



GAUTENG PROVINCE

EDUCATION
REPUBLIC OF SOUTH AFRICA



FARRARMERE PRIMARY SCHOOL

CODE OF CONDUCT FOR LEARNERS

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PART 1 - LEARNER COMMITMENT

I, _____ a learner of Farrarmere Primary School, understand the Code of Conduct for Learners and hereby make a commitment to:

- Abide by the Code of Conduct for Learners as well as the Disciplinary System.
- Behave in a courteous and considerate manner toward everyone with whom I interact.
- Display courtesy and respect toward all staff, fellow learners and visitors.
- Take responsibility for my learning by attending classes regularly and punctually and by doing my school work diligently, conscientiously and with dedication which includes completing my assessment tasks and activities on time.
- Co-operate with my teachers and other school staff.
- Assist where possible in making the school a safe place for all.
- Seek help if I need it.
- Let the school know if I feel that my rights have been infringed upon, or if I am experiencing any other difficulty.

In the event that I fail to comply with any provision or measure contained in the Code of Conduct for Learners then I subject myself to the disciplinary measures of the school.

SIGNED AT**ON THIS****DAY OF****20**_____
LEARNER_____
PARENT/GUARDIAN

PART 2 – CODE OF CONDUCT AND RULES

1. INTRODUCTION

- 1.1. This document is the code of conduct for learners of Farrarmere Primary School, as approved by the Governing Body. The Governing Body has consulted the school's parents, learners and educators on the content of the code of conduct.
- 1.2. The code of conduct has been drafted in accordance with the relevant provisions of the Constitution of the Republic of South Africa, Act 108 of 1996; the South African Schools Act, Act 84 of 1996 ('SASA'); the National Education Policy Act, Act 27 of 1996; Guidelines for a Code of Conduct for Learners (General Notice 776 in Government Gazette 18900 dated 15 May 1998); the Regulations on Devices to be used for Drug Testing and the Procedure to be followed (GN 1140 in Government Gazette 31417 dated 19 September 2008); Regulations for Safety Measures at Public Schools (GN 1040 in Government Gazette dated October 2001, as amended) and relevant provincial legislation.
- 1.3. Every learner is bound by this code.

2. OBJECTIVE

- 2.1. This code of conduct is intended to promote the dedication and commitment of responsible role players, namely educators, learners and parents in making quality education available and accessible to school learners.
- 2.2. This code of conduct aims to establish a disciplined and purposeful school environment, which is dedicated to promoting and maintaining the quality of the learning process and upholding the school's mission statement.

- 2.3. Parents are encouraged to support the school and this Code of Conduct in order to maintain high standards of self-discipline and behaviour and to ensure that a caring and safe environment is created.

3. GENERAL RULES AND REGULATIONS

- 3.1. Learners shall be good ambassadors of the school, and shall conduct themselves in accordance with the school's code of conduct at all times.
- 3.2. While wearing the school uniform, or while representing the school, either directly or indirectly, as participants, supporters, assistants, spectators or otherwise, learners shall refrain from any conduct that could bring the school, staff or fellow learners into disrepute.
- 3.3. In their interaction with the principal, deputy-principal, educators and other staff of the school, learners shall be courteous and respectful at all times and shall refrain from any action that constitutes disrespectfulness or rebelliousness.
- 3.4. In their interaction with one another, learners shall practise self-restraint and shall display mutual respect and tolerance. In particular, learners shall refrain from any action aimed at harming, or that could possibly cause harm to, any other learner's physical, spiritual and moral well-being.
- 3.5. Learners are required to treat members of staff and school visitors with the utmost degree of courtesy. This includes greeting staff members and visitors with a smile and standing up when an adult enters the room.
- 3.6. Junior learners are required to show respect toward senior learners of the school.
- 3.7. Any improper physical or sexual contact between learners on school grounds, or in any other place where they could be identified as learners of the school, is strictly prohibited.

- 3.8. A school educator shall have the same rights as a parent with regard to controlling and disciplining the learner according to the code of conduct, both during such learner's school attendance as well as at any school activity.
- 3.9. The chewing of gum during school activities or whilst in school uniform is prohibited.
- 3.10. Hands should be kept out of pockets.
- 3.11. The possession of cell phones or any other smart device during school hours is strictly prohibited. This includes any device which makes use of any network such as Bluetooth, NFC, WiFi, 3G or the like.
- 3.12. The possession of toy cellphones, toy smart devices or toy weapons of any sort are not allowed on the school premises.
- 3.13. The smoking, possession and/or use of tobacco products, nicotine-containing products, e-cigarettes, liquor, other alcoholic substances or drugs during any school activity, or when learners are dressed in school uniform, is strictly prohibited.
- 3.14. The possession, display, distribution, creation, manufacture or production of pornographic material in printed, electronic or any other format, during any school activity or when learners are dressed in school uniform and identifiable as learners of the school by the public, is prohibited.
- 3.15. In case of a reasonable suspicion that learners have violated this code of conduct or the laws of the country, the school principal or an educator is entitled to search such learners and/or the property in their possession for any dangerous weapons, guns, drugs or other harmful and dangerous substances, stolen goods or obscene material that the learners may have brought onto the school grounds. Throughout, learners' dignity will be respected, and therefore, the search will be conducted in private, by persons of the same sex, and in the presence of another person. The search process and outcome must be recorded.

- 3.16. Any conduct that unfairly prejudices the administration, discipline or efficiency of the school shall be regarded as a violation of this code of conduct.
- 3.17. A conviction of a criminal offence in a court of law shall be regarded as a violation of this code of conduct.
- 3.18. Transgressions that may lead to suspension and/or expulsion include but are not limited to:
 - 3.18.1. conduct that poses a threat to others' safety and infringes upon others' rights;
 - 3.18.2. possessing, threatening with or using dangerous weapons;
 - 3.18.3. the possession, use, trading or any visible sign of narcotic or unauthorised drugs, alcohol and intoxicating substances of any nature;
 - 3.18.4. fighting, assault or abuse;
 - 3.18.5. indecent behaviour or swearing;
 - 3.18.6. adopting or assuming a false identity;
 - 3.18.7. harmful graffiti, hate speech, sexism or racism;
 - 3.18.8. theft, or the possession of stolen goods, including the theft or possession of test or examination papers before such test or examination has been conducted;
 - 3.18.9. unlawful conduct towards and/or vandalising, destroying or damaging school property;
 - 3.18.10. disrespectfulness, offensive behaviour and verbal abuse aimed at educators or other school staff or learners;
 - 3.18.11. repeated violations of school rules or this code of conduct;
 - 3.18.12. criminal and oppressive behaviour, such as rape and gender-

based harassment;

3.18.13. victimisation, bullying and intimidation of other learners;

3.18.14. the transgression of examination rules; and

3.18.15. intentionally and knowingly providing false information, or forging documents, in order to obtain an unfair advantage.

4. OFFICIAL SCHOOL HOURS, ABSENTEEISM AND LATE ATTENDANCE

- 4.1. School hours are from 07h35 to 14h00 except on Fridays when school ends at 13h30.
- 4.2. School attendance is required by law and parents/guardians are strongly discouraged from making appointments or other arrangements during school time.
- 4.3. Should a learner be absent from school for a period of (3) days or longer, or miss an assessment due to absence then such leave of absence must be supported by a letter from a medical doctor. A learner who misses an assessment will be required to write on the day upon which they return.
- 4.4. Learners who are absent for 12 or more consecutive days without contacting the school will be deregistered.
- 4.5. Absence from school without an acceptable excuse is regarded as truancy and is strictly prohibited.
- 4.6. A learner who is absent is responsible to catch up on work missed as soon as they return to school.
- 4.7. Prior arrangements should be made with the Principal or Register teacher in writing for late arrivals or early departures.
- 4.8. Parents collecting children from school during school hours may only do so during break and must first obtain the necessary permission from the office and sign their child in or out on the register.

- 4.9. Religious holidays are not counted as attendance days, but it is advisable to inform the learner's teacher of the religious holiday in advance.
- 4.10. Learners, who arrive at school after the early morning bell, must be dropped off at the office and signed in by the driver dropping them off. Learners arriving late on five occasions will receive Friday detention.
- 4.11. Should a learner fall ill during school hours, they must go to the office with a "Sick Bay" referral from the teacher, where a secretary will phone a parent to fetch the ill child if necessary. The school will not administer any medication without a written consent.

5. CLASSROOMS, CORRIDORS AND OUT OF BOUND AREAS

- 5.1. Learners are expected to fully and promptly comply with classroom rules as well as any verbal instruction given by the class educator or any staff member. Any violations of the class rules shall be regarded as a violation of this code of conduct and school rules.
- 5.2. All rubbish must be picked up before learners leave their desk.
- 5.3. Movement between classes should be quiet and swift. Learners are required to move in single file. Chatting in groups is not allowed.
- 5.4. School bags are to be placed in a neat row in front of the classrooms before school. Learners should promptly put their school bags down and then go to the allocated playground.
- 5.5. Learners may not play on the passages.
- 5.6. Learners may not run up or down staircases, including those of the pavilion. Learners should keep to the left when going up and down the stairs.
- 5.7. Learners may not run on the corridors.

- 5.8. Learners may not walk past litter which is lying on the floor without picking it up and placing it in a dustbin.
- 5.9. Learners must line up quietly outside the classroom or assigned waiting area and wait for the teacher to invite them to enter.
- 5.10. The following areas are out of bound to learners:
 - 5.10.1. The Staff Room and area around the Paganini Statue.
 - 5.10.2. All parking areas used by members of staff and visitors to the school.
 - 5.10.3. The Computer Centre unless accompanied by a teacher.
 - 5.10.4. The gardens in the front of the school.
 - 5.10.5. The garages at the end of the Senior Block.
 - 5.10.6. The workshop/storage area adjacent to the garages.
 - 5.10.7. The storage area on the west side of the senior playground. The pavilion building unless accompanied by a teacher. All classrooms before and after school unless accompanied by a teacher.
 - 5.10.8. With the exception of Hall monitors in the performance of their functions, the hall, unless accompanied by a teacher.
 - 5.10.9. All service areas between the toilets and under the stairs.

6. BATHROOMS/TOILETS

- 6.1. Bathrooms/toilets are to be kept tidy and clean.
- 6.2. No food or drinks may be taken into the bathrooms.
- 6.3. No playing is allowed in the bathroom.

- 6.4. Only one learner at a time is permitted to leave the classroom in order to use the bathroom.

7. SOCIAL MEDIA

- 7.1. Learners are required to abide by the social media policy, information technology policy and bullying and cyber bullying policy of the school.
- 7.2. Any post on social media platforms that are harmful to others or that bring the school into disrepute are not permitted and may be dealt with as part of the disciplinary process, irrespective of whether the post was made in a learner's personal capacity using a private device or not.

8. HOMEWORK

- 8.1. Learners are required to have and maintain a homework diary.
- 8.2. All homework must be written down in the learner's homework diary on the day that the homework is given.
- 8.3. Grade 4-6 learners are responsible to have their diary signed by their parents on a daily basis.
- 8.4. Grade 4-6 homework will be available on the D6 communicator at the end of each day. The communicator does not take the place of learners writing their own homework down.
- 8.5. All learners must do their prescribed homework enthusiastically, diligently and with dedication in order to develop a consistent work ethic. Homework is to be returned to the relevant educator by the due date.

9. ASSESSMENTS

- 9.1. Learners are required to abide by all rules and procedures prescribed while completing assessments.
- 9.2. Learners may not: create a disturbance during an assessment; try to communicate with any person other than the invigilator or arrive late for an assessment.
- 9.3. A learner who misses an assessment due to absence is required to present a medical certificate and will undertake the assessment immediately upon their return to school.
- 9.4. A learner found guilty of cheating during an assessment may be given a zero for that assessment and may be subject to other sanctions in terms of this Code of Conduct.

10. BREAKS

- 10.1. Learners will play in allocated parts of the playground at break.
- 10.2. No rough games are allowed and older learners must stay away from younger learners.
- 10.3. The Jungle Gym in the junior playground is out of bounds to all pupils in Grades 3-7.
- 10.4. Fighting, abusive and obscene language, stone throwing and littering is strictly prohibited.
- 10.5. After break learners are to line up in the quad and wait for the teacher.

11. HEALTH, SAFETY AND SECURITY MEASURES

- 11.1. Sitting or leaning over balconies, balustrades and sliding down banisters is strictly forbidden.

- 11.2. The school will not take responsibility for any injury caused through negligence or non-compliance with the health, safety and security precautions of the school.
- 11.3. With respect to HIV and AIDS, universal precautions will be adhered to and the school's HIV and AIDS policy applied.

12. PHYSICAL APPEARANCE AND DRESS CODE

- 12.1. The prescribed school uniform shall be worn in full during school hours as well as other school activities, as determined by the Governing Body.
- 12.2. School uniform must be kept clean and neat at all times and should be clearly labelled with surname and initials.
- 12.3. Caps, headgear, scarves and gloves other than those prescribed in the clothing rules are prohibited.
- 12.4. Learners are prohibited from wearing any form of make-up.
- 12.5. Finger nails are to be kept short and clean and free from polish.
- 12.6. Correct sporting kit must be worn in full for each discipline at all times. Learners may not mix and match various kits or pieces of uniform.
- 12.7. A school bomber jacket may be worn instead of the school blazer in winter.
- 12.8. The new PT kit is to be worn by all pupils except the 2019 Grade 7's who may use the old kit. No part of the old uniform may be worn together with the new uniform.
- 12.9. Takkies for Grade 1,2 and 3 learners may only be white. Takkies for Grade 4-7 learners should be at least 80% white with no more than 20% royal blue. No other colours are permitted. Takkies should provide adequate heel and ankle support and thin takkies like Tommies are not permitted.

12.10. The uniform shall be as follows:

12.10.1. School uniform

Boys:	Winter:	Long sleeve light blue button up shirt
		FPS tie
		Grey long pants
		Grey FPS socks
		FPS long sleeve jersey
		Black belt with a plain buckle
		Black lace up school shoes
		FPS Blazer
	Summer:	Short sleeve light blue button up shirt
		Grey short pants (Grade 7 boys may wear long pants in summer)
		Grey FPS socks
		FPS short sleeve jersey
		Black lace up school shoes
		FPS Blazer
Girls:	Winter:	Long sleeve light blue button up shirt
		Grey tunic or grey long pants
		Grey FPS socks or grey stockings
		FPS tie
		FPS long sleeve jersey
		Black school shoes

FPS Blazer

Summer: Blue chequered FPS dress with belt

Short white socks

Black school shoes

Short sleeve jersey

FPS Blazer

12.10.2. Sports Kit

PT kit

Summer: Blue FPS shorts

FPS gold shirt

White socks

Regulation takkies

Black or blue swimming costume

Winter: FPS tracksuit

Plain royal blue long sleeve shirt

White socks

Regulation takkies

Swimming

FPS swim suit

FPS swim cap

FPS swim towel or royal blue towel

Invictus slip slops

Athletics/Cross Country	Athletics vest or shirt and FPS shorts
T-ball, Hockey,	
Netball and Soccer	PT Kit
Mini cricket	Pt Kit and cap
Cricket	White FPS cricket shirt
	White long pants
	FPS cap

12.10.3. Hair Policy

12.10.3.1. Hair must be hygienically clean, neat, combed and respectable.

12.10.3.2. Hair gel is not allowed.

12.10.3.3. Hair may not be unnaturally altered (no hair colours, relaxers, highlights etc).

12.10.3.4. Learners found to have lice will immediately be sent home in order to have the lice removed.

12.10.3.5. Learners found in contravention of the rules may be sent home if deemed necessary for the purpose rectifying their hair.

12.10.3.6. Boys:

12.10.3.6.1. Hair must be short, must not touch ears, eyebrows or collar.

12.10.3.6.2. Hair should lie neatly and be cut in layers; not one length.

12.10.3.6.3. No sideburns are allowed.

12.10.3.6.4. Change from one length to another must be gradual. Steps or dramatic changes in hair length is prohibited.

12.10.3.6.5. Boys may not have their hair clean-shaven unless required to do so by a cultural custom, in which case a letter from a parent/guardian must be provided to the Principal and SGB requesting permission and/or notifying of valid reasons.

12.10.3.7. Girls:

12.10.3.7.1. Hair that touches the collar shall be neatly tied back.

12.10.3.7.2. In summer, only plain royal blue, white or blue and white checked hair ties/ribbons/Alice bands are permitted. No headbands may be worn. In winter, only black or grey hair ties/ribbons/Alice bands are permitted.

12.10.3.7.3. Head scarves are not permitted.

12.10.3.7.4. Fringes must be above the eyebrows, alternatively clipped back.

12.10.3.7.5. Straight, thin narrow braids of even length may be worn. These braids must be the same colour as one's own

natural hair and must be tied back in a ponytail, plait or bun.

12.10.3.7.6. Knots, dreadlocks and weaves may not be worn.

12.10.3.7.7. Natural afros may not exceed 2cm.

12.10.3.7.8. No more than two ponytails, plaits or buns are allowed.

12.10.3.7.9. No side plaits or messy buns are allowed. Buns may only be worn at the back of the head and not the top.

12.10.4. Suitcases

12.10.4.1. FPS school suitcase is compulsory in Grade 1 and 2.

12.10.4.2. FPS school tog bags.

12.10.4.3. Only blue and black suitcases are allowed for Grade 4-7 learners.

12.10.4.4. No Caddie suitcases are allowed.

12.10.4.5. No trolleys or wheels are allowed on school cases.

12.10.4.6. Lockers are available for rental.

12.10.5. Accessories

12.10.5.1. Only school badges may be worn on the lapel of the blazer.

12.10.5.2. No jewellery other than a plain black or blue wrist

watch, and a single pair of small, plain silver or gold ear stud earrings may be worn on pierced earlobes for girls. If a girl has more than one ear piercing then an earring may only be worn in the first hole.

12.10.5.3. Only plain blue or grey beanies may be worn and these may only be worn in June, July and August.

12.10.5.4. Provincial blazers, ties or jerseys achieved in a year may be worn on the last Friday of the month for that particular year.

12.10.5.5. Medi-alert bracelets must be worn on learners with severe allergies.

13. SPORTS AND EXTRACURRICULAR ACTIVITIES

13.1. Learners who are selected to represent the school as participants in any sports or other extracurricular activities must be dressed in the sportswear, school wear or other prescribed clothing as determined by the educator responsible for the activity concerned, both during and after participation in such activity.

13.2. All learners who participate in the aforementioned activities shall be loyal to the school and fellow participants. In particular, participants must report promptly and on time at the venue of the activity or the venue from where participants depart to the activity. Learners who have been selected to represent the school in an activity may only be excused from attendance if a written apology is handed to the sports or cultural head in advance. Unforeseen absence from an activity will only be excused if the sports or cultural head receives a written apology no later than three days following the relevant activity.

13.3. Learners who represent the school at sports activities will at all times be courteous towards, and comply with the rulings, prescripts and instructions of:

13.3.1. the sports head and the educator involved in the relevant sports code;

- 13.3.2. the referee or adjudicator with regard to the relevant activity; and
- 13.3.3. the team captain.
- 13.4. Although it is assumed that learners who participate in sports activities shall do so with commitment and dedication, such learners are expected also to practise self-restraint and self-discipline. In particular, no learner may display bad sportsmanship, use foul or offensive language, get involved in fights or incidents, or engage in any foul or improper play.
- 13.5. Spectators and supporters at sports and other extracurricular activities
 - 13.5.1. Apart from their duty to comply with the provisions of this code of conduct, all learners attending any school activity as spectators or supporters shall also refrain from any disruptive, improper, rebellious, unnecessarily inciting or indecent behaviour. In particular, learners may not respond negatively to any ruling by an adjudicator or referee.
 - 13.5.2. Learners who attend any school activity as spectators or supporters shall abide by and obey any instructions and directives they receive prior to, during and after the activity concerned from the principal, any educator, member of the Representative Council of Learners (RCL), other school leaders, or parents appointed by the principal to assist with the transport, supervision or control of learners who need to be transported to and from the activity concerned, or who attend the activity.
 - 13.5.3. The abovementioned rules equally apply to any participation in any extracurricular activity apart from sports activities, except cases on which the rules obviously have no bearing.

14. SCHOOL PROPERTY

- 14.1. 'School property' includes the following:
 - 14.1.1. The grounds and buildings occupied by the school, as well as any permanent addition to such grounds and buildings
 - 14.1.2. All other property, including equipment, books, stock, motor vehicles and the like that the school owns, rents or stores, or with

regard to which the school could be held legally liable in case of any damage or loss

- 14.2. As the school has been developed and erected for the use of all learners who attend it, all learners are obligated to do everything in their power to protect the school's property in order for it to be utilised to the benefit of all current and future learners of the school.
- 14.3. No learner may remove any school property from the school grounds without the prior consent of the principal or an educator of the school.
- 14.4. Learners may not handle, damage, mark, deface or destroy any property of the staff of the school, fellow learners, visitors to the school, or members of the public. This rule applies to property on the school grounds, in the immediate vicinity of the school, at or near the venue of any school activity, as well as any vehicle with which learners are transported, and the property contained therein.
- 14.5. Learners may not damage, deface or destroy any school property. Any learner who deliberately misuses, damages or vandalises any school property shall replace or pay for such property. Destruction of and/or damage to property is a criminal offence.

15. RELIGIOUS OR CULTURAL RIGHTS

- 15.1. Religious practices, conduct or obligations 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 as a deviation from this Code of Conduct by the Governing Body under the following conditions:
 - 15.1.1. 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 learners.
 - 15.1.2. This application must be in writing and must identify the specific rule/s that is/are offensive to the learner's religious right/s as contained in the Constitution of the Republic of South Africa.
 - 15.1.3. This application must include a reasonable interpretation of the religious rights that the learner feels are offended as well as a

suggestion on how the rules may be supplemented to accommodate such religious practices.

- 15.1.4. The religious conduct or practice must be lawful.
- 15.1.5. 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.
- 15.1.6. The deviation must specify the extent of the exemption from the normal rules and must clearly identify the conduct that will be allowed.
- 15.1.7. Cultural rights will be considered in the event that they do not relate to a religion, if 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 distress 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 cultural rights can be exercised only through a permanent intervention.
- 15.1.8. 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 15.1.1 – 15.1.6 above.

16. SCHOOL NOTICES

- 16.1 All learners are obligated to hand to their parents all school notices that were distributed to learners for such purpose by the governing body, principal or an educator of the school, as well as promptly return to the class educator any acknowledgement of receipt that was to be completed by the parents.

17. POLICY APPROVAL AND ADOPTION The School Governing Body hereby approve and adopt this policy on the _____ day of _____.

Governing Body Chair

School Principal

PART 3 - MISCONDUCT AND PROCEDURE IN CASE OF AN OFFENCE.

1. MISCONDUCT

- 1.1 Misconduct refers to any contravention of this Code of Conduct and includes any action by a learner directed at disturbing the learning of another learner, or any behaviour that disrupts a school activity. Misconduct may be categorised into Class 1, 2, and 3 offences.
- 1.2 Serious misconduct refers to any action that threatens the safety and well-being of another learner, member of Staff, or any other member of the school community, or may be behaviour that needs to be dealt with by an outside person or agency. This type of behaviour makes up Class 4 offences. (Or Class 3 offences depending on their severity)
- 1.3 Criminal Misconduct refers to any action that may be a crime, which requires action by the South African Police Service or the criminal justice system. This type of behaviour makes up class 5 offences. (Or Class 4 offences depending on their severity)

2. PREVENTATIVE SUSPENSION

- 2.1 The School Governing Body may suspend a learner from attending school for up to seven school days if such a learner is suspected of having committed a serious offence. However, such suspension may only be imposed after the learner has been afforded a reasonable opportunity to make representations to the Governing Body with regard to such suspension.

3. DISCIPLINARY HEARING

3.1 Preliminary inquiry

When a learner is suspected or alleged to have committed a class 4 or 5 offence, the school principal may appoint an investigating officer. The latter will collect information for the school principal to decide whether a disciplinary hearing is warranted.

3.2 Hearing

3.2.1 The investigating officer shall draw up a charge sheet, and the parents and learner shall receive written notice of the charge and the date, time and venue of the hearing. These arrangements must be made in consultation with the disciplinary committee.

3.2.2 The notice must contain sufficient information on the date, place and nature of the alleged transgression.

3.2.3 At least five school days must lapse between the delivery of the notice and the hearing.

3.2.4 The governing body shall appoint the disciplinary committee. The chair of the committee must be a governing body member. The disciplinary committee shall have the power to take charge of and finalise the disciplinary hearing, as if it has been done by the governing body themselves, and shall be entitled to do everything that the governing body may do in terms of applicable legislation, including imposing and enforcing any sanction, and recommending expulsion to the Head of Education.

3.2.5 The learner must be assisted by his/her parent or a person appointed by the parent. In case of major transgressions, the learner is entitled to apply for representation by a legal representative or any person who is appointed by the parent of the learner. Such application must be directed to the chair of the disciplinary committee at least two school days before the start of the hearing. No other persons, apart from those mentioned above, may attend the hearing on behalf of the accused learner.

- 3.2.6 When a learner has legal representation, he/she may choose to expedite the disciplinary procedure by entering into a plea bargain with the presiding officer.
- 3.2.7 Apart from minor learners' right to testify through mediators, as envisaged in Section 8(7)–(9) of SASA, minor learners (either accused or witnesses) will also be entitled to be assisted by their parents or an educator of their choice during disciplinary proceedings. However, a person who assists a learner may not answer any questions on behalf of the learner or address the disciplinary committee.
- 3.2.8 Learners who are involved in disciplinary proceedings shall also be entitled to receive support, advice and counselling from educators who have been appointed for such purpose by the school principal or the governing body, provided that such educator may not assist the learner at the disciplinary hearing, unless the parent of the learner authorises the educator to do so.
- 3.2.9 should the learner and/or his/her parents and/or representative fail to attend despite proper notification, the hearing may proceed in their absence.
- 3.2.10 the hearing must be fair and just, and shall be conducted in terms of the prescripts of the applicable provincial legislation. The prosecutor and learner (or the learner's representative on behalf of the learner, if applicable) must be afforded the opportunity to put their case, may put questions to witnesses, may call witnesses, and may scrutinise or table documents related to the matter.
- 3.2.11 The members of the disciplinary committee themselves shall also be entitled to call witnesses, request additional witnesses or testimony, put questions to the witnesses, or investigate or have investigated further any aspect that could promote fairness and justice.
- 3.2.12 after testimony has been heard, the committee shall decide whether the learner is guilty or innocent. For this purpose, or for the purposes of settling any dispute that may arise during the proceedings, the committee shall be entitled to adjourn for a reasonable period of time in order to consider its

ruling. Such consideration shall occur behind closed doors and may be attended by committee members only.

3.2.13 Should the learner be found guilty, both the learner and the prosecutor shall receive another opportunity to testify and/or make representations on extenuating and aggravating circumstances that the committee needs to consider in order to impose an appropriate sanction. In order to consider an appropriate sanction, the committee shall be entitled again to adjourn for a reasonable period of time. Such consideration shall occur behind closed doors and may be attended by committee members only.

3.3 Finding and sanction

3.3.1 In case of a guilty finding, the disciplinary committee's ruling, including the imposed sanction, must be communicated in writing to the learner and his/her parents as well as the prosecutor within a maximum of five school days.

3.3.2 Despite any guilty finding and sanction imposed by the governing body, any stakeholder may refer any transgression of the code of conduct that may constitute a criminal offence to the South African Police Service for investigation.

4. INTERNAL APPEAL

4.1 A party who is aggrieved with the outcome of disciplinary proceedings before the governing body's disciplinary committee shall be entitled to appeal in writing to the chair of the governing body against the guilty finding, imposed sanction, or both, within 24 hours of receiving written notice of the outcome.

4.2 The notice of appeal must clearly outline the grounds for the appeal.

4.3 The chair of the Governing Body must appoint an appeals committee within 24 hours of receiving the notice of appeal, which committee must consist of a member of the Governing Body as chair, and at least two other experts. The

members of the disciplinary committee who had heard the matter may not serve on the appeals committee as well.

- 4.4 The chair of the Governing Body must hand the notice of appeal to both the chair of the appeals committee and the other party to the proceedings before the disciplinary committee, and must ensure that the record of the disciplinary proceedings be made available to the appeals committee.
- 4.5 Within 24 hours of receiving the notice of appeal, the other party shall be entitled to make representations in response thereto to the chair of the appeals committee.
- 4.6 In considering the appeal, the appeals committee shall be restricted to considering the record of the proceedings before the disciplinary committee, the notice of appeal, and any representations that the other party may submit.
- 4.7 Any party who wishes to submit to the appeals committee for its consideration any evidence that does not form part of the record of proceedings before the disciplinary committee, must apply in writing for permission to the chair of the appeals committee. In case of the appellant, such application must be contained in the notice of appeal, and in the case of the other party, application must take place within 24 hours of receiving the notice of appeal.
- 4.8 The application to submit new evidence must contain a full explanation why the evidence had not been available or tabled during the disciplinary proceedings, must outline the nature of the evidence, and must explain in what way the evidence bears reference to the consideration of the appeal.
- 4.9 The appeals committee must announce its decision to the parties in writing within seven school days of receiving the notice of appeal.
- 4.10 In considering the appeal, the appeals committee may:
 - a) set aside or uphold the disciplinary committee's guilty or not guilty finding and/or imposed sanction;
 - b) impose an alternative sanction (including a heavier sanction); and

- c) deliver any other ruling that the appeals committee deems fair and just under the circumstances.

5. SCHEDULE OF OFFENCES

This schedule of offences is not intended to be exhaustive – any other cases of misconduct not expressly provided in the schedule below will be classified by comparing them to the listed offences

CLASS 1 OFFENCES	
<p>Minor violations of general class discipline such as:</p> <ul style="list-style-type: none"> - being late for class - leaving the class without permission - copying other people's work - not doing homework - dishonesty - not obeying reasonable instructions from teacher - diary not signed - littering 	<p>Possible sanction to be applied by teacher</p> <ul style="list-style-type: none"> - Verbal Warning - Demerits - Extra work - Small tasks around the classroom - Detention
CLASS 2 OFFENCES	
<p>Violations of general class discipline such as:</p> <ul style="list-style-type: none"> - repeated cases of Class 1 offences where punishment has not been effective - truancy of classes and substitution classes (bunking) - Using abusive or foul language, swearing and cheating - verbally threatening the safety of another person disrupting class activity - making racial or sexist comments about other people - being cheeky, insolent or disrespectful towards another person - bad language, whether verbal or written with an intention to offend - minor damage to school property (e.g. writing on desks, walls etc.) - forgery of documents or signatures with minor consequences - violation of software regulations - losing diary. 	<p>PROCEDURE:</p> <p>-Conduct to be reported to head of Phase, Principal and School Behaviour Management team.</p> <p>Possible sanction to be applied by Deputy Principal, relevant HOD or School Behaviour Management team</p> <ul style="list-style-type: none"> - Any punishment listed under Class 1 offences - Conference with Learner - Conference with Learner's parents - Written warning - Behaviour contract - Daily report card (Light Yellow-Dark Yellow-Red) - Community service (duties that contribute to the improvement of the school environment)
CLASS 3 OFFENCES	

Serious disruption of learning environment such as:

- repeated cases of Class 2 offences where punishment has not been effective
- theft of any kind
- minor injury to another person
- leaving the school premises without permission
- gambling
- possession of alcohol or drunkenness
- severely disrupting several classes
- having or distributing pornographic material
- possession of a dangerous weapon
- seriously damaging school property or the property of another person
- getting into a physical altercation with another learner

PROCEDURE:

- **Conduct to be reported to head of Phase, Principal and School Behaviour Management team.**
- **Learner to complete an incident report**
- **An investigation is to be conducted**
- **Where appropriate a disciplinary hearing held**
- **Appropriate sanction to be imposed**

Possible sanction to be applied by Deputy Principal, relevant HOD or School Behaviour Management team:

- any punishment listed under Class 1 and 2 offences
- paying for replacement or repair of damaged item
- suspension from school activities e.g. Sports, extra-mural activities, trips and excursions
- written final warning that learner may be suspended
- referral to an outside agency such as psychologist, counselor, community or social worker.

CLASS 4 OFFENCES**Very serious disruption of learning environment such as:**

- repeated cases of Class 3 offences where punishment has not been effective
- threatening another person with a dangerous weapon
- possession or use of drugs
- sexual conduct or physical contact
- extortion of another person's property (forcing another person to give you what is theirs)
- Forgery of documents or signatures with serious consequences
- Arson

PROCEDURE:

- **Conduct to be reported to head of Phase, Governing Body, Principal and School Behaviour Management team.**
- **Learner to complete an incident report**
- **An investigation is to be conducted**
- **Where appropriate a disciplinary hearing held**
- **Appropriate sanction to be imposed**

Possible sanction to be applied by Principal, Head of Department as well as Governing Body in conjunction with the Education Department:

- Any consequence listed under Class 3 offences
- Application to the Department of Education of suspension from all school activities

CLASS 5 OFFENCES**Serious offences with possible criminal implications such as:**

- repeated cases of Class 4 offences where punishment has not been effective
- causing major injury to another person on purpose (assault)
- using dangerous weapon on purpose
- sexual harassment or sexual abuse
- robbery or major theft
- breaking and entering locked premises
- selling or attempting to sell drugs
- assault on school personnel

PROCEDURE:

- **Conduct to be reported to head of Phase, Governing Body, Deputy Principal, School Behaviour Management team and department of education**
- **Learner to complete an incident report**
- **Investigation to be conducted**
- **Where appropriate a disciplinary hearing held**
- **Sanction to be imposed.**

Possible sanction to be applied by the Principal, Heads of department and Governing Body in conjunction with the Education Department

- application to the Department of Education for transfer of learner from the school (expulsion)
- civil litigation and criminal prosecution