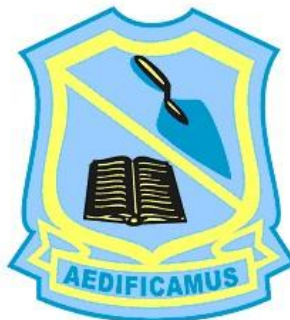


**CODE OF CONDUCT  
FOR  
LEARNERS**

**LAERSKOOL PIET VAN VUUREN**



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1. **TITLE OF THE POLICY:** LAERSKOOL PIET VAN VUUREN'S CODE OF CONDUCT FOR LEARNERS
2. **EFFECTIVE DATE:** AS ON SIGNED COPY
3. **DATE OF NEXT REVIEW:** Annual General Parent Meetings

**4. REVISION HISTORY**

Every Annual General Parent Meeting. Last reviewed on 15 September 2019.

**5. PREAMBLE**

In terms of the South African Schools Act (Act No 84 of 1996) hereafter referred to as SASA, it is the duty and responsibility of the School Governing Body to develop and adopt a Code of Conduct for learners. Such policy must be in line with the provision of the Provincial Gazette, relevant National Education Legislation as well as the Constitution of the Country. In a case where the Code of Conduct is in contrast with any provincial or national legislation then such legislation shall take precedence.

**6. PURPOSE OF THE POLICY**

The purpose of the policy is to set out the parameters within which learners should behave in order to protect and promote the integrity and security of each learner and all members of the school community.

**7. OBJECTIVES**

**8. DEFINITIONS AND ACRONYMS**

**8.1 Definitions**

No	Term	Definition
1	District Director	Is the officer of the department responsible for the administration of education in a particular educational district
2	Educator	Means any person, excluding a person who is appointed to exclusively perform extracurricular duties, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and education psychological services at school.
3	Expulsion	Means the permanent removal of a learner from a school.
4	Grade	Means that part of an educational programme which a learner may complete in one school year, or any other education programme which the Member of the Executive Council may deem to be equivalent thereto
5	Head of Department	Refers to the head of a provincial department of education.
6	Learner	Means any person receiving education or obliged to receive education in terms of relevant legislation.
7	Parent	means – the parent or guardian of a learner; the person legally entitled to custody of a learner; or the person who undertakes to fulfil the obligations of a person referred to in paragraph (a) and (b) towards the learner's education at school.
8	Principal	Refers to an educator appointed or acting as the head of a school.

No	Term	Definition
9	School	Refers to (Name of School)
10	School Governing Body	Is the body responsible for Governance issues at the (name of school).
11	Suspension	Means the temporary refusal of admission to a learner to a school, usually suspension precedes expulsion.

## 8.2 Acronyms

No.	Acronyms	Explanation
1.	DC	Disciplinary Committee
2.	MEC	Member of Executive Council of a province who is responsible for education in the province.
3.	RCL	Representative Council for Learners
4.	SASA	South African Schools Act
5.	SGB	School Governing Body
6.	SMT	School Management Team
7.	LOLT	Language of Learning and Teaching

## 9. APPLICATION AND SCOPE OF THE CONSTITUTION

The policy shall apply to all learners registered in LAERSKOOL PIET VAN VUUREN.

## 10. LEGISLATIVE FRAMEWORK

- a. Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), as amended.
- b. South African Schools Act, 1996 (Act No. 84 of 1996), as amended.
- c. National Education Policy Act, 1996 (Act No. 27 of 1996), as amended.
- d. Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
- e. Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- f. The Gauteng Schools Education Act, 1995 (Act No.6 of 1995).
- g. Regulations for Misconduct of Learners at Public Schools and Disciplinary Proceedings, 2001 (General Notice 2591 of 2001).
- h. Regulations for Safety Measures at Public Schools Government Notice No. 1040, October 2001, as amended.
- i. Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners, General Notice 776 of 1998.

## 11. RELEVANT POLICIES AND PROVINCIAL CIRCULARS

Circular 74/2007

## 12. POLICY STATEMENTS

### 12.1 The Principle and Values: The Rights of the Learners

At LAERSKOOL PIET VAN VUUREN all learners shall have the democratic right to due process, participation in decision - making on matters affecting them and a method of appeal.

- Any form of discipline embarked upon by the school is underpinned by dignity and respect.
- Corporal punishment is prohibited at Laerskool Piet van Vuuren.
- The school will endeavour to provide learners with a clean, safe, healthy environment with access to clean running water and toilets and an environment that protects them from harassment and intimidation from attending classes and writing tests and examinations thereby creating an atmosphere conducive for teaching and learning.
- Learners have the right to expect educators to maintain high standard of professional ethics.
- The vision of the school calls upon all stakeholders and also in particular on learners to take responsibility for their actions and their progress, to show respect at all times, be honest and to have integrity.

## **12.2 Principles and Values - Respect:**

### **12.2.1 Respect starts at home:**

- Parents may not speak disrespectfully of the school or its staff members at home and must show the highest regard for the education system in general so that their children could see the importance thereof for their future.
- Parents are discouraged from “bragging” about their own lack of respect for teachers whilst they were at school.
- Parents must discourage their children from making disrespectful remarks at home about teachers and their peers.
- A child may arrive home upset because of an incident and parents may get emotional about it but it should be referred to the principal for investigation so that all the facts could first be collected after which corrective actions will be taken.
- Learners will respect all staff members and stakeholders involved with the school.
- Learners must greet all persons they come across on the premises and address all their teachers as follows: Mr. .... (Surname) or Mam ... (Surname). They may not address teachers by using the teachers’ first names.
- Parents and teachers must also address one another as mentioned above.

#### **Report incidents to the school:**

- *Written letters to the principal may be handed in at the office and will be recorded in the mail book by the administrative staff member responsible therefor.*

- *There is a carbon paper/duplicate book at the front desk in which parents may report incidents.*
- *A parent may email concerns to the principal to [laerpiet@gmail.com](mailto:laerpiet@gmail.com).*
- *A parent may telephone the school. Please do not take out your anger on the administrative staff as they are only conveyers of messages.*
- *Schedule a meeting with the relevant teacher / SMT (School Management Team) member.*

### **12.3 The Legal Authority for the Control and Discipline of Learners**

- 12.3.1** The South African Schools' Act empowers a governing body of a school to maintain discipline in a school. The Code of Conduct must prescribe behaviour that respects the rights of learners and educators.
- 12.3.2** The school will make every effort to ensure that learners understand that action may be taken against them if they contravene the Code of Conduct. In cases where action has to be taken the school will inform the learners why:
- 12.3.2.1 Their conduct is considered as misbehaviour or misconduct.
  - 12.3.2.2 They are to be disciplined or punished.
- 12.3.3** All learners at the school are subject to the Code of Conduct ***without exception***. The learners will be informed about its contents on enrolment at the school.
- 12.3.4** An educator at the school shall have the same rights as a parent to control and discipline the learner in accordance with the Code of Conduct during the time the learner is in attendance at the school or school related activities.
- 12.3.5** The Principal or an educator, upon reasonable suspicion, has the legal authority to conduct a search of any learner or property in possession of a learner for a dangerous weapon, firearm, drugs, or harmful dangerous substance, stolen property or pornographic material brought onto the school property.
- 12.3.6** The Principal may also seize any of the above, as well as cellphones which are prohibited at school. The parent will personally collect the cellphone from the school.
- 12.3.7** The Principal may conduct drug tests (urine), upon reasonable suspicion that the learner may be under the influence of an illegal substance.

### **12.4 School rules**

#### **12.4.1 Learner attendance:**

- 12.4.1.1 All learners are expected to attend school regularly and punctually.
- 12.4.1.2 All learners are required to assemble in designated areas by 07h30 daily.

**Safety:** *No learner may be dropped off at school before 07:00 in the morning as there are no teachers at school to supervise them at that time.*

- 12.4.1.3 Should a learner be absent from school, his/her parent is required to notify the school in writing (email, fax or letter) or telephonically.
- 12.4.1.4 A learner who remains absent for longer than 10 (ten) days will be deemed to have left the school. The school will try to make contact with the parent to establish reasons for absenteeism and if there is no information of the whereabouts of the learner, his or her name will be taken from the registers. Should parents then wish for their child to return to our school that parent will have to re-apply for admission.
- 12.4.1.5 Learners may not spend the entire day in the sick bay. Parents will be notified to collect the learner at school and to take the learner for medical care. **Safety:** *Schools are the ideal environments for the spreading of diseases etc. Parents cannot send children to school sick and put the rest of the community at risk of becoming sick too.*  
**Discipline:** *Unlawful absenteeism/bunking will be reported to the school principal. Parents will be notified and disciplinary actions will be taken to ensure that the learner caught up on the lost work.*
- 12.4.1.6 Injured learners may go to the office without permission. Should an injury occur where the learner was unable to go to the office then the teacher on duty would either call for help from the office (telephonically) or send a learner to the office to report it there. A teacher will administer basic first aid to the learner whilst waiting for help to arrive. Learners may not attempt to “pick” a friend up who fell down and couldn’t get up by him or herself again. Learners must immediately run to the nearest supervisor to attract his or her attention to the situation.
- 12.4.1.7 In cases where head lice are present, learners must be kept home for two days - four days whilst all nits are removed.  
*Teacher who notices the nits will get a letter from the office addressed to the parent to treat the condition as required.*  
*Parents are responsible for the costs thereof and for ensuring that there is no health risk for spreading headlice to other learners.*
- 12.4.1.8 **Medication:** Learners may not receive any medication unless prescribed to them by a medical practitioner.

**Safety:** *If a parent sends medication for their child to school it must be accompanied by reasons for it, measurement and times for taking the medication in a **written request** to the teacher.*

- 12.4.1.9 Learners MUST present the teacher with a medical certificate for absenteeism of 3 or more days on the first day of return to school. For absenteeism from school of less than 3 days a letter from the parent must be provided on the day of return to school.

**Work lost due to absenteeism:** *All work lost due to absenteeism must be obtained from the relevant teachers, by the learner. The teacher will give the learner the work which must be completed within a limited time as decided by the teacher. Teachers may not always have time to give the work to the learner within the 30 minutes period allocated for the class due to teaching time and thus the learner must ask the teacher for a suitable time after school or during breaks to get the work that he or she had lost due to his/her absentee from school.*

- 12.4.1.10 If a learner is not at school during tests/exam the parent must inform the school. On the day of return the learner will be given the test/exam paper to complete. Should a learner be hospitalized and unable to write the exam that particular term, the teachers may decide to use the School Based Assessments or other tasks performed by the learner during the term.

- 12.4.1.11 Learner truancy/absence from class/bunking will not be tolerated.

**Explanation:** *No learner may stay at home without a valid reason. The parent of the learner is responsible to ensure that his/her child/ren are at school daily. All incidents relating to the learner whilst he or she was not at school is the sole responsibility of the parent. The school will only contact a parent about the absentee of a child after 10 days or when it becomes known to the school that the learner may be bunking.*

#### **12.4.2 Late-comings:**

- 12.4.2.1 The school gate will be closed at 07:30 daily and learners will be directed to report at the office.

- 12.4.2.2 A learner who comes late must have a valid excuse and/or a written apology from his/her parents. Parents/Taxi drivers have to accompany learners to the office to declare the reason for the late-coming.

- 12.4.2.3 A learner who comes late must report to the office where his/her name will be written in a register. He/She must also present his/her homework book to the Administrative Clerk for recording of the late-coming.
- 12.4.2.4 The administrative clerk will give the learner a written letter from the principal warning parents of ongoing late-comings and possible consequences.
- 12.4.2.5 The school principal may also inform parents per sms or telephonically of ongoing late-comings. The principal may also refer unresolved cases of late-comings to the DoE (Department of Education) for intervention.

**12.4.3 Early departure from school:**

- 12.4.3.1 Learners will only in rare circumstances or in cases of real emergencies receive permission to leave the school premises. Appointments to see doctors or dentists should be made in the afternoons and cannot interfere with the child's education.
- 12.4.3.2 Permission to leave the school premises can only be granted by the principal and, in his/her absence, the next authoritative person.
- 12.4.3.3 A learner may only leave the school premises in the company of an adult. The "Register to leave school premises" must be signed by the person fetching the learner.

***Safety:*** *The person authorised by the parent to collect the learner must be in possession of a valid Identification Document. The learner must also be able to identify the person collecting him/her from the school.*

***Court orders or restrictions:*** *A parent must notify the school of any court orders preventing a person/enstranged parent from seeing or collecting a learner.*

- 12.4.3.4 No learner may leave the school premises without the consent of the principal and that includes morning after being dropped off at school and afternoons after school when they have to wait for their transport to collect them. Learners must stay within the safety of the premises. Leaving the premises after arrival at school is misconduct.

**12.4.4 Release Times:**

- 12.4.4.1 All learners will be released at the same time for safety purposes.
- 12.4.4.2 The grade R programme ends daily at 13:00 but due to safety regulations only parents may collect these learners earlier from their classrooms. The learners who take transport with mini-buses may only be released to the transport drivers who has to sign them out at 14:00 on a Monday, Tuesday and Thursday (tar surface) and at 13:00 on a Wednesday and a Friday.

- 12.4.4.3 Grade 1 – 3 learners will be released to the transport drivers who has to sign them out at 14:00 on a Monday, Tuesday and Thursday (tar surface) and at 13:00 on a Wednesday and a Friday.
- 12.4.4.4 Grade 4 – 7 learners will adjourn at 14:15 on a Monday, Tuesday and Thursday and at 13:15 on Fridays.
- 12.4.4.5 Learners must be collected punctually after their activities daily and not later than 15:00 daily. The school times may be subject to change due to its programme, especially on days before long weekends and on last days of terms. Parents are then expected to collect their children as soon as the school comes out and within an hour from the indicated release time.
- 12.4.4.6 Learners must wait for their transport drivers to collect them in the designated areas and may not wait outside the school fences for them.
- 12.4.4.7 Learners must cross at the scholar patrol crossing and must obey the instructions of the scholar patrol.

12.4.4.8 **Safety regulation:**

*No supervision of learners after 15:00 unless learners were engaged in a match and then the parents would have been notified of the arrival time of the athletes.*

*After 15:00 all learners must be in the After Care Facility and parents must pay the fees of that facility then.*

*No learner living in the area or otherwise may stay at school to play soccer or other games with his or her friends. Learners must go home directly after school and directly after they were released by their coaches.*

**12.4.5 Authorisation to enter the school premises and parent-teacher conferences:**

- 12.4.5.1 No person/parent may visit any classrooms without the permission of the principal.
- 12.4.5.2 All visitors to the school must report to the office.
- 12.4.5.3 Teacher-parent conferences may only take place outside of contact times. Parents must schedule appointments to meet with teachers/principal and must respect the programme of the school.

**Safety regulation - Contact details:** *It is extremely important for the school to have the correct contact details of a parent, as well as the next of kin or neighbours. All children must know the cell phone numbers of their parents. They must know their addresses, where their parents work, dates of birth and full names as it appears on their birth certificates too. It must also be written into their homework books. The details of the person transporting the learner to and from school must also be in the homework book.*

12.4.5.4 All learners must have their homework books given to them by the school with them at all times and may not leave it at home. All parent information must be fully completed and regularly updated.

12.4.5.5 Parents must also record the name and the contact details of the transportation drivers in the homework books.

**Safety regulation:** *Grade R to 3 learners will be collected from the guardian teacher daily and the person who collects the learner must be authorised to do so in writing by the parent. Any changes must be communicated with the guardian teachers without delay! If the child is required to walk home on his or her own, the parents must understand that they will take full responsibility for that decision. The ideal is for a child to be accompanied by an older learner or adult.*

**Safety regulation:** *The school only releases learners (grade R to 3) who walk home at the time that the grade 4 to 7 learners come out as there is more safety in numbers.*

12.4.5.6 It is the responsibility of the parents to inform the school of changes of address or contact details. The school's administrative system must be kept updated and parents must thus inform the school of any changes to their details.

#### **12.4.6 School Wear and General Appearance**

12.4.6.1 School uniform suppliers - Pepstores, Protea Centre, Brixton; Professional schoolwear, Fountain Road, Fordsburg; Schoolwear Specialist, Protea Centre, Brixton.

12.4.6.2 Learners should be neatly dressed in their school uniforms daily, unless otherwise determined by the Principal (Fun Days etc). Learners are expected to wear the official School uniform and appear neat and tidy at all times.

12.4.6.3 No additions to the uniform that are not in accordance with the regulations will be allowed (e.g. beanie, happy socks and caps etc).

12.4.6.4 Learners must wear a clean school uniform daily. Shoes must be polished.

12.4.6.5 Fingernails must be kept trimmed short and clean at all times.

12.4.6.6 During events that allow the wearing of casual wear, learners should wear neat, presentable clothes. Beachwear, tight-fitting clothes, clothes that are see-through and/or too revealing are not allowed.

12.4.6.7 Only learners that have applied, submitted relevant supporting documents and received the necessary permission from the School Governing Body, may deviate from official School uniform for religious and cultural reasons

12.4.6.8 **Disciplinary regulation:** *If a learner arrives at school improperly dressed without an acceptable reason for it, the parent of the learner will be contacted to immediately fetch the learner and dress him or her properly for school before he/she can return to class.*

12.4.6.9 **Summer wear:**

- Girls and boys - Grey trouser. Culot for girls phased out.
- Boys and girls - Light blue cotton button shirt (also available from PEP stores).
- Boys and girls - Prescribed navy blue v-neck knitted pull over with light blue stripes.
- Boys and girls - Tie to be worn with uniform grade 4 - 7.
- No "skinny" pants permitted.
- Pants/Trouser leg must be long enough to touch the school shoe.
- No stockings and skirts.
- GRADE R - Grey shorts with blue shirt permitted.

12.4.6.9.1 Boys and girls - Plain grey socks with black school shoes.

**Winter wear:**

- Boys and girls - Grey trouser with blue cotton button shirt and tie.
- Optional: Tracksuit. Navy with yellow and blue inserts on the sleeves and worn with school shoes, blue cotton button shirt and grey socks. ***No imitations or deviations from the school's colours will be permitted. Tracksuits are sold at school.***
- Boys and girls - Prescribed navy blue v-neck jersey with light blue stripes around the neck and middle.
- Navy blue school jacket with school colours on one shoulder. (Purchase directly form school)

12.4.6.9.2 **Sportswear:**

- Each sporting code has its own requirements.
- Sportswear mostly supplied by school except shorts, socks and shoes.
- Netball only white tekkies and white socks permitted.
- Tracksuits are not compulsory. However, learners may only wear the school's uniform with sportswear e.g. netball skirt and top *with a school jersey or school jacket.*

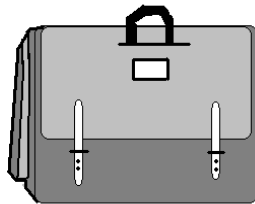
No other jackets or jerseys permitted. If a learner does not have tekkies, he or she will wear school shoes.

#### 12.4.6.9.3 Excursions and “Home Clothes” Days:

- **Excursions:**
  - Long BLUE jeans that are not torn may be worn
  - School shirt and school jersey or jacket with it
  - Tekkies
- **Home Clothes:**
  - No short skirts or tops that show bellies.
  - Girls may not wear shorts unless it is “long” knee-high short.
  - Girls must tie hair neatly.
  - No make-up or excessive jewellery.
  - Boys may not have mowhawk or funny hairstyles.

#### 12.4.7 School bags: (GRADE 1 - 7 ONLY. GRADE R LEARNERS DO NOT NEED THESE BAGS)

The school prescribes the types of school bags that learners may use. No other school bags will be permitted AND NO DEVIATIONS WILL BE ALLOWED. ONLY NAVY BLUE OR BLACK. BAG MUST HAVE AT LEAST 4 OR MORE SHELVES. UPRIGHT BAG MAY NOT HAVE A DRAW STRING THAT PULLS BOOKS TOGETHER. IT MAY ONLY HAVE A ZIP. NO OTHER BAGS ALLOWED.



- **No trolley bags** due to staircases.
- **Safety regulation:**

*On arrival at school learners must keep their school bags with them and may not leave it unattended. On arrival at learners must keep their school bags with them and may not leave it unattended. Foundation Phase learners leave their school bags in their classrooms once the school commences. Intersen Phase (gr. 4 – 7) learners are responsible for their school bags and may not leave it unattended during the day (including breaks). Should they play sport, the coaches will keep their bags locked up in a classroom. If a learner takes his bag with him to the sports field he or she would have to understand that there*

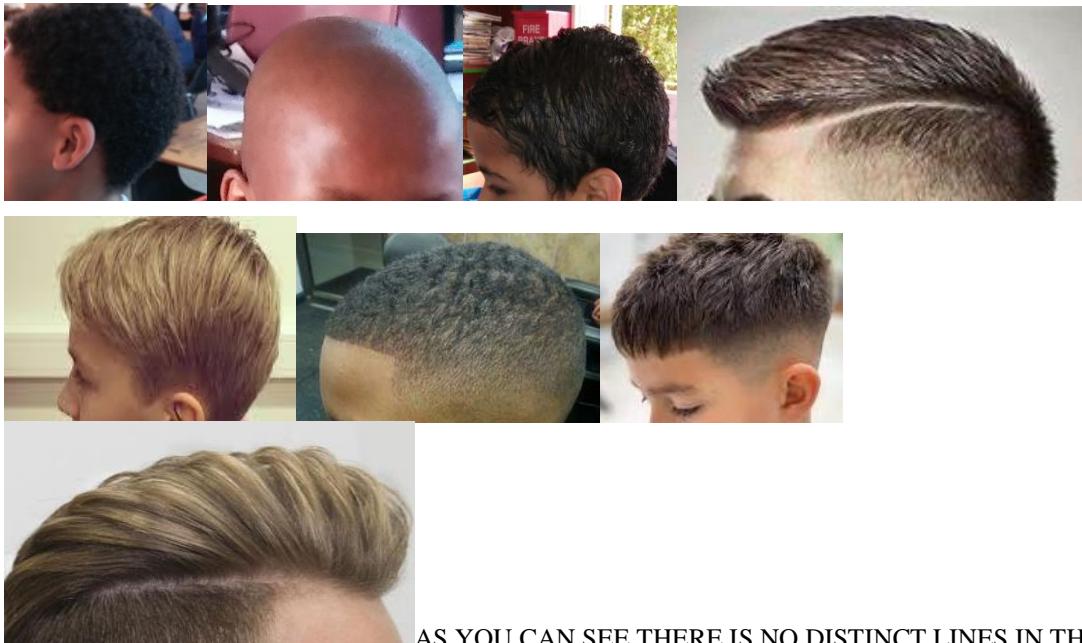
would be no supervision then and the school will not be responsible for loss of or damage to his or her property.

**Disciplinary regulation:** Detention and should there still be no response then the school will withdraw its textbooks and the parent will be asked to purchase own textbooks from service providers for not complying with the above requirements.

#### 12.4.8 Learner's hair - Boys:

- A boy's hair must be short .
- Steps/Undercuts will be allowed with a maximum of a two comb difference between the hair on the side of the head and the hair on top of the head.
- A "clean cut" around the ears and collar. Fringe short and above eye brows.
- A boy may not wear his hair long. Hair must be short and neat.
- NO LINES IN HAIR OF ANY KIND. LINES OFTEN LEAD TO "GANG IDENTITIES" AND WE NEED TO KEEP IT OUT OF OUR SCHOOL.
- No mow hawk styles. Hair must not be spiked to stand up.
- A boys hair has to be neatly combed.
- Highlights and coloured hair are not allowed.
- No "gels" and "wet looks".
- No hairpieces and dreadlocks.

#### **THESE PICTURES ARE EXAMPLES OF HAIRSTYLES THAT ARE PERMITTED AT SCHOOL:**



AS YOU CAN SEE THERE IS NO DISTINCT LINES IN THE HAIR. THE HAIR HAS BEEN "BLENDED" IN ENSURE THAT YOU ARE WITH YOUR CHILD WHEN HE OR SHE GOES TO THE HAIRDRESSER/BARBER.

**THESE HAIRSTYLES ARE NOT EVENLY CUT AND THUS NOT PERMITTED:**



NO LINES. NO DREADLOCKS.  
NO MOW HAWK STYLES.

**12.4.9 Learner's hair - Girls:**

- Only neat hairstyles will be permissible.
- As soon as a girl's hair touches her collar, it must be tied.
- Only navy blue and dark yellow hair accessories.
- Hair accessories must not be used excessively. Beads in hair not allowed.
- Only the natural hair of the learners permitted. It is however permissible for a parent to SET THE HAIR of a female learner using a few strands of unnatural hair. It may not be longer than 20cm and may not be thick braids. Hair must be neatly done. No dreadlocks.
- Fringes may not cover a girl's eyes.
- Highlights and coloured hair are not allowed.
- No mow hawk types of hairstyles allowed.
- **Short hair:** Steps/Undercuts will be allowed with a maximum of a two comb difference between the hair on the side of the head and the hair on top of the head. NO LINES IN HAIR OF ANY KIND. LINES OFTEN LEAD TO "GANG IDENTITIES" AND WE NEED TO KEEP IT OUT OF OUR SCHOOL.

**THESE PICTURES ARE EXAMPLES OF HAIRSTYLES THAT ARE PERMITTED AT SCHOOL FOR GIRLS:**





**THESE HAIRSTYLES ARE EXAMPLES OF WHAT WILL NOT BE PERMITTED:**



A SHORT PIECE OF ARTIFICIAL HAIR (NOT LONGER THAN 20CM) MAY BE USED TO SET THE HAIR. THESE THICK AND LONG SINGLES ARE NOT ALLOWED.

NO MOW HAWKS AND NO LINES PERMITTED.

**FINES – THE SGB CAN RAISE FINES FOR NON COMPLIANCE UP TO R500.00 PER INCIDENT.**

**12.4.10 Jewellery**

- All learners are allowed to wear a wristwatch.
- Necklaces and bangles are NOT ALLOWED for boys and girls.

- Girls may wear **PLAIN GOLD SLEEPER EARRING OR GOLD STUD WITHOUT STONE.**



Studs are only permitted in gold and silver with no gems or stones in it. Not even a blue stone. See pictures above.

- Boys may not wear any earrings.
- No rings/signet rings.
- 

**Cellphones are not permitted. It be confiscated and parent will pay R100 fine on collection of it from the office. The school has telephones should the parent need to contact the learner urgently and visa versa.**

#### **12.4.11 Learners nails/Make-up/Tatoos**

- Nails of both boys and girls must be short and well cared for.
- Polished nails are not allowed.
- NO make-up or tatoos allowed.

#### **12.4.12 Religious observances and attire:**

##### **12.4.12.1 Observance of Religious Holidays/Festivals:**

12.4.12.1.1 Learners will be allowed to participate in religious holidays/festivals. Arrangements must be made by Parents to so that the learner may catch up all the work they lose.

12.4.12.1.2 Parents must notify the principal in writing well in advance (a minimum of one month) of their intentions to take certain school days off for the purpose of observing religious holidays/festivals. If a learner has to attend services on a certain day, Parents must inform the principal, provide evidence of attendance and obtain written approval from her.

##### **12.4.12.2 Wearing and/or use of religious symbols or attire by learners:**

12.4.12.2.1 Learners may wear religious symbols or attire, provided their Parents apply to the school and provide substantive evidence to the school

governing body of the religious significance of those symbols. The school governing body will communicate its findings and recommendations in writing to the parent who then has to ensure that all regulations pertaining to the religious attire or symbols are adhered to.

12.4.12.2.2 Parents must also ensure that they adhere to the school's colours when sending their children to school and may also request the school governing body to accommodate certain religious attire at the school's outfitters.

12.4.12.2.3 Parents are called upon to keep the school's attire strictly to the school's dress code and only if your religion indefinitely requires you to dress in a certain manner, apply for a special grant thereof.

#### **12.4.13 Lunch boxes and tuckshop:**

12.4.13.1 A parent must pack his/her child a healthy lunch for school daily unless the learner qualifies for nutrition at school. Nutrition will only be provided proven needy learners.

12.4.13.2 Fruit must be peeled and sliced at home and placed in a closed container to prevent damage to school books.

12.4.13.3 Should a parent put juice in the lunchbox and it leaks onto books then the parent will be held responsible for the replacement thereof. ***Healthy habits:*** *Encourage your children to rather drink water at school.*

12.4.13.4 No learner may eat sweets before 13:00 daily. The tuckshop will only sell sweets during second break.

12.4.13.5 Learners must show respect to tuckshop personnel.

#### **12.4.14 Prefects/Group leaders/Class leaders:**

- Learners must treat the prefects, group leaders or class leaders with respect at all times.
- Follow all reasonable instructions given by them and support them with their duties.

#### **12.4.15 Classroom rules**

12.4.15.1 Three main rules apply in the school. Educators may use these rules as guidelines to develop their own rules for their classrooms.

- **Be respectful**
- **Be responsible**
- **Be safe**

**12.4.16 School rules and corrective actions explained in table form**

Three main rules apply in the school. **BE RESPECTFUL - BE RESPONSIBLE - BE SAFE! A guardian teacher will monitor the demerits issued to a learner and after three detentions for a similar incident of misconduct, schedule a teacher-parent conference. A record of it will be kept on the learner profile.**

	DESCRIPTION OF RULE	DISCIPLINARY MEASURE	
		IMMEDIATE CORRECTIVE ACTION	SCHEDULE 1/2 OFFENCES
<b>BE RESPONSIBLE</b>	<ul style="list-style-type: none"> <li>▪ All learners must sit down in classrooms and may only stand up when permission was granted by the teacher.</li> </ul>	Detention will be given for standing up without permission or for leaving the classroom without permission. The class teacher will inform the principal should a learner have left the class without permission.	Ongoing incidents of disruption impact negatively on learning and teaching. Schedule 1 offence. Suspension up to 7 days and disciplinary hearing
	<ul style="list-style-type: none"> <li>▪ Every learner must be on time for lessons every period.</li> </ul>	Demerit. Two demerits in one day will lead to a detention.	Ongoing detentions indicate behaviour that impact negatively on the orderly functioning of the school and on the learner's work performance - Schedule 1 offence. Suspension up to 7 days and disciplinary hearing
	<ul style="list-style-type: none"> <li>▪ Every learner must be in the right place at the right time. This includes being in the correct flexi class. Bunking of classes will not be tolerated.</li> </ul>	A learner found to be where he/she shouldn't be will get an immediate detention.	Bunking of classes impact on the orderly functioning of the school - Schedule 1 offence. Suspension up to 7 days and disciplinary hearing
	<ul style="list-style-type: none"> <li>▪ All learners must follow instructions straight away.</li> </ul>	Demerit. Two demerits in one day will lead to detention.	Refusal of learners to follow instructions can impact on the orderly functioning of the school - Schedule 1 offence. Suspension up to 7 days and disciplinary hearing
	<ul style="list-style-type: none"> <li>▪ No learner may arrive at his/her classroom without stationery. No borrowing from peers.</li> </ul>	Demerit. Two demerits in one day will lead to detention.	Meeting with parent. Ongoing incidents may lead to suspension from class.
	<ul style="list-style-type: none"> <li>▪ Be prepared - A learner must arrive at class with required textbooks and scripts in his/her bag, as well as with his/her homework book.</li> </ul>	Demerit. Two demerits in one day will lead to detention.	Ongoing incidents of low work performance - Schedule 1 offence. Suspension up to 7 days to complete all work and disciplinary hearing.

	<ul style="list-style-type: none"> <li>Homework must be done as indicated by subject teachers.</li> </ul>	Homework detention for incomplete homework.	Ongoing incidents of low work performance - Schedule 1 offence. Suspension up to 7 days to complete all work and disciplinary hearing.
	<ul style="list-style-type: none"> <li>Complete tasks / work given by teacher to perform in class.</li> </ul>	Verbal warning to complete tasks, verbal warning and thereafter detention.	Ongoing incidents of low work performance - Schedule 1 offence. Suspension up to 7 days to complete all work and disciplinary hearing.
	<ul style="list-style-type: none"> <li>Care of school's property/textbooks.</li> </ul>	Parents will be called in and damages will be charged to their account. All textbooks that are damaged or lost must be paid for by the parent of the learner. No learner may receive textbooks unless all loan forms are signed by parent and returned to the school and no learner may receive textbooks in the following term/year unless all monies to replace it had been fully paid. A learner who does not have books in class may be suspended from school up to 7 days, including disciplinary hearing.	
	<ul style="list-style-type: none"> <li>Neatness of work</li> </ul>	Learner may be given homework detention to neatly rewrite his or her work.	Ongoing incidents of low work performance - Schedule 1 offence. Suspension up to 7 days to complete all work and disciplinary hearing.
	<ul style="list-style-type: none"> <li>Return equipment to appropriate place at the bell</li> </ul>	After using equipment (balls) a learner must return it to the person he/she received it from. If not - verbal warning.	Demerit. Two demerits in one day will lead to detention.
	<ul style="list-style-type: none"> <li>Move peacefully in single file.</li> </ul>	Verbal reprimand.	Demerit. Two demerits in one day will lead to detention.
	<ul style="list-style-type: none"> <li>Use toilets during breaks. Learners may not continuously request to leave classrooms to use toilets unless he/she has a medical condition (evidence provided to school).</li> </ul>	Verbal reprimand.	Demerit. Two demerits in one day will lead to detention.
	<ul style="list-style-type: none"> <li>Toilets/Corridors and classrooms must be kept clean at all times. A learner may only eat in the designated areas/playground.</li> </ul>	Should a learner deliberately throw papers on the floor or should his/her actions deface the school then he or she will be placed on cleaning duties under supervision.	Detention .
<b>BE RESPECTFUL</b>	<ul style="list-style-type: none"> <li>Be honest at all times. Cheating in exams/tests is considered serious offences.</li> </ul>	Minor incidents of dishonesty - verbal reprimand and incident report to be completed. Serious: Nought for test or exam he/she was caught cheating in.	Serious incidents of dishonesty - Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>Learners are not allowed to swear or use foul language.</li> </ul>	Demerit. Two demerits in one day will lead to a detention.	
	<ul style="list-style-type: none"> <li>Learners must treat the prefects, group leaders or class leaders with respect at all times. Follow all reasonable instructions given by them and support them with their duties.</li> </ul>	Prefects will report incidents of disrespect to the guardian teacher who will verbally reprimand the learners and may also issue a demerit.	Two demerits in one day will lead to detention.
	<ul style="list-style-type: none"> <li>Be polite and don't be rude. Learners must not disregard/undermine the authority of the Principal or staff of the school.</li> </ul>	Minor incidents of rudeness - verbal reprimand and demerit. Two demerits in one day will lead to a detention.	Serious incidents of rudeness - Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.

	<ul style="list-style-type: none"> <li>▪ Learners must respect their school uniform at all times by wearing only the prescribed uniform. No graffiti on uniform, etc.</li> </ul>	Confiscating of items that are not part of school uniform. Demerit.	Detention. Parents to be called to fetch the learner and ensure adherence to school policy.
	<ul style="list-style-type: none"> <li>▪ Keep hands, feet and objects to yourself.</li> </ul>	Bullying will not be tolerated. A learner who bullies another learner will receive immediate detention. The guardian parent will have a meeting with his/her parent and the parents will have to take his/her child for counselling. Evidence thereof has to be sent to the school.	Fighting/Assault is a serious offence. Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>▪ Greet all people.</li> </ul>	Verbal reprimand.	
	<ul style="list-style-type: none"> <li>▪ Talk to your friends only when permitted to do so or on the playground. Respect the rights of others to learn.</li> </ul>	Demerit after one verbal warning Two demerits in one day will lead to a detention.	Ongoing incidents of disruption impact negatively on learning and teaching. Schedule 1 offence. Suspension up to 7 days and disciplinary hearing
	<ul style="list-style-type: none"> <li>▪ Raise your hand to speak.</li> </ul>	Verbal reprimand.	
<b>BE SAFE</b>	<ul style="list-style-type: none"> <li>• Keep hands away from things that are not yours. No violence, bullying, intimidation or threatening of any kind is allowed at the school.</li> </ul>	Investigation form completed. Minor incidents - detention.	Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>• No eating in classes.</li> </ul>	Verbal reprimand. Demerit.	
	<ul style="list-style-type: none"> <li>• No learner may pull a chair from under another learner either as a joke or for any other reason.</li> </ul>	Investigation form completed. Minor incidents - detention.	Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>• Stay in your desk.</li> </ul>	Detention will be given for standing up without permission or for leaving the classroom without permission. The class teacher will inform the principal should a learner have left the class without permission.	Ongoing incidents of disruption impact negatively on learning and teaching. Schedule 1 offence. Suspension up to 7 days and disciplinary hearing
	<ul style="list-style-type: none"> <li>• Use equipment as instructed.</li> </ul>	Suspension from activity.	
	<ul style="list-style-type: none"> <li>• Wait your turn</li> </ul>	Suspension from activity	
	<ul style="list-style-type: none"> <li>• Keep objects to yourself. Learner may not harm another person by throwing stones or hitting them with any objects.</li> </ul>	Minor incidents - Incident report form and demerit. Two demerits in one day will lead to a detention.	Serious incidents - Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>• Learner may not be in possession, smokes or be under the influence of any illegal substance (cigarettes, alcohol etc)</li> </ul>		Parents will be contacted. Principal may conduct drug testing. Schedule 1/2 offence - Suspension for up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>• Learners may not have any sharp objects, dangerous weapons or a scissors in their school bags or in their possession.</li> </ul>	Detention.	Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
	<ul style="list-style-type: none"> <li>• Keep hands away from things that are not yours.</li> </ul>	Minor offence - Return goods/detention.	Stealing is a serious offence - Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.

	<ul style="list-style-type: none"> <li>• Pushing, running and touching is forbidden.</li> </ul>	Demerit. Two demerits in one day will lead to a detention.	Injury to another person - Schedule 1/2 misconduct. Suspension up to 7 days and disciplinary hearing.
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12.4.16.1 **Body Language of learners:**



When a teacher addresses a learner it is expected of the learner and teacher to face each other. The teacher will change the posture of the learner by insisting that he/she stands in the position displayed in the picture below.

12.4.16.2 **Work in class:**

Learners must commit themselves to do their school work during classes, complete assigned homework and catch up on work missed because of absence.

12.4.16.3 **Following instructions:**

An educator's instruction must be followed at all times. Under no circumstances will the undermining/disregard of an educator be tolerated.

12.4.16.4 **Leaving a classroom:**

- Classrooms may only be left with the permission of an educator.
- A learner must use the toilets during breaks.
- In cases where learner needs to visit the toilet due to a pressing need then the teacher may grant permission but the learner needs to carry a bib/tolken etc. with him/her to show that he/she obtained permission to leave the classroom.
- ***Safety regulation:*** *If a learner leaves the classroom without permission then the teacher will report the misconduct to the principal by sending a note to the "window" with the class leaders. The teacher may not leave the remaining learners unsupervised for the sake of a single learner.*

**12.4.17 Care of school's property/textbook and neatness of school grounds**

Every learner is expected to protect and use all school equipment and facilities with care.

- Vandalism will not be tolerated.
- Any learner who intentionally misuses, damages or defaces any school property should replace it or pay for the damage to property.
- All textbooks that are damaged or lost must be paid for by the parent of the learner.
- No learner may receive textbooks unless all loan forms are signed by parent and returned to the school.
- No learner may receive textbooks in the following term/year unless all monies to replace it had been fully paid.
- See school bag regulations for safe keeping of textbooks.
- LEARNERS KEEP BAGS WITH THEM ON ARRIVAL TO SCHOOL AND MAY NOT LEAVE THEIR SCHOOL BAGS UNATTENDED.
- Who is responsible for costs if a learner damages property of another learner?  
The school can investigate it. Only where substantive evidence exists (witnesses) will the principal implement disciplinary procedures against the transgressor. The school will not give out personal information of one parent to another. The school can take the textbooks from the transgressor and insist that his/her parent replaced the damaged items first. If, however, the damaged items are of a personal nature, and unauthorised to have in possession at school, such as a cellphone or toys, then the school will not investigate it or try to retrieve it or the money for it.

#### **12.4.18 Drug, alcohol and weapon free zone**

- Smoking, alcohol, drug use is not permissible at the school.
- Possession of cigarettes, cigarette lighters, matches, drugs, alcoholic drinks, pornographic material, firearms, knives and other dangerous weapons is prohibited at the school.
- No scissors. Each teacher will have scissors for learners to use in the classroom.

#### **12.4.19 Violence, bullying and foul language**

- No violence, bullying, intimidation or threatening of any kind is allowed at the school.
- Learners are not allowed to swear or use foul language.
- Should a parent come to school to threaten or to assault another parent's child then the principal will investigate the matter, open a criminal case against the parent for the assault or call the victim's parent to open a criminal case against that person.
- Learners must report physical, emotional, cyber, prejudicial or any form of bullying to the principal.
- The parent of the learner must report bullying if it is suspected.
- A learner who leaves the school premises is no longer under supervision of teachers.

- Incidents between two learners on the way home can be reported to the school for investigation.
- Differences at home between learners are resolved there whether learners are both from our school. School can mediate only!
- If your child agrees to meet someone after school for a fight then he/she is guilty of misconduct.
- “Defacing” the school’s image is serious misconduct! Children must represent their school everywhere they go!

#### **12.4.20 Property of learners**

- 12.4.20.1 Learners are not allowed to bring computer games, CD players, radios, cell phones, iPods or toys to school unless permission to do so has been obtained from the Principal.
- 12.4.20.2 No cell phones will be permitted. A cell phone will be confiscated and parents would have to pay a fine at the office on the collection thereof.
- 12.4.20.3 The school will not be liable for any loss if cell phone should be stolen from the office or safe where it was kept.
- 12.4.20.4 The school will not conduct any searches for lost cell phones of learners.
- 12.4.20.5 Learners are discouraged not to bring valuable items to school. In cases where such items must be brought to school they should be handed in to the office for safekeeping.
- 12.4.20.6 Stealing/Theft are prohibited at the school.

#### **12.4.21 General behaviour**

- 12.4.21.1 Under no circumstances will learners be allowed to sell anything at the school, unless it relates to school fundraising or a project for which a teacher has sought the necessary permission.
- 12.4.21.2 Dishonesty, telling of lies, indecency or an act which in the opinion of the principal is condemnable will be acted upon by the Principal.
- 12.4.21.3 Disrespect towards the national symbols (national flag, anthem, etc) of the Republic of South Africa as well as the school flag and anthem will not be tolerated.
- 12.4.21.4 Any ill disciplined behaviour in the classroom, on the school premises, during school trips/excursions or any school function, including any action that brings the school into disrepute will not be tolerated.
- 12.4.21.5 All litter must be thrown in the bins provided and not thrown around the class or school.

- 12.4.21.6 Learners must not disregard/undermine the authority of the Principal or staff of the school.
- 12.4.21.7 Disruption of classes or school by learners is unacceptable.
- 12.4.21.8 Learners must report at the “window” to obtain permission to enter the office block.
- 12.4.21.9 No learner may pull a chair from under another learner either as a joke or for any other reason.
- 12.4.21.10 Teachers will elect a reliable learner every term to:
  - 12.4.21.10.1 Collect goods/items/letters etc. from office area
  - 12.4.21.10.2 Submit administration files to office clerks.

**12.4.22 Circulars and other information**

- 12.4.22.1 Circulars are distributed to learners mostly on Thursdays. Learners must hand all circulars, notifications or letters to their parents on the day of receipt thereof.
- 12.4.22.2 Slip notes must be signed and returned to guardian teachers the following day.

**12.4.23 Incomplete work/Homework not done:**

- Parent must respond by ensuring that the child does the work he or she didn't complete.
- Learner must catch up on lost work after absentee from school.
- If work remains incomplete then parent will be called to a meeting and will have to explain why the work was not completed.
- Parents must check books daily!
- Demerits will be given for incomplete work (see ordinary offences).

**12.4.24 Class rotations:**

- 12.4.24.1 Learners follow the classroom procedures explained by the teacher.
- 12.4.24.2 Learners will walk in a single row.
- 12.4.24.3 No noises, talking or leaving of rows for any reason.
- 12.4.24.4 All class rotations should be swift and no late-comings to classes will be tolerated.
- 12.4.24.5 On entering the classroom:
  - The learner will put his or her bag on the table, stand behind the chair with arms crossed on his/her chest.

**Safety regulation:**

*No learner may visit the toilet during class rotations and must go directly to the next class. No learner may run around or visit the desk of a friend when entering the classroom and has to immediately stand behind his or her desk.*

- The learners will recite the three basic school rules in both LOLT's.
- Learner will wait for instructions of the teacher to take out books and stationery and place it on the table.
- On the instruction of the teacher the learner will sit down and place his/her schoolbag under the chair.
- **Safety regulation:**  
Should the learner enter a classroom and find that he or she didn't have a chair, he/she will not be permitted to carry a chair around and must remain standing and when all the learners are seated the teacher will direct the learner to a desk where there is a chair for him or her to sit on.

### **13. OFFENCES:**

In an effort to maintain discipline at the school and ensure that teaching and learning is not disrupted through behavioural problems, the SGB puts forwards the disciplinary rules described below.

#### **13.1 Ordinary Offences**

**The following acts are considered as Ordinary offences:**

- 13.1.1 Late coming to class (-2 demerits)
- 13.1.2 Bunking periods (-2 demerits and ongoing bunking will be reported to the deputy principal)
- 13.1.3 Rude towards peers/educators/bad attitude/refusal to cooperate (-2 demerit) but for intimidating behaviour such as walking up to a teacher in a threatening manner, pushing teacher or pointing finger in teacher's face IMMEDIATE DETENTION AND A REPORT TO THE PRINCIPAL.
- 13.1.4 Spraying deoderant in class (-2 demerits)
- 13.1.5 Vulgar behaviour like deliberately "clearing their noses", spitting etc. (-2 demerits)
- 13.1.6 Littering anywhere on the school premises (-2 demerits and cleaning up session by teacher on break duty)
- 13.1.7 Use of foul language (-2 demerits)
- 13.1.8 Incorrect uniform (minor issues), hairstyles etc. (-2 demerits by guardian teacher but ongoing will lead to Principal's intervention/removal from attending classes until properly dressed)
- 13.1.9 Minor disruptive behaviour (-2 demerits)

- 13.1.10 Writing on clothes, no shoe laces, bags written on etc. (-2 demerits by guardian teacher and learner must do break detention to clean up his attire/shoes/bag)
- 13.1.11 Homework incomplete or books at home would be dealt with by the subject teacher affected by the negligence of the learner. Letter in learner's workbook to parents. Break detentions to be implemented by complainant for learner to catch up on lost work. Meeting with parents if ongoing and record of meeting should be kept.
- 13.1.12 Cheating in exam/test or assignments = nought for that assessment and a written warning (Schedule 1 procedure)
- 13.1.13 Eating in class (-2 demerits)
- 13.1.14 Forgery e.g. parent's signatures (-2 demerits)
- 13.1.15 Standing up in a classroom without permission (NO LEARNER MAY STAND UP TO THROW AWAY PAPERS, ASK FOR PENS OR APPROACH THE TEACHER WITHOUT FIRST GETTING PERMISSION) – IMMEDIATE DETENTION.

### **13.2 Schedule 1 – Misconduct (Suspension from school for period up to 7 days)**

**A learner will be guilty of Schedule 1 misconduct if he/she:**

- 13.2.1 Seriously threatens, disrupts or frustrates teaching or learning in a class;
- 13.2.2 Engages in a conspiracy to disrupt the proper functioning of the school through collective action;
- 13.2.3 Insults the dignity of or defames any learner or any other person, which includes racist remarks;
- 13.2.4 Distributes, or is in the possession of any test or examination material that may enable another person to gain an unfair advantage in a test or examination;
- 13.2.5 Cheats in a test or examination or any other form of assessment such as assignments;
- 13.2.6 Engages in any act of public indecency;
- 13.2.7 Sexually harasses another person;
- 13.2.8 Is found in possession of or distributes pornographic material;
- 13.2.9 Smokes or is in possession of cigarettes;
- 13.2.10 Is under the influence of or in the possession of alcohol;
- 13.2.11 Repeated ordinary offences.

### **13.3 Schedule 2 – Serious Misconduct (Suspension and Recommendation for expulsion)**

**The following acts are considered as Serious Misconduct:**

- 13.3.1 Rape;
- 13.3.2 Indecent assault;
- 13.3.3 Sexual harassment with aggravating circumstances;
- 13.3.4 Assault with the intention to do grievous bodily harm;
- 13.3.5 Common assault of an educator;

- 13.3.6 Serious intimidation of the other learner, teaching and non-teaching staff;
- 13.3.7 Malicious damage of the state property;
- 13.3.8 Theft with aggravating circumstances;
- 13.3.9 Robbery;
- 13.3.10 Possession of dangerous weapons on school premises;
- 13.3.11 The possession, sale or abuse of illegal substances;
- 13.3.12 The possession of obscene material including material depicting sexual images in all its forms;
- 13.3.13 Being on the school premises or at a school function outside the school premises while under the influence of intoxicating liquor or illegal substances;
- 13.3.14 The theft of examination papers or the possession or sale of such stolen examination papers; and
- 13.3.15 Repeated Schedule 1 Misconduct

**13.4 Disciplinary steps before institution a demerit:**

**1st warning – Verbal warning to the learner.**

- Teacher doesn't record it yet.
- A teacher may ask a learner to move to another table or sit at the front of the class.

**2nd warning:**

- Issue a demerit slip.
- Ongoing demerits - Letter/Telephonic call to invite parents to a meeting with subject teacher.
- **Regulation:** *The teacher wants to see the parents and not the grandparents unless they are the legal guardians of the learners. Staying with a grandparent whilst parents are living elsewhere does not make the grandparents the legal guardians!*
- A learner who disrupts the classroom, undermines teachers authority may be excluded from classroom activities and sent to sit at the door or front of class. Learner may also (should it be possible) be sent to a teacher on the relief timetable in SERIOUS cases of disruption.
- The teacher records the incident/meeting and keeps a record thereof on file.

DETENTION - AS PER TABLE EXPLAINING CORRECTIVE ACTIONS

**13.5 Disciplinary procedures for Schedule 1 (ongoing disruption of teaching and learning):**

### **Deputy Principal's intervention**

**1st step** – Verify that all processes were followed and verify records of misconduct and intervention. Refer Schedule 1 misconduct to the school principal when of a serious nature (vandalism impacting on the school's finances/sexual harassment/assault etc).

**2nd step** – Contact parents to inform of a written warning that will be issued by the Deputy Principal to the learner. Keep record of the telephonic conversation.

**3rd step:** Daily monitoring may be instituted if necessary.

## **13.6 Disciplinary procedures for Schedule 2 Offences:**

### **Principal's intervention:**

If misconduct is ongoing despite interventions or misconduct seriously affects teaching and learning then the matter must be referred to the Principal.

After a serious misconduct has been noted against a learner's name, the matter should be referred in writing to the principal of the school in the form of an investigation report.

Following a thorough investigation and confirmation of the allegation the principal will institute disciplinary procedures. The principal may institute suspension as a precautionary measure if she deemed that a learner posed a risk to teaching and learning, safety of peers/staff/other person.

The principal will contact the parent of the learner to inform him/her of the reasons for the suspension. The principal will inform the SGB chairperson regarding possible suspension from school. The principal will issue a written notification of the hearing and suspension (if applicable).

## **13.7 Institution of a Disciplinary Hearing by the Principal:**

13.7.1 After a serious misconduct has been noted against a learner's name, the matter should be referred in writing to the Principal of the school. Following a thorough investigation and confirmation of the allegation the principal will refer the matter to the Disciplinary Committee:

- Inform the DC (Disciplinary Committee) and obtain date and time for hearing from the members thereof.
- According to Section 9(1) of SASA, a School Governing Body (SGB) may, on reasonable grounds and as a precautionary measure, suspend a learner who is suspected of serious misconduct from attending school. The principal may, after a fair hearing of the matter, contact the SGB to suspend the learner should he/she deem it necessary as a safety precaution or in the interest of the rest of the learners.
- Inform the parent of the learner of the decision to either suspend or charge the learner with a Disciplinary Hearing.
- Issue a written notification of the charges, including the legal rights to representivity of the learner and details of the disciplinary hearing.

- The principal will inform the parent that the Notice of Suspension and/or that of the Disciplinary Hearing should be collected from the school.
- The parent will sign for the documentation and will receive a copy thereof.
- Should a learner/parent not attend a Disciplinary Hearing without good reason, the hearing will continue without them present and the outcome will be binding.

### **13.8 Suspension of a Learner for Serious Misconduct**

- 13.8.1 Disciplinary hearing will take place where after a learner may be suspended or application may be lodged with the DoE to expel the learner.
- 13.8.2 If a learner is suspended (Section 9(1)(E) of SASA), the governing body must conduct the disciplinary proceedings within 7 (seven) days of the suspension, failing which, the governing body must obtain the approval of the HOD for the continuation of the suspension of such a learner.
- 13.8.3 According to Section 9(1)(C) of SASA, a governing body may, after a fair hearing, suspend a learner from attending school, as a sanction for a period not longer than 7 (seven) school days. The DC would also give the learner work to do during that suspension. The parent and the learner will then be expected to return on the given date to submit the work that was given to obtain a “clearance letter” from the principal for the learner to return to school. Parents may also be advised to take their children for counseling etc. and would have to provide evidence thereof.
- 13.8.4 A governing body may suspend or extend the suspension of a learner for a period not longer than 14 days, pending a decision as to whether the learner is to be expelled from the school by the HOD.

### **13.9 Serious Misconduct and the Law**

Serious misconduct which may include offences according to the law must be investigated by the police and referred to the Court if necessary.

### **13.10 Committee (DC) for Serious Misconduct**

- 13.10.1 Upon the advice of the principal, the SGB must appoint a DC to adjudicate the allegation of serious misconduct.
- 13.10.2 The DC appointed by the SGB must comprise of three persons who are members of the SGB or are nominated by the SGB.
- 13.10.3 The DC is subjected to the following conditions:
- 13.10.4 The chairperson of DC must be a parent member or community member of the SGB.
- 13.10.5 The two remaining members of the disciplinary committee may not be the principal or a learner at the school.

- 13.10.6 No person may be appointed to the disciplinary committee if he or she has personal knowledge of any matter that may be in dispute at the hearing.
- 13.10.7 In appointing members of the disciplinary committee, issues of representivity in terms of gender and race must be reflected in the composition of the panel.

### **13.11 Procedure for Hearing of Serious Misconduct**

- 13.11.1 Regulation 5 of the Notice outlines the procedures for hearing of serious misconduct and other steps to be followed to ensure that the process is fair and transparent.
- 13.11.2 The principle of FAIRNESS is expected to apply during the disciplinary proceedings:
- 13.11.3 The principles of fairness require that the accused person understands all the allegations against him or her, and is given a fair opportunity to respond to those allegations.
- 13.11.4 This would therefore require that an opportunity be provided for the cross-examination of a person making allegations by the person against whom the allegations are made.
- 13.11.5 The learner has the right to be represented by the legal representative.
- 13.11.6 The evidence before the DC must be fairly evaluated and considered, and a decision must be taken without bias, malice or prejudice against anyone.
- 13.11.7 The circumstance of the accused person must be considered, and mitigation factors (such as the matter being a first offence) should be taken into account.
- 13.11.8 Equality before the law requires that there be no unfair discrimination, directly or indirectly, on the basis of inter alia race, gender, age or religion.
- 13.11.9 It also requires that like cases should be treated alike.
- 13.11.10 The SGB makes a recommendation for expulsion to the HOD after a fair hearing.
- 13.11.11 This recommendation of the DC must be forwarded to the HOD in writing.
- 13.11.12 The parents of the learner must be notified in writing of their right to forward an accompanying letter with the recommendation, stating their position on the incident, if they so wish. This letter may serve as a part of the appeal process.
- 13.11.13 The HOD then investigates the procedural and substantive aspects of the guilty verdict and the sanction recommended.
- 13.11.14 The HOD's decision, after due consideration of the reports and the record of proceedings from the DC, together with the optional letter from parent, is final.
- 13.11.15 If the HOD expels a learner who is of compulsory school age, he/she must ensure that the learner is admitted to another school.
- 13.11.16 If the HOD decides to impose on the learner a lesser punishment, other than expulsion, he/she may, after consultation with the SGB, impose a suitable sanction on the learner, or if he/she decides not to impose a sanction on the learner, he/she will refer the matter back to the SGB for an alternative sanction.

### **13.12 Appeal Procedures**

- 13.12.1 A learner or the parent(s) of a learner who has been expelled or a representative designated by him/her may appeal against the decision of the HOD to the MEC, within 14 (fourteen) days.
- 13.12.2 Alternative arrangements for the continued education of the learner who has appealed must be made by the HOD, until the appeal has been finalised.
- 13.12.3 The MEC must, within 5 (five) days notify the HOD and SGB that the appeal has been lodged and furnish them with a copy thereof, and request them, within 5 (five) days after receipt of the appeal, to make comments with regard to the appellant's reasons for the appeal and any other information relevant to the appeal.
- 13.12.4 After consideration of all the information, the MEC must, within 5 (five) days of receipt of the documentation, provide the learner with the decision regarding the appeal.
- 13.12.5 If an appeal by a learner who has been expelled from a public school is upheld by the Member of the Executive Council, the Member of the Executive Council must ensure that a suitable sanction is then imposed on the learner within 14 days of the date on which the appeal was upheld.

### **13.13 Responsibilities of Parents Regarding the Code of Conduct**

- 13.13.1 The ultimate responsibility for learner behaviour rests with the parent who is expected to support the school and ensure that learners observe the school rules and regulations and accept responsibility for their misbehaviour.
- 13.13.2 Parents/Guardians should attend meeting convened by the Governing Body/SMT for them.

## **14 PROMOTION OF CODE OF CONDUCT**

- 14.1 This policy will be made available to each learner upon registration.
- 14.2 This policy shall clarify in positive terms what the expectations of the school are.
- 14.3 The following actions shall be taken to clarify the expectation of the school to learners:
  - 14.3.1 Learners will receive a summarized copy of the code of conduct at the beginning of each year (in their homework diaries).
  - 14.3.2 The principal and teachers will discuss the code of conduct with the learner at the beginning of the school year.
- 14.4 Classroom rules must be displayed in the class.