, a sanction will be given.

5:2 Rewarding Good Behaviour

- We endeavour to affirm pupils' self-worth and self-esteem with praise for progress, as well as for high grades and achievement.
- We acknowledge positive behaviour orally and by entering a positive comment in the Schülerheft and school reports.
- We recognise positive behaviour and contribution to the life of the school through public announcements, in school publications and on the school website.
- Class teachers recognise effort and achievement and have their own methods of recognition eg. Merit notice boards in the classrooms.

6. Responding to Inappropriate Behaviour

6:1 Levels of Intervention (Ladder of Referral)

The procedures for dealing with incidents of unacceptable behaviour are referred to as our "Ladder of Referral". The basic principle is that the more serious the incident, the higher up the Ladder of Referral it will be dealt with.

Principal

Head of Primary School

The Coordinator of Discipline and Detention

Class Teacher

Subject Teacher



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- The **Subject Teacher** has primary responsibility for discipline in his/her class and deals with minor infringements of the Code of Behaviour where they arise.
- Where minor incidents persist they may be reported to the Class Teacher who in turn may speak to the pupil and or refer the matter further up the Ladder of Referral.
- Where disciplinary incidents become persistent and disruptive to the teaching and learning process or undermine the general principles underpinning our Code of Behaviour, the matter will be dealt with by the **Class Teacher**. Issues will be recorded in the Red Book and the Schülerheft. The Coordinator of Discipline and Detention will work with the Class Teacher at this point
- If resolution is not reached or in the matter of more serious infringements the Ladder of Referral may be bypassed and the parents will be requested to come to the school as a matter of urgency to meet with the **Class Teacher, The Coordinator of Discipline and Detention** and or the **Head of Primary School/Principal**. The pupil may be sanctioned.
- The parents may be contacted at any point in the above procedure.

6.2 Minor Infringements

The following are examples of some minor misdemeanours, which will be generally dealt with by the Subject/Class Teacher. This list is not exhaustive.

- Being late for class without note
- No homework
- Not having a Schülerheft in class or not having a note signed
- Talking in class
- Distracting others
- Not listening to instructions given

6.3 Serious Infringements

The following is a list of more serious misdemeanours which will be dealt with by the Class Teacher and will also be generally referred to the Head of Primary School but which may ultimately be referred on to the Principal. This list is not exhaustive.

- Recurring minor misdemeanours
- Bullying
- Written or Verbal abuse to staff or pupils
- Behaviour which brings the good name of the school into disrepute

6.4 Very Serious Infringements

In the case of very serious infringements the Ladder of Referral will cease to apply and the matter will be referred directly to the Head of Primary School/Principal where appropriate action will be taken.



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The following behaviour will be brought immediately to the attention of the Head of Primary School/Principal for sanction and is likely to lead to Suspension and or Expulsion. This list is not exhaustive.

- Any repeat of above (6.3) following previous interventions by the school to
- correct behaviour
- Smoking (see House Rules)
- Aggressive Behaviour (see House Rules)
- Substance Use/Abuse
- Theft
- Intentional bodily harm
- **Abuse of or tampering with school facilities and equipment:** The abuse of school installations (toilet facilities, hand sanitizing units, PPE equipment, and other) which are provided to ensure and support the health and safety of members of the school community.
- **Behaviour contrary to the school's COVID 19 protocols:** Behaviour which runs contrary to the school protocols regarding handwashing, coughing, sneezing, social-distancing (where stipulated), the wearing of PPE (where stipulated), the sharing of materials and other instructions and protocols used to ensure the school environment is safe and minimize the risk of spreading infection.

7. Purpose of a Sanction

7.1 The purpose of a sanction is to bring about a change of behaviour by:

- helping the pupils to learn that their behaviour is unacceptable
- helping the pupils to recognise the effect of their actions and behaviour on others
- helping the pupils (in ways appropriate to their age and development) to understand that they have choices about their own behaviour and that all choices have consequences
- helping the pupils to learn to take responsibility for their behaviour

A sanction may also:

- reinforce the boundaries set out in the Code of Behaviour
- signal to other pupils and staff that their well-being is being protected
- prevent serious disruption of the teaching and learning process
- keep the pupils and adult members of the school community safe

7.2 Types of Sanction

7.2.1. Verbal Reprimand

Minor offences regarding misbehaviour, disregard for house rules, neglect of school work etc. may be rectified by a verbal reprimand. This warning may be combined with the imposition of a task which is suited to making the student aware of the offence.

7.2.2 Written Reprimand

Where a more serious offence occurs or where there are continuous infringements of a minor nature a written reprimand and or sanction will apply as follows:

In the Primary School an entry is made in the Red Book and Schülerheft by the teacher concerned, outlining the reasons for such an entry. The entry in the Schülerheft is to be countersigned by the parents.

7.2.3 Detention Policy

The Primary School's Detention Policy is appended to this Code of Behaviour.

8. Suspension

8.1. Definition

A Suspension is defined as a requirement for the pupil to absent himself/herself from school/classes for a specified, limited number of school days. During the period of Suspension, the pupil retains his/her place in the school. Suspension is a significant measure and therefore it will be applied with restraint.

8.2 Authority to Suspend

A Suspension of up to five days may be imposed upon the decision of the Head of Primary/Principal (having been delegated this responsibility by the Board of Management).

A Suspension of more than 5 days may be considered. In such cases the Suspension must be approved by the Board of Management. Such a decision to suspend may be appealed in accordance with clause 8.7 of this Code of Behaviour.

8.3 Grounds for Suspension

8.3.1 A Suspension may be applied if school work is disrupted by a pupil despite recourse to repeated disciplinary measures, or if the school community has to protect itself temporarily against the misbehaviour of a pupil.

8.3.2 A Suspension may also be applied in the case of a once off serious breach of the House Rules or a serious violation of the school's Code of Behaviour. This applies to behaviour in the classroom, on the



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school campus, at sporting fixtures or while on trips/outings organised through the school. (See the House Rules appended to this Code of Behaviour)

8.3.3 In exceptional circumstances the Head of Primary School/Principal may consider an Immediate Suspension to be necessary where the continued presence of the pupil in the school would represent a serious threat to the safety of the pupil himself/herself, of other pupils or staff of the school, or any other person. Any such decision is subject to appeal under clause 8.7. However, a pupil will be required to absent himself/herself from school pending the outcome of the appeal.

8.3.4 Special rules are applicable to aggressive behaviour, the abuse of ICT, the use or possession of illegal or controlled substances in accordance with public policy.

Accordingly, the following will result in an Automatic Suspension and may, following investigation result in an Expulsion.

- **Aggressive Behaviour:** Behaviour which results in the physical endangerment of, or in a physical attack on, the person of any pupil, member of staff or member of the school community or any serious threat of such physical attack.
- **Information Communication Technology:** The misuse of ICT for the purpose of bullying a fellow pupil, insulting or defaming a teacher or any other member of staff associated with the school and /or bringing the good name of the school into disrepute.

8.4 Factors to Consider Before Suspending a Pupil

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date if appropriate
- Whether the Suspension is a proportionate response
- The possible impact of Suspension
- The special educational needs of the student

8.5 Forms of Suspension

A Suspension may be external or internal.

An Internal Suspension means a requirement on the pupil to absent himself/herself from class and carry out assigned work in isolation in the school. The decision to apply an Internal Suspension will follow due consideration and in particular take account of the resources available to the school to provide adequate supervision for a suspended pupil.

8.6 Procedures for Suspension



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Before a serious measure like a Suspension can be considered and except in the case of an Immediate Suspension as provided for in clauses 8.3.3 and 8.3.5.

- The pupil and his parents shall be informed of the serious misbehaviour concerned, how it will be investigated and that it could result in Suspension.
- A thorough and fair investigation of all relevant matters must be conducted.
- The principles of natural and constitutional justice must be applied to such an investigation and all relevant parties afforded a right to be heard.
- Repeated misbehaviour should be notified to The Coordinator of Discipline and Detention and the Head of Primary School/Principal. If the sanction is to be imposed as a result of cumulative / repeated misbehaviour, the pupil shall be notified of each instance of misbehaviour which shall be recorded carefully by the teacher.
- A record of misbehaviour should reflect what warnings were administered on each occurrence, including what sanctions might be imposed so that the pupil is fully aware of the consequences his or her continued misbehaviour could bring about.
- All pupils have a right to be heard during the course of the investigation. Once an investigation has been concluded, pupils have the right to be represented or accompanied by a parent if a follow up meeting with The Coordinator of Discipline and Detention and the Head of Primary School/Principal is deemed necessary.
- Parents shall be informed or invited to come to the school to discuss the situation
- with the Head of Primary School or The Coordinator of Discipline and Detention or the class teacher or a teacher or member of the school management appointed by the Head of Primary/Principal. At this meeting the pupil and or his/her parent on his/her behalf will be given the opportunity to respond before a decision is taken.
- The decision making body must be free (and be seen to be free) from any bias, either in its composition or its decision. For this reason, the decision making body must not include the teacher involved in the incident or event that was the immediate cause of the procedure.

A record of all meetings held for the purpose of the investigation shall be kept by the Head of Primary School/Principal or the teacher or member of the school management appointed by the Head of Primary/Principal.

Following the conclusion of the investigation the decision and the date and time of the Suspension will be notified in writing to the pupil's parents by the Head of Primary.

A Suspension must be recorded in the pupil's file. The Board of Management must be informed of a decision to suspend. The pupil will be provided with work by his teachers to be carried out at home. The work will be checked by the teacher(s) before the pupil is formally re-admitted.

8.7 Procedures in Relation to an Immediate Suspension

- Where an Immediate Suspension is considered warranted, a preliminary investigation should be conducted to establish the case for imposition of the Suspension.
- Parents will be contacted and arrangements made with them for the pupil to be collected.
- The formal investigation should immediately follow the imposition of the Suspension.
- All of the conditions for Suspension apply to an Immediate Suspension except that the pupil be required to absent himself / herself from school.
- An immediate Suspension will not be open ended

8.8 Appeals

A parent may appeal by notice in writing to the Chairperson of the Board of Management a decision to suspend within 5 days of receipt of same. Any such notice of appeal shall specify the grounds upon which the appeal is made. The decision of the Board is final.

8.9 Review of Suspension

The Head of Primary School/Principal may, after consultation with The Coordinator of Discipline and Detention, the Class teacher, other teachers whose involvement s/he may consider necessary, and the Chairperson of the Board of Management, and in his absolute discretion, decide to terminate a period of Suspension of a pupil and allow the pupil to return to normal school activity where:

- The pupil and his or her parents have undertaken that no further breach of the school's policies or the Code of Behaviour will occur.
- The pupil has proffered a full and sincere apology for breaching the Code of Behaviour.
- In so far as possible, any person who has been adversely affected by the actions of the pupil that led to the Suspension has had the effects of that action reversed.

9. Threat of Expulsion from the School

9.1 Threat of Expulsion from the School

This measure can be applied in the case of exceptionally serious or repeated breaches of school rules. Usually it is preceded by one or more Suspensions. Where a decision is taken to issue a Threat of Expulsion such a decision is notified to the parents by the Head of Primary/Principal after meeting with the pupil and his/her parents and following consultation with the teachers involved in the procedure, and others he may consider necessary.

- The decision will be communicated to the parents in writing.



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- The Head of Primary School/Principal will notify the decision to the Chairperson of the Board of Management within five school days.
- The decision will be entered into the pupil's file and report.
- The Threat of Expulsion shall apply to the current school year and may remain in place for the following school year up to a maximum of 6 months of school time. If the Threat of Expulsion extends into the next school year, the total school time for which it is to apply will not exceed the 6 months.

9.2 Review

- The Head of Primary School/Principal will have discretion, in the case of sustained good behaviour by the pupil concerned, to suspend the Threat of Expulsion for the balance of the period during which it is to apply.
- Any decision in this regard will be informed by feedback from the relevant staff and following an interview with the pupil and his /her parents.
- Any suspension of the Threat of Expulsion will be contingent on the pupil having entered into a contract of continued good behaviour and may subsequently be revoked by the Head of Primary/Principal on his/her reasonable belief that this contract has been broken.

10. Expulsion

10.1 Definition

A pupil is expelled from school when the Board of Management makes a decision to permanently exclude him/her from the school, having complied with Section 24 of the Education (Welfare) Act 2000.

10.2 Authority to Expel

The Board of Management has the authority to expel a pupil.

10.3 Grounds for Expulsion

- Expulsion can be applied in the case of exceptionally serious or repeated breaches of school rules. Usually it is preceded by **one** or **more** Suspensions and or a Threat of Expulsion.
- Expulsion should be a proportionate response to the pupil's behaviour and should only be taken in extreme cases of unacceptable behaviour. A proposal to expel a pupil requires serious grounds such as:

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



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- There may be grounds for Expulsion for a first offence. The kind of behaviours that might result in a proposal to expel includes but is not limited to the following:

1. a serious threat of violence against another pupil or member of staff
2. actual violence or physical assault
3. theft
4. supplying, handling, or using or the intent to supply handle or use illegal drugs or other intoxicants, (whether legal or illegal) to other students in the school

10.4 Factors to Consider Before Proposing to Expel a Pupil:

- 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
- the special educational needs of the pupil

10.5 Procedures in respect of Expulsion

Normally, a Threat of Expulsion will precede the expulsion (see clause 9). However, in cases of serious misbehaviour, such as those outlined in clause 10.3, a pupil can be expelled without the Threat of Expulsion being applied beforehand.

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the following procedural steps will be taken:

- a detailed investigation is carried out under the direction of the Principal
- a recommendation is made to the Board of Management by the Principal
- consideration by the Board of Management of the Principal's recommendation and the holding of a hearing
- board of Management deliberations and actions following the hearing
- consultations arranged by the Education Welfare Officer
- confirmation of the decision to expel

10.5.1 Investigation under the Direction of the Head of Primary/Principal

The Head of Primary School/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.



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The Head of Primary school/Principal will invite the parents and the pupil to a meeting and give the parents and the pupil every opportunity to respond to the allegations/complaint of misbehaviour before a decision is made and before a sanction is imposed.

If the parents and pupil(s) fail to attend a meeting to inform them and hear their views, the Head of Primary School/Principal will write explaining the gravity of the issue, the importance of attending a rescheduled meeting, and failing that, the duty of the School Management to make a decision to respond to the inappropriate behaviour.

A record of the invitation issued and the response of the parents will be kept on file.

10.5.2 A Recommendation to the Board of Management by the Head of Primary School/Principal

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

- inform the parents and pupil that the Board of Management is being asked to consider expulsion
- ensure that parents have records of the allegations against the pupil, 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 prepare for the hearing

10.5.3 Consideration by the Board of Management of the Head of Primary/Principal Recommendation and the Holding of a Hearing

The Board will meet within two weeks of the conclusion of the investigation to review the initial investigation and ensure that the investigation was properly conducted in line with fair procedures.

The Board will review all documentation and the circumstances of the case. No party who has had any involvement with the case will be part of the Board's deliberations. If the Board decides to consider expelling a pupil, a hearing will be arranged.

At the hearing, the Head of Primary School/Principal and the parents will put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. This hearing is minuted. After both sides have been heard, the Head of Primary School/Principal and parents will withdraw and the Board will deliberate in private.

The Board may ask questions of either party arising from the presentation of the parties.

10.5.4 Board of Management Deliberations and Actions Following the Hearing

The Board will assess the matter in a closed meeting after having heard the Head of Primary School/Principal or a member of the school management appointed by the Head of Primary/Principal as well as the parents or guardians of the pupil concerned.

It is the responsibility of the Board of Management to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

The Board will then either confirm the Head of Primary School/Principal's decision or overturn it. It will record its decision in writing and inform the Head of Primary School/Principal and the parents or guardians within five school days of its decision.

Where the Board, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board will notify the N.E.W.B. in writing of its opinion, and the reasons for this opinion.

The student cannot be expelled before the passage of twenty school days from the date on which the N.E.W.B. receives the written notification.

The Board will inform the parents in writing about its conclusions and the next steps in the process. Parents will be informed that the N.E.W.B. will be notified of the decision.

10.5.5 Consultations Arranged by the Educational Welfare Officer

Within twenty days of receipt of the notification from the Board of Management of its opinion that a pupil be expelled, the N.E.W.B. must:

- consult with the Head of Primary School/Principal, parents and pupil
- convene a meeting of those parties who agree to attend

The purpose of the meeting is to ensure that arrangements are made for the pupil to remain in education. Pending these consultations about the future education of the student, the Board may consider it appropriate to suspend the pupil if there is likelihood that the continued presence of the



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pupil during this time will seriously disrupt the learning of others or represent a threat to the safety of other pupils or staff.

10.5.6 Confirmation of the Decision to Expel

Where the twenty-day period following notification to the N.E.W.B. has elapsed and where the Board of Management remains of the view that the pupil should be expelled, the Chairperson and the Head of Primary School/ Principal will be delegated to formally confirm the decision to expel. Parents will be notified that the expulsion will now proceed. Parents will be informed about the right to appeal and will be supplied with a form on which to lodge an appeal. A formal record will be kept of the decision to expel the pupil.

10.5.7 Appeals

A parent may appeal a decision to expel to the National Educational Welfare Board on behalf of a pupil.

10.5.8 Review of Expulsion

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

11. Review of the Code of Behaviour

This Code of Behaviour which was drawn up in consultation with the parents, pupils, staff and management of our school and was ratified by the Board of Management will be reviewed one year from the date hereof and annually thereafter.

Any amendments which need to be made will be in keeping with the general philosophy of our Code of Behaviour and will be communicated to the members of the school community in writing.

A major review will be carried out no later than five years from the date hereof and will involve consultation with the parents, students, staff, management and Board of Management of our school.

12: Acceptance of the Code of Behaviour

As the official Code of Behaviour policy of the school, all registered pupils of the school will receive a copy of it by hand and parents/guardians. The Code of Behaviour is also available from the school upon request.

Amendments to the Code of Behaviour will be communicated to all stakeholders.

When the major review is carried out, the resulting amended Code of Behaviour will be circulated to all the stakeholders and will be posted on the school website.

Pupils and Parents must indicate their acceptance of the Code of Behaviour by signing in the space provided. Enrolment in the school is conditional upon acceptance of the Code of Behaviour.



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This edition was approved by the Board of Management on 19th August 2020

Chair
Board of Management