



HOËRSKOOL  
**APEX**  
HIGH SCHOOL

# **APEX HIGH SCHOOL CODE OF CONDUCT**

## **Preamble**

In terms of the School Education Act, 1996, it is the duty of every Schools Governing Body to formulate a Code of Conduct. The State has an obligation to make education available and accessible and this must be complemented by the commitment and acceptance of responsibility by all role players.

The purpose of the Apex High Code of Conduct is:

- To provide a core of common values that should guide the activities of all in the Apex High School community.
- To provide guidance as to what the school's expectations are.
- To promote self-discipline as the route towards achieving exemplary conduct.
- To provide appropriate corrective measures aimed at rectifying behaviour that is contrary to the code.

The Code of Conduct of Apex High School, in accordance with the Constitution of the Republic of South Africa (Act 108 of 1996) and the South African Schools' Act (no 84 of 1996) (as amended), strives to uphold and protect the rights of the learners as individuals and as a group. In accordance with Article 8(1) of SA Schools' Act, this Code of Conduct was accepted by the Governing Body of Apex High School only after due consultation with the parents, learners and educators of the school and revised and approved by the School Governing body on the 4<sup>th</sup> of June 2018.

The Code of Conduct, in accordance with Article 1.8 of Notice 776 of 1998, published in the Government Gazette of 15 May 1998, is applicable to the learners not only when at school but at all times and places for as long as the learner is enrolled at the school. In accordance with article 8(4) of the S.A. Schools' Act (Act 84 of 1996), nothing contained in the Act exempts a learner from the obligation to comply with the Code of Conduct of the school attended by the learner. In compliance with the Code of Conduct, it is thus expected of learners to obey the authority of the educators, prefects and the Representative Council of Learners.

## **1. General Principles**

The Code of Conduct is developed from the core values that this school community seeks to uphold and provide positive models that all should strive to attain. Some examples are:

- Integrity: honesty, truthfulness, consistent principled behaviour
- Courtesy: good manners
- Respect for: oneself, the law, legitimate authority (rules and the people who implement them) other persons and their well-being, the cultural traditions of others (within the law), the private property of others, and for public property and the environment

## **MISSION**

To provide an excellent and transformational education in collaboration with parents and the community - that develops independent, hard-working citizens of integrity, committed to serving others and fulfilling their potential at tertiary education, the work place and in life.

## **VISION**

For Apex high to be a school that competes with the very best, and to redefine for our nation what is possible for all learners through hard-work and a culture of high expectations.

## **INTRODUCTION**

The Code of Conduct spells out the rules regarding learner behaviour at the School and describes the disciplinary system to be implemented by the School concerning transgressions by learners. The Code of Conduct applies to all learners while they are on the School premises or when they are away from the School representing it or attending a School function. Section 8(4) of the SA Schools Act provides that all learners attending a School are bound by the Code of Conduct of that School. The administration of the Code of Conduct is the responsibility of the Disciplinary Committee of the School.

It is the policy of Apex High to expect conduct of the highest standard from all learners, educators, staff and all other roleplayers. This includes conduct in the classroom, on the sports field, during all school events, on the school premises and at any other time where anybody, through association, is representing Apex.

## **TERMS OF LEGISLATION**

The Code of Conduct for learners at Apex High School has been drawn up in terms of the following legislation:

- The Constitution of the Republic of South Africa 1996, Act No. 108 and the Bill of Rights included in the constitution
- South African Schools Act, 1996 (Act No. 84 of 1996) as amended
- Guideline for the consideration of Governing Bodies in adopting a code of conduct for learners, in Government Gazette No 18900
- General manual for the suspension and expulsion of learners from public schools (excluding public schools for learners who were referred or transferred to such schools in terms of the Child Care Act, 1983 (Act 74 of 1983), and/or the Criminal Procedure Act, 1977 (act 51 of 1977)), in circular 0030/99 – Provincial Administration Western Cape Education Department.

## **TERMS AND USE OF THE CODE OF CONDUCT**

For the Code of Conduct to be effective, those who are expected to follow and adhere to it must support and commit to the Code of Conduct and sign a pledge to confirm this (Annexure 1). The Code of Conduct is designed to ensure that our purpose to educate, learn and develop as individuals can be achieved in a safe and caring environment where mutual respect is fostered, as parents, educators and learners agree to uphold our Code of Conduct and school rules in a spirit of collaboration and responsibility.

All role-players must acknowledge that sound and equitable relations are essential for the promotion of goodwill, the educational well-being and safety of the learners and the long-term viability of the school.

To this end we declare our common commitment to the following objectives and acknowledge one another's rights/expectations and responsibilities as set out below:

- To provide well-founded, quality education that focuses on the personal development of each learner and provides opportunities for holistic development
- To preserve the school values, standards and individual character of the school, whilst adapting constructively to the changes that occur;
- To maintain and develop a working environment, both in the classroom and outside that offers simultaneously, harmony, safety and stability;
- To foster the partnership on which good education is based between the school and the home: between parents, educators and learners; through commitment, accountability and co-operation; and
- To recognise the individual rights of each stakeholder together

## **RIGHTS & RESPONSIBILITIES**

### **Learners' Rights**

- All learners have the right to an education free of interference, intimidation and/or physical abuse. The learner will respect the property and safety of other learners. Fighting or threatening of other learners is forbidden.
- Provided with educational facilities and resources necessary for effective learning taught in a clean, safe and orderly environment
- Taught each lesson in an atmosphere conducive to learning and free from interruptions by other learners
- Be treated as an individual, enjoying the respect of others, and treated in a fair and dignified manner
- Be able to express themselves, to ask questions, and to be heard
- Be taught in a disciplined environment in which punishment (corrective measures) is fair and consistent
- Be recognised for their achievements
- The democratic right to due process and to have their views heard
- Maintain a high standard of behaviour and courtesy both inside and outside of the school;
- Be loyal to the school and to enhance the reputation of the school for the benefit of all at the school and display integrity in their actions and attitudes.
- Try their best to fulfil their academic potential at school;
- Be accountable and recognise that each member of the school has the right to unhindered teaching and learning in a safe and secure environment; and respect the rights of the individual to a full education.
- Be members of a society;
- Be involved in a cultural activity and to appreciate beauty and their heritage;
- Attend cultural events and behave in an appropriate manner at cultural events

### **Learners' Responsibilities**

- To familiarise themselves with the Code of Conduct
- To comply with the school rules
- To comply with instructions from educators
- To behave honestly and conduct themselves with integrity
- To conform to the rules and discipline of the school
- To exercise self-discipline in the interests of others
- To listen to others to their teachers and school staff
- To use the facilities and opportunities offered

## **Educators' Rights**

- To be respected as educators and professionals
- To receive support from the parents
- To receive support from school management
- To be provided with appropriate teaching resources and facilities
- To teach without disruption
- To teach in a safe, secure and occupationally healthy work environment
- To be consulted on, and to contribute towards matters which fall within their sphere of expertise and interest
- To exercise discipline in terms of the school rules
- Enjoy privacy in their private lives, with the assurance that their personal property at school will be respected

## **Educators' Responsibilities**

- Uphold the core values of Apex High
- Be professional in appearance and approach, and provide an environment which is conducive to effective learning
- Be well prepared for each lesson, teach each lesson effectively, and effectively evaluate work done
- Maintain a clean, disciplined and safe environment in the classroom
- Be punctual, consistent and fair, and sensitive to the needs of learners
- Treat learners as individuals, respecting their rights, and encouraging each learner to reach his/her full potential in all spheres of school life
- Guide learners, help them to identify problems that they have, and help them to resolve such problems
- Communicate with parents and keep them informed of the progress of learners
- Keep up to date with developments in education
- Set the correct example as a professional person
- Keep up to date with all administrative duties and attend all official school functions

### **Parents Rights:**

- Be informed on school matters
- Expect quality education
- Educators are qualified and competent to teach their subjects of instruction
- Educators are professional in their approach to their work and set and maintain high standards
- Have appropriate care taken over their children
- Kept informed about the child's progress and behaviour
- The school respects cultural diversities and is non-discriminatory
- Learners are taught in a disciplined environment that is conducive to learning that they will be treated fairly and as individuals

### **Parents Responsibilities:**

- Support and encourage their children in their involvement in all spheres of school life
- To encourage their children to obey the school rules and support the values and discipline of the school
- To keep the school informed of any changes in personal details, such as addresses and home and work telephone numbers
- To participate in the learning process and assist children with homework, provide encouragement, check results and communicate freely with the School
- To make appointments to meet with educators and to ensure that these arrangements are honoured.
- Ensure that learners attend school regularly, that they are correctly dressed, are properly equipped, and are punctual
- Support the school, the staff, the code of conduct and school rules, and ensure that their children do likewise
- Inform the school of any problem areas and communicate with individual educators where this is necessary or desirable
- Fetch their children on time after school functions, and attend official school functions

### **School Management's Responsibilities**

- Uphold the values of Apex High School
- Ensure education of the highest standard
- Oversee compliance of all Apex High School's rules
- Always act consistently with fairness & transparency in the implementation of policies and procedures

## **School Rules and Learner Code of Conduct**

### **General Principles**

The Code of Conduct is developed from the core values that this school community seeks to uphold and provide positive models that all should strive to attain. Consideration, care and tolerance for others should characterise all conduct. Some examples are:

- Integrity: honesty, truthfulness, consistent principled behaviour
- Courtesy: good manners, cheerfulness, friendliness
- Respect for: oneself, the law, legitimate authority (rules and the people who implement them) other persons and their well-being, the cultural traditions of others (within the law), the private property of others, and for public property and the environment

### **Courtesy and Respect for Others**

Learners' behaviour should be such that it conforms to socially acceptable standards of behaviour which may be defined as:

- Respect for the individual and his/her physical, emotional and moral well-being.
- Respect for others and greet and assist visitors to the school;
- Respect for property: both the school's property and other people's property.
- Respect for the school environment, including plants, trees and playing fields.
- Respect for those who are in authority.

## **2. School and Class Attendance**

- All Learners are required by law to attend school on every school day.
- All learners are to arrive at school before the official starting time. Learners who are late for school will be marked absent as registers are completed at the beginning of each school day.
- If a learner does not attend school regularly, the relevant register teacher will report the absence of the learner to the parent and the Principal in writing. The register teacher must keep an accurate register of learner attendance and must keep copies of all communication to parents when absence from the classroom is reported.
- Absence from a class, without the permission of the relevant register or subject teacher, is prohibited.
- Any absence from school must be covered by an absentee note from a parent/guardian.
- Should a learner be absent from School for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical doctor/traditional doctor/registered herbalist or a clinic sister.
- Any absence from a formal examination, test or task must be supported by a letter from a medical doctor/traditional doctor/registered herbalist.
- If a Learner is ill at school the educator will send the child to the secretary's office where appropriate action will be taken.
- No learner may leave the school during school hours without a letter from a parent/guardian requesting the release of their child and the permission of the Principal/Deputy Principal from whom an exit note must be obtained.
- Every effort should be made to ensure that medical, dental and similar appointments are made outside of school hours;
- Truancy from School is prohibited.
- Parents are requested to inform the School of contact with infectious diseases, allergies or medical conditions which may require specialised attention.
- All learners will attend assembly for the full duration thereof.
- Refer to Addendum 2 for the School's Policy of Attendance and Absenteeism

### **Visitors to the School**

- Pupils may not see visitors (e.g. boyfriends/girlfriends) during school hours.
- Parent(s)/Guardian(s) who wish to consult with teachers must do so either at one of the parent(s)/guardian(s)/Teacher Meetings or may make an appointment with the teacher.
- Anyone visiting the School must report at the reception office immediately upon entering the building before meeting with the teacher.

### 3. School Uniform and General Appearance

Learners are expected to wear the official school uniform and appear neat and tidy at all times. No additions to the uniform that are not in accordance with the regulations will be allowed. The school recognises and celebrates religious and cultural diversity; therefore, students may deviate from official School uniform for religious and cultural reasons upon applying and, submitting relevant supporting documents and received the necessary permission from the School Governing Body. Kindly peruse Addendum 3 for the School's Uniform Policy.

#### Accommodation of religious or cultural rights

*Religious practices, conduct or obligation that relate to the core values and beliefs of a recognised religion and that are in conflict with any rule contained in this code of conduct will be accommodated by a deviation from this Code of Conduct by the Governing body.*

- The learner, assisted by the parent, must apply for a deviation from the standard school rules if such rules are in conflict with or infringe on any religious right of the learner.
- This application must be in writing and must identify the specific rule/s that is/are offensive to the learner's religious rights as contained in the Constitution of the Republic of South Africa.
- This application must include a reasonable interpretation of the religious rights that the learner feels are offensive and a suggestion on how the rules may be supplemented by the Governing body/school board to accommodate such religious rights.
- The learner must provide proof that she/he belongs to that specific religion and that the religious practices, rules and obligations that are in conflict with the school's Code of Conduct are his/her true beliefs and commitments.
- The religious conduct or practice must be lawful.
- The Governing body must consider the application and, if it is satisfied that the application is justified in terms of Constitutional principles, the application will be granted in writing within 14 days.
- When the Governing body allows for deviations from the standard rules, such deviations must be based on core religious beliefs inherent to the religion, and it must be compulsory for the learner to comply with such beliefs.
- The deviation must specify of the exemption from the normal rules and must clearly identify the conduct that will be allowed – e.g. the wearing of a head scarf, including colours and details of design; the growing of a beard; or the wearing of a specific hairstyle or jewellery – and the conditions under which such deviation will be applicable to the learner.
- Cultural rights will be considered in the event that they do not relate to a religion, is such cultural rights manifest in conduct of a permanent nature that is compulsory for the cultural group. This refers to cases where the removal of the cultural jewellery or mark will cause considerable pain to the learner. Normally, cultural rights are exercised through marks and expressions of a temporary nature that are justified for a specific cultural gathering. The learner must convince the Governing body that his/her cultural rights can be exercised only through a permanent intervention.
- Any request for a deviation from the Code of Conduct based on cultural rights must be in writing and must be based on a process similar to that contained in subparagraphs 1 to 8 above.

#### **4. Valuables and Personal Belongings**

The School is a place of safety where laws pertaining to public spaces are applicable. It is the responsibility of all pupils to take care of the school property.

- Vandalism and destruction of property is strictly forbidden.
- The defacing of buildings, plants, desks, books or any other classroom equipment is considered a serious misdemeanour.
- No cash monies/ payments are permitted other than outings or fundraisers. The riding of student's personal bicycles, roller-blading and skate boarding in the school grounds are strictly forbidden.
- The school will not be held responsible for theft of or damage to personal belongings on school premises, for example cellphones, bags, books, clothing, bicycles, (See Cellphone Policy Annexure 4) Learners may not bring computer games, iPods, earphones or similar electronic devices to school.
- The carrying and/or smoking of cigarettes is prohibited. Alcohol and cigarettes are not permitted on School premises or during any School activity.
- The carrying of and/or consumption of illegal chemical substances and drugs is prohibited. Annexure 5 details the schools Drug Policy
- No dangerous objects or illegal drugs as defined in the SA Schools Act or the Safety Regulations will be brought onto and/or used on the School property unless authorised by the Principal for educational purposes. Dangerous objects include knives, firearms or any item that could harm a person.
- Any medication, together with a note from the parents, must be handed to the school secretary at the beginning of the day for safekeeping.

Learners, who wilfully or negligently cause damage to school property, will go through school disciplinary process and if found guilty be required to make good the damage incurred and/or pay for the repair or replacement thereof. Apex High's disciplinary system (see pages 19 – 21) makes specific reference to corrective measures related to valuables and personal belongings.

## **5. Conducting Searches**

- Given the need for school safety and the protection and well-being of individual learners, the authority of the school to conduct searches is held to pre-empt an individual learner's right to privacy. Consequently, school officials are empowered to conduct searches of a pupil's property when there is reasonable suspicion that s/he may be in violation of a school rule, a policy or the law.
- All school-related property is subject to search at any time. School-related property includes but is not limited to computers, cellphones and related or similar devices, and items used during or in the support of education-related programmes or activities, and in respect of this policy is deemed to include also privately owned devices brought onto the school property or to any school sponsored or school related activity or function.
- Before undertaking a search of any privately-owned device however, the school official performing such search must have a reasonable suspicion that the learner has indulged in an action that violates the law, a school rule or policy.

## **General Rules**

All learners have the right to an education free of interference, intimidation and/or physical abuse.

- The learner will respect the property and safety of other learners.
- Learners must show the necessary respect towards others, namely the teaching staff, administrative staff, cleaning staff, their fellow learners and other members of the Apex High Community.
- Learners are expected to abide by the school rules with regard to appearance and behaviour when representing the school both during school hours and after school hours, at school and away from school.
- Learners may not say or do anything that will discredit themselves or the school.
- No learner has the right at any time to behave in a manner that will disrupt the learning activity of other learners or will cause another learner physical or emotional harm.
- The school will contact parents/guardians when a learner's behaviour becomes a cause of concern and will endeavour, in a spirit of constructive partnership, to resolve the problem.
- Parents/guardians, learners, teachers and School Governing Body (SGB) members are jointly responsible for ensuring that all learners attend school.
- No littering is allowed and waste bins in allocated areas should be used at all times.
- Learners walk in single file and may not run inside the school building. The rule "keep left" applies.

The following behaviours, which are hurtful and show disrespect for others are strictly forbidden:

- Use of obscene or abusive language including blasphemy bullying, intimidation and harassment
- Interference with the personal belongings of another
- Making remarks likely to lead to religious or racial discord
- No learner may use foul or unacceptable language or be in possession of pornographic literature. Annexure 4 detailing Electronic Devices
- No learner may injure, victimize or tease a fellow learner. Annexure 5 details the school's Anti-Bullying policy. Learners may not be in possession of weapons, toys or materials which could cause physical injury.
- Fighting or threatening of other learners is forbidden.

## **Accidents and Emergencies**

In the event of an accident or emergency the following procedure will take place:

- Parent(s)/Guardian(s) are contacted immediately. The School may not refer a child to a doctor or a hospital until arrangements are made by the parent(s)/guardian(s). If the parent(s)/guardian(s) cannot be contacted, the School will refer the child to the family doctor, the nearest doctor, or the Casualty Section at the nearest hospital.
- Please ensure that the secretary is informed of changes of address and telephone numbers

## General Rules in the Classrooms

- All movements in the corridor will be quickly and quietly and the “Keep left” rule applies.
- No one may enter a classroom or a storeroom if there is no teacher present.
- Any act of cheating in class work, homework, informal and formal tests or internal or external examination is prohibited. Furthermore, copying of and/or borrowing another learner’s work is forbidden. This is discussed further in Annexure 7 which details the school’s policy around Homework, School Based Assessment and Exams.
- Disruptive, unruly, rude and/or offensive behaviour will not be tolerated.
- The timeous handing in of work is the responsibility of each learner.
- Learners must look after their books.
- A high standard of neatness is expected, and learners must take a pride in the presentation of their work;
- Homework is an integral part of the education process and must be completed daily;
- Learners may not interrupt lessons through disruptive behaviour or disrupt the learning process of others in the class;
- Learners may not leave the classroom without permission. All students will be given a “Student Pass” which is a coloured lanyard which indicates that students have permission to be outside of the classroom

## General Rules in the Library

- Courtesy and consideration must be the watchwords for all when using the Library.
- The Library is a centre for work not for socializing. Users are asked to talk quietly and not to disturb others.
- All library material removed from the library must be used correctly. The borrower’s name and class must be written on the issue card and the due date stamped on the issue card and on the date sheet in the book.
- Borrowed material must be returned by the due date. It must be posted in the ‘Return Book Box’ or handed to the duty librarians at breaks. Books left lying on tables or the issue desk sometimes disappear.
- Books lost or defaced or marked in any way must be paid for by the borrower.
- Book bags must be left in the lockers in the passage.
- There must be no eating in the library.
- Learners may not use the copier in the vestibule during lesson time.
- Users are asked to ensure that the library is kept neat and tidy.
- Classes are very welcome, provided they are supervised by their educators. Periods may be booked in advance in the library office.

## **6. Rules Governing Public Places**

- The School is a place of safety where laws pertaining to public spaces are applicable.
- Breakage of any school property must be reported immediately to a teacher or to one of the secretaries.
- All school property is to be treated with respect.
- Learners are not to linger on the internal roads or on the pavements or walks adjoining school roads.
- The school buildings and grounds are out of bounds out of normal school hours unless they are being used for extra-mural activities under the supervision of an educator or coach.
- Wilful damaging, vandalising or neglect of School property and the property of others, either by writing or by a physical act, is prohibited.
- Theft of School and private property is also prohibited.
- Trespassers run the risk of prosecution at weekends and during holidays for the use of the school building, ground and sport facilities.

### **Transport**

- Learners wishing to park motor cycles/motor vehicles on the school grounds must first obtain permission from the school to do so and make use of the areas specifically demarcated for this purpose.
- All learners park their vehicles and bikes (pedal or motorised) on the school premises at their own risk.
- Specific areas are provided for the safekeeping of bikes, etc. and must be used by learners.
- Learners may ride or drive a vehicle on the school grounds provided the learner has a license to drive such vehicle and provided extreme caution is exercised.
- Reckless behaviour is forbidden.
- The Code of Conduct is applicable when making use of public transport to and from school.
- Learners may not hitchhike while in school uniform, whether formal or sports dress

## **School Enrichment Programmes**

- It is expected of learners to choose 1 sport or cultural activity per term. A request for any exception to this rule must be applied for, in writing, to the Principal.
- Should a learner be unable to attend an extra-mural activity to which he or she has committed him or herself, the learner must excuse him or herself personally from the particular educator.
- Should a learner, as a member of a team participating in a competition or match, be unable to attend due to unforeseen circumstances, the educator concerned must be informed as soon as possible.
- A learner may not represent another school in a match or competition or take part in the extra mural activities of another school.
- A learner is expected to adopt the correct etiquette pertaining to the specific activity at all times.
- Once a learner has committed him or herself to an activity, he or she will be bound to meet the rules and obligations related to that activity.
- Involvement in a particular activity will span the entire season or the duration of that activity.
- The appropriate kit or uniform will be worn to practices and league fixtures.
- Learners travelling to an away fixture will travel in full school uniform, unless other arrangements have been made by the particular educator concerned.

## **Apex High Disciplinary System**

### **General Principles**

Apex High School aims to inculcate a culture of discipline which would encourage a healthy, stable and stimulating atmosphere in which growth and development of both mind and body can occur. This positive ambiance would allow and encourage teaching and learning through understanding, tolerance, peace, reconciliation and mutual respect. All discipline, including punishment must conform to the Bill of Rights in the Constitution of the Republic of South Africa 1996, Act No 108 of 1996; Section 3 (n) of the National Education Policy Act, Act No 27 of 1996; the Teachers' Professional Code of Conduct and Common Law.

Apex High, believes that discipline should be fair, appropriate, consistent, non-violent, humane and free of prejudice. All sides will be taken into account and therefore a decision may not be taken immediately. Therefore the disciplinary process is expeditious, fair, just, corrective, consistent and educative.

- Every teacher is responsible for discipline and has the full authority and responsibility to correct the behaviour of learners whenever such correction is necessary.
- Any corrective measure or disciplinary action will correspond with and be appropriate to the offence.
- All learners will abide by the discipline system that has been developed to assist and guide learner behaviour in the school.
- All school rules must be approved in terms of these regulations. They must be set out in simple and understandable language.
- The school has a clearly defined framework within which the discipline policy functions. This includes school value, rules and regulations and set procedures according to which disciplinary measures are carried out.

### **Disciplinary System**

The following section addresses corrective measures and outlines specific procedures and protocols that must be followed. The following terms are used throughout this section and is explained as follows:

- Verbal reprimand  
The student is warned that if the offence occurs again a more serious reprimand will be taken
- Tuesday / Thursday Detention  
Student and parents will be informed in writing that the student must stay after school on a Tuesday or Thursday from 2:00pm – 4:30pm. Detention is supervised. Student will be expected to re-write the school's Code of Conduct during detention or attend work squad. Saturday Detention
- Suspension of privileges  
The school can decide which specific privileges will be suspended and can include amongst others; suspension of sport, school excursions, exclusion from school events.

- **Daily Report**  
For one day teachers must report on a specific student's behaviour. The teacher must sign a document and report on the student's behaviour. The school will decide the duration of the Daily Report.
- **Weekly Report**  
For one week teachers must report on a specific student's behaviour. Each teacher must sign a document and report on the student's behaviour. This report must be given to the Deputy Principal every day for review. The school will decide the duration of the Daily Report
- **Community Work**  
The school will arrange community work that a student must complete. The school will inform the parents timeously and in writing the details of the community work. The organisation that the student must work at must complete a report on the students work and behaviour. A report from the organisation that describes poor quality of work and/or poor behaviour may lead to further disciplinary recourse.
- **Suspension**  
After a disciplinary hearing a student must stay at home for a specified number of days. During suspension parents must fetch school work to be completed. In the event of tests or examination the student will report to the office to write test or examination.
- **Expulsion**

## **Grading of Offences**

The following tables:

- Outlines the grading of offences.
- Offences are graded according to the nature and degree of seriousness of the offences, of which Grade 4 offences are the most serious.
- The table also outlines who must deal with the offence and what specific administration must be completed
- The table also outlines the disciplinary procedure that the school must follow when students are accused or guilty of these offences. The grade will determine the procedure that must be followed
- The table also outlines the procedure the school must follow when the offence re-occurs
- The table includes a list of interventions and corrective measures used by the school aimed at correcting behaviour before suspension and expulsion

## **Correct procedures to follow in all cases of discipline and punishment**

In all cases of discipline and punishment the correct procedures must be followed as set out in the Act and the regulations. This is especially important with regard to suspension and expulsion.

- It is important to establish both the offence and the offender.
- It must be established that both the child one is speaking to, is in fact the offender.
- The offence must be investigated free of prejudice. Ignorance must be assumed at each new level in order that the child is not prejudiced.
- Take care to establish the motive of the offence.
- When the learner is interviewed he/she must be told what the offence is and he/she must be given the opportunity to state his/her side of the matter. This input must be given serious consideration.

- It is important that the learner acknowledge the offence and that he/she is aware of the consequences of the actions.
- Educators, as figures of authority and trust, must be very careful not to violate the right of the child to remain silent.

**Disciplinary procedures – Grade 1 Offence- littering • excessively noisy or unruly behaviour before School, during change-overs, during breaks, and after School • eating, drinking or chewing gum during any contact time (class and assembly) • misconduct in an assembly • entering an out of bounds area, classroom or passage without permission • loitering in the passages, at the tuck shop or vending machines, at the toilets or change rooms • misconduct or poor sportsmanship during an extra-mural activity’s practice, intra- or inter-School competition or league fixture • failure to: – submit an absentee note or exit notes by the stipulated deadlines – return a library book by the due date, or pay the fine for overdue book/s – attend an extramural activity’s practice session without excusing himself – attend duty class – attend a compulsory activity as a spectator without submitting a written excuse letter prior to the event – attend detention • continual interference with another learner which causes minor physical or mental discomfort • misconduct during detention • minor infringements of uniform regulations: wearing of printed Tshirts; an incorrect jersey or tracksuit top as an outer garment; incorrect colour socks or belt; wearing of jewellery • failure to wear the correct full School uniform when in a public place, including the wearing of unauthorised items • failure to wear the correct sports kit for a match or practice hitchhiking while in School uniform, formal or sport dress • disruptive behaviour in class • spitting in public • failure to: – do classwork set and submit homework – bring the required textbooks, notes, stationery, or equipment to a lesson – hand work in on time • copying another learner’s classwork or homework • defacing School property • reporting late for class, relief, or to the exclusion room • use of offensive material to cover books or files • possession and/or use of a cell phone, computer game, iPod and similar electronic devices, during all contact time • arriving late for School without an excuse note.**

STEP 1		STEP 2		STEP 3		STEP 4		The following list of interventions and corrective measures used by the School are aimed at correcting behaviour before suspension and expulsion:
1st Time Offence Occurs		2 <sup>nd</sup> Time Offence Occurs		3 <sup>rd</sup> Time Offence Occurs		Student has written warning, Offence occurs again		
Disciplinary Action		Disciplinary Action		Disciplinary Action Written Warning		Disciplinary Action Final Written Warning		
Grade 1 Offence	<ul style="list-style-type: none"> <li>• Disciplinary Intervention by teacher</li> <li>• keep a written record of such offences and the disciplinary measure taken.</li> </ul>	Grade 1 Offence recurs 2 <sup>nd</sup> time	<ul style="list-style-type: none"> <li>• Disciplinary Intervention by teacher</li> <li>• keep a written record of such offences and the disciplinary measure taken.</li> </ul>	Grade 1 Offence recurs 3 <sup>rd</sup> time	<ul style="list-style-type: none"> <li>• Referred to Grade Head along with the record of all three (3) offences</li> <li>• Grade Head issues a written warning</li> <li>• Disciplinary measure handed down</li> <li>• A signed copy of acknowledgement will be kept on record by the Grade Head and communicated to the parent/guardian.</li> <li>• The Grade Head will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's register teacher</li> </ul>	Grade 1 offence Occurs again after written warning has been given	<ul style="list-style-type: none"> <li>• Grade Head interviews student</li> <li>• Disciplinary measure handed down</li> <li>• And Grade Head gives student Final written warning</li> <li>• A signed copy of acknowledgement will be kept on record by the Grade Head and communicated to the parent/guardian.</li> <li>• The Grade Head will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's register teacher</li> </ul>	<ul style="list-style-type: none"> <li>• Verbal reprimand;</li> <li>• Written punishment;</li> <li>• Detention at break;</li> <li>• Subtracting marks (homework);</li> <li>• Temporary confiscation until the end of School term (e.g. uniform, jewellery, cell phones, bags and cases);</li> <li>• Removing graffiti from bags and cases at break;</li> </ul>

## Disciplinary procedures - Grade 2 Offence

**vandalism** • interfering with another person's possessions/ property without the owner's consent • damaging another person's possessions/ property as a result of interfering or using said possession or property without the owner's consent • **racism: remarks/ insults** • forgery: altering of official documents such as medical certificates and qualifications and fraudulent use thereof • **intimidation by verbal or physical threat to harm the person or his property (bullying)** • **swearing, lying or using obscene gestures** • **verbal or non-verbal abuse** • **disrespect or insolence** • insubordination – ignoring or failing to carry out a specific instruction (to include failure to do work/ punishment set in the exclusion room, or failure to report to the exclusion room, or failure to report to the subject teacher with this work/punishment as stipulated) • **fighting, common assault or attempted assault** • **public disturbance and public indecency** • gambling • failure to attend detention without prior submission of a written excuse or note • unacceptable hair styles, including bleaching or colouring • display of visible tattoos • using a cell phone as a means of communication during formal testing • cheating, attempting to cheat, or having forbidden material or information in a test venue during controlled testing (class tests, term tests, internal exams). This includes any form of communication, verbal or non-verbal, with another learner • copying of computer exercises, projects or any other work intended for the year mark • truancy from any contact time • possession or use of fire crackers • failure to attend an extra-mural activity fixture or function as a participant or official • any action which brings the School's name into disrepute • possession of offensive material, excluding pornographic material • tampering with safety and other equipment on School premises • unreasonable repetition of a Grade 1 offence

STEP 4		STEP 5		STEP 6		<b>The following list of interventions and corrective measures used by the School are aimed at correcting behaviour before suspension and expulsion:</b> <ul style="list-style-type: none"> <li>• A verbal warning</li> <li>• Written warning.</li> <li>• Final written warning.</li> <li>• Removal from classes to the exclusion room.</li> <li>• Daily/weekly report</li> <li>• Written punishment.</li> <li>• Community service to improve the physical environment within and around the School property.</li> <li>• Homework detention.</li> <li>• Supervised schoolwork.</li> <li>• De-merit detention.</li> <li>• Referral for counselling.</li> <li>• Attendance of a relevant life skills programme.</li> <li>• Fines to compensate for damages, to cover the cost of repair or replacement of the lost or damaged item, and/or the accumulated fine.</li> <li>• Temporary suspension of library card and/or other School-related privileges</li> <li>• Exclusion from School activities and functions, e.g. academic award ceremony.</li> <li>• Withdrawal of recognition, e.g. award.</li> </ul>
Interview Disciplinary Action Final Written Warning		Disciplinary Hearing		Tribunal Hearing		
Grade 2 Offence	<ul style="list-style-type: none"> <li>• Referred to Grade Head</li> <li>• And interview held</li> <li>• A final written warning will be issued and</li> <li>• disciplinary action applied</li> <li>• A signed copy of acknowledgment will be kept on record by the Grade Head and communicated to the parent/guardian.</li> </ul>	Grade 2 Offence recurs after giving final written warning	<ul style="list-style-type: none"> <li>• Grade Head will refer the matter to the Disciplinary Committee for a disciplinary hearing.</li> <li>• The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date, that an internal disciplinary hearing has been convened.</li> </ul>	Grade 2 offence recur after the issuing of a final written warning and a disciplinary hearing has occurred,	<ul style="list-style-type: none"> <li>• the Disciplinary Committee will refer the matter to a tribunal hearing.</li> <li>• The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that a tribunal hearing has been convened.</li> <li>• The Grade Head will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's register teacher</li> </ul>	

### Disciplinary procedures - Grade 3 Offence

possession of weapons that can cause physical injury (knives, etc.) • entering the School premises while under the influence of alcohol/drugs • possession, copying, distribution, use or displaying of pornographic material • assault with the intent to do grievous bodily harm • truancy from School or leaving School grounds without the necessary permission • taking part in any form of illegal strike action/ meeting/campaign on School premises • any learner who, in or outside of the buildings, or on or off the premises of the School, whilst under the control of the School authorities, intentionally conducts himself in a manner which is or could be seriously detrimental to the maintenance of order or discipline at the School violating the rights of other learners to receive education by disrupting classes, preventing other learners from attending classes, preventing teachers from providing teaching, or in any other manner • violating the rights of the teacher to carry out his/her tasks, to the detriment of the School, the staff, the teacher, or fellow learners • reckless or negligent driving whether in School uniform or not, and whether on the School property or not • unreasonable repetition of a Grade 2 offence

STEP 5 OR STEP 6	
Disciplinary Hearing OR Tribunal Hearing	
Grade 3 offence	<ul style="list-style-type: none"> <li>• Reported to Grade Head</li> <li>• Grade Head will refer matter to Disciplinary Committee</li> <li>• Disciplinary Committee will decide whether to convene disciplinary hearing or Tribunal hearing</li> <li>• The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that a hearing has been convened.</li> </ul>
Grade 3 Offence	<p><b>The following list of interventions and corrective measures used by the School are aimed at correcting behaviour before suspension and expulsion:</b></p> <ul style="list-style-type: none"> <li>• A verbal warning/reprimand to express disapproval.</li> <li>• Written warning.</li> <li>• Final written warning.</li> <li>• Removal from classes to the exclusion room.</li> <li>• Written punishment.</li> <li>• Community service to improve the physical environment within and around the School property.</li> <li>• Homework detention.</li> <li>• Supervised schoolwork.</li> <li>• De-merit detention.</li> <li>• Referral for counselling.</li> <li>• Attendance of a relevant life skills programme.</li> <li>• Fines to compensate for damages, to cover the cost of repair or replacement of the lost or damaged item, and/or the accumulated fine.</li> <li>• Temporary suspension of library card and/or other School-related privileges</li> <li>• Exclusion from School activities and functions, e.g. academic award ceremony.</li> <li>• Withdrawal of recognition, e.g. award.</li> <li>• Temporary suspension from class or School, pending disciplinary hearing.</li> <li>• Disciplinary hearing.</li> <li>• Tribunal hearing.</li> </ul>



Failure to comply with interventions and corrective measures outlined above will lead to further interventions and may lead to the offence being categorised at a higher grade. Expulsion may be recommended for a Grade 3 and a Grade 4 offence.

**Conduct that may lead to suspension/exclusion includes, but is not limited to, the following:**

Conduct that violates the rights or safety of others. • Criminal behaviour of any kind. • Defacing or destroying School property. • Disrespectful or objectionable conduct and verbal abuse directed at teachers, other School employees or fellow learners. • Outright defiance of lawful requests or instructions issued by persons in authority. • Indulging in harmful graffiti, racism or “hate speech”. • Sexual harassment or sexual assault. • Immoral behaviour or profanity. • Possessing, using or displaying evidence of use of any narcotics, unauthorised drugs, alcohol or any other intoxicant. • Repeated infringements of the School rules or the Code of Conduct. • Possession of dangerous weapons (guns, knives and other objects which may threaten the lives of learners/teachers).

**Learner’s Rights after being charged / found guilty in a court of law**

Should a learner be found guilty by a court of law for breaking the law of the Republic of South Africa, the School has the right, after a fair hearing through the Governing Body, to recommend expulsion to the Provincial Department of Education.

- A tribunal hearing will be convened with a view to recommending expulsion. In such instances the recommendation for expulsion will be submitted to the Provincial Head of Education to approve the decision.
- Where approval for expulsion is not granted, learners will attend counselling or the relevant life skills programme before they may return to class. Such learners will be accommodated in the exclusion room in the interim to continue with schoolwork until they have completed the series of counselling sessions or the stipulated life skills programme.

**Suspension of a learner by Principal or Deputy Principal as precautionary measure**

The Governing Body authorises the Principal or Deputy Principals to institute suspension, as a precautionary measure, with regard to a learner who is charged with a serious misconduct offence as contemplated in section 8 of the SA Schools Act. These procedures are outlined below:

- Before a learner is suspended, the learner and his/her parents must be given an opportunity to indicate why the suspension should not be considered.
- The disciplinary proceedings must commence within one (1) week after the suspension. If the proceedings do not commence within one (1) week, approval for the continuation of the suspension must be obtained from the Head of Department.
- This suspension will be applicable until a finding of not guilty is made or, in the case of a finding of guilty, until the appropriate sanction is announced.

**Documentation to be used for misconduct and disciplinary hearings**

The following official forms will be used for misconduct and disciplinary hearings:

- 1.1 Written warning (disciplinary warning form) (Annexure 8)
- 1.2 Final written warning (Annexure 8)
- 1.3 Notice of disciplinary hearing (Annexure 8)
- 1.4 Record of disciplinary hearing (Annexure 8)
- 1.5 Review form (lodging of appeal) (Annexure 8)

	<b>Disciplinary Hearing</b>	<b>Tribunal Hearing</b>
members	<b>Disciplinary Hearing Commission</b> <ul style="list-style-type: none"> <li>• a Governing Body representative;</li> <li>• the School Principal or Discipline Officer delegated to oversee this function;</li> <li>• the Grade Head; and</li> <li>• the register teacher.</li> </ul>	<ul style="list-style-type: none"> <li>• the Governing Body Chairperson;</li> <li>• two (2) parent representatives from the Governing Body;</li> <li>• the School Principal or Discipline Officer delegated to oversee this function; and</li> <li>• the Grade Head.</li> </ul>
notice	Written notice of disciplinary hearing given 5 days before the hearing	Written notice of disciplinary hearing given 5 days before the hearing
Receipt of notice	The learner must acknowledge receipt of notice by signing for it. This is not an admission of guilt	
Schooling during notice period	Possibly temporary suspension from classes	
Attending hearing	Attended by learner, and any other learner she/he may need for his/her defence If learner does not appear at hearing, the hearing is conducted in his/her absence	
verdict	Written verdict of the hearing will be issued to offender Offender must acknowledge the content by signing the document	
request a review of the disciplinary action	A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist. Disregard of punishment of the Disciplinary Committee will lead to temporary suspension pending a hearing.	
Disciplinary measures that a Disciplinary Hearing Committee may impose include	<ul style="list-style-type: none"> <li>• Demerits.</li> <li>• Suspension from School for a minimum of two days up to a maximum of five (5) days, ratified by the Governing Body, to be effective immediately. This will be put in writing and a copy kept on record.</li> <li>• Recommendation with respect to counselling/attendance of a life skills programme.</li> <li>• Progress monitoring process initiated for a minimum of two (2) weeks, followed up with a progress report.</li> </ul>	

	<ul style="list-style-type: none"> <li>• A written conduct and behaviour warning issued. A signed copy of acknowledgement will be kept on record.</li> <li>• Payment to cover the cost of repair or replacement of the damaged, lost or stolen item.</li> </ul>	
Record keeping	The Principal/Discipline Officer will keep on record copies of all documentation relating to the offence, the conducting and findings of the hearing, and the disciplinary measures imposed. 12.The Principal/Discipline Officer will furnish the relevant Grade Head and register teacher with all the information necessary for their records.	

## **Procedures during Hearings**

The Chairperson of The Committee must lead the proceedings and:

- Introduce those present and state their functions.
- Ensure that witnesses are present only while giving their evidence.

The Chairperson must inform the learner of his/her rights:

- The right to a formal hearing.
- The right to be present at the hearing.
- The right to be given time to prepare for the hearing case.
- The right to be given advance notice of the charges.
- The right to be represented at the hearing by one (1) internal representative.
- The right to be accompanied at the hearing by parents/guardian if the learner is a minor.
- The right to ask questions on any evidence produced, or on statements of witnesses.
- The right to call witnesses to testify on his/her behalf.
- The right to an interpreter, to be requested 24 hours prior to the hearing.
- The right to appeal within five (5) days against any penalty imposed by the Disciplinary Committee.
- If the learner does not attend, the hearing will be conducted in his/her absence.

The Chairperson is to explain

- The nature of the alleged breach or misconduct to those present at the hearing.
- The procedure of enquiry is to be explained by The Chairperson.
- The evidence of the complainant and his/her witnesses will be heard first.

The learner:

- And panel may ask questions about the evidence.
- And his/her witnesses may then give evidence and the complainant and Committee may ask them questions.

## **Protocols for Committee during Disciplinary Hearings**

The governing body or its delegated disciplinary committee must follow the following procedure during the meeting:

- the alleged offence and circumstances surrounding the incident must be carefully investigated;
- The audi alteram partem-rule (hear the other side) must apply;
- the opportunity must be given to the members of the governing body and the parents and/or the legal representative of the learner concerned, to question the accusers concerning the incident;
- persons who complained or provided testimonies must leave the meeting after they have expressed their viewpoints;
- only members of the governing body who are not personally involved in the matter, must be allowed to take part in the decision-making process at the end of the meeting;
- the procedure, discussion and outcome must be detailed thoroughly in the minutes.
- In the event of a hung jury, the chairperson has the deciding vote; if the outcome of the corrective action is suspension, the parents must be informed immediately in writing;
- if the decision of the governing body is to make a request to the head of the WCED that the learner be expelled, then the parents are to be informed in writing immediately.

### **Role of the Disciplinary Committee after all the Evidence has been heard**

When all the evidence has been heard, The Chairperson must close the enquiry, dismiss the complainant, the accused, their representatives, the parent/guardian and all the witnesses.

- The Disciplinary Committee must discuss and weigh the evidence and come to a decision.
- The Chairperson must reconvene all interested parties.
- The Chairperson is to communicate the decision of The Committee.
- The Chairperson must explain the decision of The Committee and the reasons for the penalty (if any) that has been imposed.
- The learner must be advised of his right to appeal
- The complainant and learner must sign the disciplinary form and a copy must be handed to the learner. (If the learner refuses, a witness must sign in the presence of the learner).
- The signing of the document by the learner does not imply an acknowledgement of guilt.

### **Procedure school follows when request is made to the head of the WCED that the learner be expelled**

A statement with reasons for the request must be provided and sent to the head of the WCED within 14 days. The following information must also be included;

- A comprehensive report of the incident surrounding the alleged misbehaviour, as well as the reasons for the governing body's decision.
- The complete minutes (with questions and answers) from the meeting where the decision was made.
- Any other written remarks from the learner or parents or their representative (it can be a legal representative) relating to the incident.

### **Role of the Head of the WCED**

The head of the WCED, within 14 days of receiving the documents, will decide if the learner must be expelled or re-admitted into the school.

Once the decision is made, the governing body and parents will be informed immediately.

### **WCED ratifies expulsion: Appeal process**

Should the head of the WCED decide to expel a learner, and the parents of that learner (or the learner) appeal against the decision, they must do so within ten days of receiving the written decision.

The appeal must be addressed to the Provincial Minister of Education; his decision is final.

The following flow diagram details the procedures the school follows when addressing serious misconduct

FLOW DIAGRAM OF SERIOUS MISCONDUCT DISCIPLINARY PROCEDURE



