

**NAME OF SCHOOL:** Glenstantia Primary School

**Learner Code of Conduct and Discipline Policy**

<b>Date approved</b>	27 November 2014	<b>Date Policy will take effect</b>	28 November 2014	<b>Date of next review</b>	Annually
<b>Developed by</b>	Policy Development and review Committee (PDRC) of the School Governing Body (SGB)				
<b>Approved by</b>	School Governing Body (SGB)				
<b>Responsible Body</b>	School Governing Body (SGB)				
<b>Supporting documents, procedures and forms for this policy</b>	National Education Guidelines on Code of Conduct for Learners Gauteng Misconduct of Learners National Regulations for Safety Measures at Public Schools National Policy on Management of Drug Abuse by Learners National Guidelines on School Uniforms				
<b>References and Legislation</b>	South African Schools Act 84 of 1996 The Constitution of the Republic of South Africa (1996) National Education Policy Act 27 of 1996				
<b>Scope</b>	Learners				
<b>Expiry date of policy</b>	This policy remains in force until replaced by a policy revised and approved by the SGB.				

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## 1. INTRODUCTION

It is primarily the responsibility of parents / guardians to discipline their children. The school disciplines learners as part of guiding them to take their place in the community and in the broader society as responsible citizens.

Our school considers each child a unique individual that actualises his/her positive God-given personality traits. Because these possibilities can only be realized in the presence of an adult educator and other learners, it is of decisive importance that this intervention is done in an orderly and well managed educational climate. If, by reason of encumbrance of one learner on another, the child will later be unable to realize his/her possibilities fully which will have a detrimental effect on the child's later development. This policy serves thus that no learner by his/her own unauthorized performance, prevents any other learner from completing his/her own personality development.

The Principal and staff of our school believe that each child is called to achieve a certain purpose in life. It is the aspiration and intention of this school that each child is accompanied in such a way that he/she will achieve his/her life's purpose. Intervention will only happen when it is found that a learner's attitude or performance is not satisfactory when in relation to what is anticipated of the particular learner.

In keeping with the National Guidelines on disciplinary measures to be taken at schools, Glenstantia Primary School is totally against corporal punishment. We are against using physical violence as a means to remedy conflict and ill-discipline.

This Learner Code of Conduct is subject to the South African Schools Act 84 of 1996 and "Regulations relating to serious misconduct of learners at public schools" and the disciplinary procedures that must be followed in such cases and all subsequent official National and provincial Guidelines.

Whilst there is a punitive side to discipline measures, an attempt is generally made to let these measures be of benefit and empowering.

The underlying principles for the application of discipline at Glenstantia Primary School are:

- ✓ Fairness to victims and perpetrators
- ✓ Listening to all parties, 'audi alterm partum'.
- ✓ Letting the 'punishment fit the crime'
- ✓ Measures should be beneficial to the learner
- ✓ Respect for all concerned, including the school's image
- ✓ Restorative Justice

The above principles are anchored on the notion of due process and particularly will be demonstrated through:

- ✓ Acceptance by learners, staff and parents that a full hearing of all allegations and evidence before an impartial Chairperson is a pre-condition to a fair outcome.
- ✓ Following an opportunity to face accusers and respond to complaints in the controlled and even-handed environment of a hearing before an impartial Chairperson, if found guilty, the learner accepts that s/he has breached the Learner Code of Conduct.
- ✓ Learners accept that a particular sanction imposed after the disciplinary process is legitimate and fair and is a necessary consequence of the breach of the Code of Conduct.
- ✓ Discipline is aimed at reconciling the learner to the norms of behaviour at the school and restoring a broken relationship between the learner, the staff or fellow learner at the school.
- ✓ Discipline is aimed at creating and maintaining a stable and fair learning environment, in which everyone's right to fairness and an education, is recognized.

This Learner Code of Conduct is the product of extensive consultation between various stakeholders. It is accepted that this document is dynamic, requiring frequent deliberation, and possible revision, in order to satisfy the needs of the school community. To this end, submissions and suggestions will be accepted by the Principal – these and the code will be reviewed by the Governing Body annually at least.

If all parties adhere to both the spirit and the letter of the code, healthy working relationships will be created between parents, teachers and learners, these relationships being the essential foundation for the creation of constructive teaching, learning and growing environment.

The parents, staff and management of the school accept that it has a collective duty to learners, parents and society to produce young people who will play a positive and constructive role as the future adults who have developed a clear sense of responsibility. Consequently, any act of Serious Misconduct must be dealt with by means of a fair process, following which an appropriate consequence will be imposed by the Chairperson of the enquiry and the School Governing Body.

All alleged acts of Serious Misconduct must be dealt with through the process described in this code of conduct, and this means that the parents, learners, staff and management of the school accept the final decision as to whether or not an act of Serious Misconduct has occurred, rests with the Chairperson of the enquiry and the School Governing Body. These procedures make provision for an appeal to the appropriate authorities.

When addressing occurrences of bad behaviour, breaches of discipline or serious misconduct with a learner, staff members and parents will refrain from threats, abuse of power or any indication of bias, dislike or interpersonal difficulties, that may compromise the authority of the Disciplinary Process or the atmosphere of equity, of due process, and fairness in which the Disciplinary Process will take place.

During the process of enrolling a learner at Glenstantia Primary School at the beginning of each academic year, the parents confirm in writing that they accept the policies and procedures of the school, and that they particularly subscribe and agree to the contents of the Learner Code of Conduct.

The Learner Code of Conduct is to be presented to all parties concerned on first acceptance at Glenstantia Primary School.

## **2. SCOPE**

The Learner Code of Conduct applies to all within the ambit of the school. It promotes the good of Learners, Teachers and Parents. Regardless of specific age or role, all associated with the school will conduct themselves appropriately at all times to ensure accomplishment.

## **3. DEFINITIONS**

- 3.1 “Class teacher” teacher of Learning Areas.
- 3.2 “Code of Conduct” the code of ethos whereby the school functions.
- 3.3 “DEC” means Director of Education.
- 3.4 “Discipline Administrator” means person appointed by the School to monitor and control discipline.
- 3.5 “Educator/Teacher” means any person appointed in terms of the Employment of Educators Act to provide education and learning
- 3.6 “Foundation Phase” refers to the learners of grades R – 3.
- 3.7 “GDE” is the Gauteng Department of Education
- 3.8 “Head of Department” (HOD) the Head of Department of the GDE
- 3.9 “HoD” the manager of an internal department at our school.
- 3.10 “Intermediate Phase” refers to the learners of grades 4 – 6.

- 3.11 “Intersen Phase” refers to the learners in grades 4 – 7.
- 3.12 “Learner” any child who is enrolled and receives education at our school according to the National Education Policy Act 27 of 1996.
- 3.13 “Principal” head of an educational institution like our school.
- 3.14 “School Governing Body” a control body as envisaged in Article 16[1]:[v] of the South Africa Schools Act 84 of 1996.
- 3.15 “School Management Team” the committee that manages the school, consisting of the Principal, Deputy-Principals, Heads of Department and other co-opted persons.
- 3.16 “Senior Phase” refers to the learners of grade 7.
- 3.17 “Subject teacher” teaches one or more Learning Areas to different classes.

#### **4. CODES OF CONDUCT SUBSCRIBED TO BY LEARNERS**

##### THE RIGHTS AND RESPONSIBILITIES OF THE LEARNERS

The learners realize that mutual co-operation between themselves and the other persons involved in their education can only be successful if all parties agree on the pursuit of values and principles. The values which are pursued by learners of the school are exemplified in the codes of honour as set out below:

##### 4.1 Human rights

Learner’s, while being aware of the fact that they have certain rights, also realize that others have similar rights and respect these rights. Learners recognize in particular the dignity and equality of all persons and undertake to exercise their rights in such a manner that others are not prejudiced by their actions.

##### 4.2 Respect for teachers

Learners respect their teachers as their teachers and promise their wholehearted co-operation in all reasonable assignments which they may receive from their teachers.

Learners respect the teachers as adults and recognize that their training and experience can be of benefit to them. Learners therefore undertake to give their full co-operation to the teachers and to always act courteously towards them.

##### 4.3 Respect for non-teaching staff and visitors

The contributions of the administrative staff and ground staff towards the smooth running of the school organisation are greatly appreciated. Learners will therefore act with deference and respect towards these members of staff. Visitors to the school, e.g. GDE

officials, businessmen and parents have the school's welfare at heart and will be assisted, politely and with respect, when required.

#### 4.4 Acknowledging multi-culturalness and diversity

The South African community consists of a number of races, cultures and religions. Learners accept all fellow learners as individuals who might be pursuing similar goals and ideals to themselves and that they may have their own ideals. Learners respect the diversity of others and will not act in such a manner that they will affect the dignity of others.

#### 4.5 Respect for the environment and school facilities

The natural environment is a gift from God and learners accept the charge and communal responsibility for the conservation thereof. Learners appreciate school buildings, contents of classrooms and other physical facilities that have been provided for their use. Learners undertake to make use of them in a responsible manner and, inasmuch as it is within their ability, to contribute to maintenance thereof and to support activities designed to expand the physical facilities.

#### 4.6 Obedience to organisational and behavioural rules

Learners understand that a school cannot function without organisational and behavioural rules. Learners therefore abide by the rules of the school for learner behaviour. Learners undertake to honour the timetable of the school by being present at the commencement of the school and every period that they are involved in. They accept the authority of those in charge of order and discipline in the school and will subject themselves to the applicable corrective measures should the rules be broken.

#### 4.7 Extra-curricular activities

Learners realize the importance of sport, cultural activities as well as academic and social outings in the developmental process. They want to be involved either as active participants or loyal supporters. Appropriate dress and a neat appearance at these events contribute to building up the image of the school. Learners subscribe to the fact that school rules are also applicable during school outings or other extra-curricular activities to maintain order and to uphold the good name of the school.

## 4.8 Appearance

The following important principles must be noted and adhered to:

All learners who attend Glenstantia Primary School are ambassadors for the school and must therefore be correctly attired and groomed at all times. This includes any learner whilst being attired in school uniform or out of uniform, and who can through whatever means whatsoever be identified as a learner at Glenstantia Primary School, whilst in any public place and during or after school hours.

Sports uniform, as stipulated for each sporting code is to be worn to matches / galas.

The following dress code and rules regarding personal appearance must be noted and adhered to:

### Rules specific to female learners:

- (i) Skirts may not be more than 5cm above the kneecap.
- (ii) Earrings: Girls are allowed to wear small gold or silver stud earrings and a plain wristwatch. No other jewellery may be worn. No beads or adornments.
- (iii) Hair: Hair must be neat. Trendy fashion styles are not allowed. No coloured or dyed hair is permitted. Hair that touches the collar, or is longer, must be tied back and clipped away from the eyes. Green, white or red ribbons, bobbles or hair bands may be used. No beads may be plaited into the hair. Long braids are regarded as loose hair and must be tied back.
- (iv) Nails should not be longer than the end of the fingers. No nail varnish is permitted.

### Rules specific to male learners:

- (i) Hair: Hair must be groomed in a neat, conservative manner, appropriate for school. No colour streaks, flashes, gel or any other visible hair products may be used. Hair must be neat and should not touch the collar or the ears. Short back and sides or No.3 or No.4 shaved styles are acceptable – no steps, braiding or dreadlocks. “Spiky” hairstyles, cornrows, or “flip-up” fringes are not allowed. No modern hairstyles with lines cut in hair are allowed. Boys with curly hair may not grow their hair to a length that when it is straightened it goes past the ears or collar. Curly hair is to be cut close to the head suitable for a primary school learner.
- (ii) Only a wrist watch may be worn with the school uniform. NO other jewelry may be worn.

Exceptions will be made for certain religious symbols to be worn, only upon written request by the parents and after investigation of each individual request submitted.



#### 4.9 Safety

For their own safety learners will adhere to the safety rules in the laboratories and workshops as well as classroom rules that have been drawn up for the safety of the learners. While moving from one class to another, on the school grounds, on outings, and on the sports field learners will try not to endanger their own safety or that of others by their actions.

#### 4.10 Academic matters

Learners can only benefit from education if they are actively involved in the learning process in the classroom. Learners will, therefore, participate in class activities when required to do so. Learners disapprove of activities that disrupt the education process. Learners realize the value of homework and will do it conscientiously. Since the outcome of evaluation is of greater importance to the learner than the teacher, learners will conscientiously prepare for evaluation sessions. As honesty is an integral part of an impeccable character, learners will at all times be a hundred percent honest during evaluation and will not tolerate dishonesty in others.

#### 4.11 Role perception

Learners are also responsible to make a contribution to the orderly flow of events at and after school. Learners have the opportunity to make contributions on different levels that will improve school management, e.g. as prefects, class captain, team captain, member of an academic or social society, etcetera. Irrespective of the position in which a learner serves, the interests of the school should be paramount and not personal advancement or benefits. Learners subscribe to this principle and will at all times, through their actions, strive to uphold and strengthen the ethos of the school even outside the formal structure.

#### 4.12 Cellular phones and electronic media

While the advance of technology is acknowledged, the need of these devices (including ipods, MP-3 players, playstations etc.) at school is not justified. They tend to disrupt classes, distract learners and they could be a threat to their safety. If everyone knows that our learners do not carry cell phones as a rule, they might not target them for theft or injury. Furthermore, with the theft of such valuable devices, much teaching time is lost in trying to recover the lost goods and to discipline the perpetrators. Learners who need to contact their parents in an emergency may do so with the school's telephones. The absence of cell phones may also add quality to the relationships between parents and their children, in the sense that they will make arrangements in advance, which will also teach children some life skills and personal discipline.

Glenstantia Primary School shall not bear any responsibility for theft, damage or any other consequence arising from the possession of such device. Learners introduce such devices to Glenstantia Primary School at their own risk. Cellular phones will be confiscated for period of two (2) weeks.

## **5. THE RESPONSIBILITIES OF TEACHERS WITH REGARD TO LEARNERS**

- 5.1 Conduct themselves in a professional and responsible way.
- 5.2 Not use crude/abusive language or behave in a crude/abusive way.
- 5.3 Be punctual and report regularly for school and classes.
- 5.4 Be well prepared for teaching their classes.
- 5.5 Mark homework and assignments within reasonable time frame.
- 5.6 Respect all people and property.
- 5.7 Respect diversity and adhere to the norms of the multi-cultural school
- 5.8 Encourage an atmosphere of effective learning and teaching.
- 5.9 Plan flexible lessons that address the varied and special needs of learners.
- 5.10 Follow the rules, procedures and Codes of Conduct of the School, Government and the South African Council of Educators.
- 5.11 Ensure regular communication with parents and encourage their participation in school affairs.
- 5.12 No Teacher will use corporal punishment as part of corrective measures.
- 5.13 Avoid engaging in derogatory political discussions / statements that infringes on the rights of learners.
- 5.14 Not subject learners to any acts of exploitation contemplated in the Children's Act 38 of 2005.
- 5.15 Cultivate an environment and culture of mutual respect towards learners.
- 5.16 Refrain from any discriminatory or unfair practices that may infringe on the rights of learners.
- 5.17 Inform parents timely of any violation of the school rules and Learner Code of Conduct for immediate corrective action.

- 5.18 Safeguard the safety and protect the interest of learners in their care.
- 5.19 Enable learners to catch up on work missed during leave of absence.

## **6. RESPONSIBILITIES OF PARENTS WITH RESPECT TO THE CODE OF CONDUCT**

- 6.1. The ultimate responsibility for learners' behaviour rests with their parents or guardians. It is expected that parents will
  - (a) support the school, and require learners to observe all adopted school rules and regulations and accept responsibility for any misbehaviour on their part; and
  - (b) take an active interest in their children's schoolwork and make it possible for the children to complete assigned homework.
- 6.2. Parents have the responsibility towards their children to display a positive attitude towards the school, teachers and rules and to encourage their children to do the same. This will be based on a culture of mutual respect by teachers and the school community.
- 6.3. Parents should attend meetings that the School Governing Body or teachers convene for them.
- 6.4. *Parents have the right to take legal actions against any teacher, learner or person who unlawfully violates the constitutional rights of their children by, e.g. corporal punishment, injury to the child, etc.*
- 6.5. They should inform school authorities in writing about any problem concerning their children or other children in the school
- 6.6. Parents are responsible to ensure that their child is at school before 07h30 and that they are collected immediately after school/extra-mural events end.

## **7. LEARNER PREGNANCY**

Glenstantia Primary School has a separate Policy in this regard

## **8. SCHOOL NOTICES**

- 8.1 Every learner is duty bound to hand over to his/her parents/guardians any notice issued to them by the School Governing Body, the Principal, the HOD or any Teacher.
- 8.2. Every learner must bring back a signed return slip, acknowledge of receipt or any other signed document that has been completed by the parent.

8.3 Glenstantia Primary makes use of the School Communicator to inform parents of forthcoming notices that the learner will be bringing home.

8.4 The ultimate responsibility of ensuring that the parent is kept informed lies not with the learner but with the School Governing Body.

## **9. MEDIA BOOKS/TEXTBOOKS AND EQUIPMENT BELONGING TO GLENSTANTIA PRIMARY SCHOOL**

9.1 All books issued and all school equipment will be kept in good order.

9.2 Failure to do so will result in the learner paying for replacement.

## **10. PUNCTUALITY**

10.1 The School day starts at 07:30. When the bell rings the learners and teachers are expected to be at the class ready to start the day.

10.2 Late arrivals at Glenstantia Primary School must first report to the Discipline Office to collect a late letter which is shown to the Teacher and taken home for parental signature.

10.3 The names of all learners who arrive late for school will be recorded into a "Latecomers Detention File"

These learners have to attend a detention specified by the Discipline Office. This detention shall take place in the "Time-Out" centre and will take precedence over other activities.

**IMPORTANT:** Parents and/or guardians who deliver learners to school must accept that should the learner be late, this cannot be a reason for the learners concerned to be excused from attending detention.

10.4 The School day ends at 13:40 every day and learners not attending extra-murals must leave the school grounds immediately.

10.5 Learners may not leave the Glenstantia school grounds during school hours without written permission from the parents stating who will be collecting them, the reason and time of departure.

10.6. The learner release register must be completed and signed.

10.7 *In loco parentis* applies half an hour before the school starts (7:30) and ends half an hour after the school day ends or after an extra-mural school event ends.

10.8 The School's *in loco parentis* ends when the learner leaves the school grounds, except when on extramural activities.

## 11. ABSENCE FROM SCHOOL

- 11.1 School attendance is compulsory.
- 11.2 No learner may be absent without a valid reason.
- 11.3 Any learner who absents himself/herself without a satisfactory reason will be deemed to be playing truant.
- 11.4 A register is kept.
- 11.5 An absentee letter must accompany the learner on his/her return to school
- 11.6 After three or more days illness a doctor's letter is required.

## 12. BULLYING

Glenstantia Primary School does not tolerate bullying in any form. All members of the school are committed to ensuring a safe and caring environment which promotes personal growth and positive self esteem for all.

### Definition:

Bullying is an act of aggression, causing embarrassment, pain or discomfort to another. It may take a number of different forms, e.g. physical, verbal, gestures, extortion or exclusion. It is an abuse of power and may be planned or organised or it may be unintentional. Individuals or groups may be involved.

If learners are bullied they may feel afraid, unsafe, embarrassed, angry or unfairly treated.

As a school we will **NOT** allow cases of bullying to go unreported but will **SPEAK UP!**

Any form of bullying is seen as a serious offence and will be dealt with as an offence according to the School Code of Conduct.

## 13. RULES OF THE SCHOOL

### 13.1 Purpose of rules

Rules are drawn up in order to realise the values contained in the Code of Conduct. The purpose of rules is, therefore, to:

- 13.1.1 Create and maintain a positive learning environment.
- 13.1.2 Define and manage acceptable and unacceptable behaviour.
- 13.1.3 Promote educational goals.

## 13.2 Rules which define acceptable behaviour

I promise to be proud of my school and to be a good example by wearing my uniform with pride and behaving in a dignified manner at all times.

I understand the type of behaviour expected from me at all times is as follows:

### A. IN THE CLASSROOM

I will:

- Line up quietly in an orderly manner.
- Be prompt and on time for lessons
- Lead in and stand quietly behind my desk
- Wait to greet the educator before being seated
- Listen to instructions
- Respect my own equipment as well as that of other people.
- Make sure that I have my own equipment and stationary so that I do not have to borrow from others
- Raise my hand when I wish to say or ask something
- Not interrupt while someone else is speaking
- Not be disruptive, thereby preventing the other learners from receiving quality education
- Respect textbooks/media books and all other equipment
- Not touch or remove anything from my educator's desk
- Not throw any objects across the class
- Not challenge a teacher's authority during a lesson but rather speak to him/her privately after the lesson
- Pick up any litter around my desk and place my chair neatly under my desk before leaving the classroom
- Complete all homework and class work assignments to the best of my ability
- Be honest in all my work including tests and in all I say
- Stand up and greet any adult who enters the classroom
- Not eat or chew bubble gum in any classroom

### B. ON THE PLAYGROUND

I will:

- Avoid rough or dangerous games
- Avoid fighting
- Refrain from using unacceptable language
- Play in the designated areas i.e. Grade Rs in the jungle-gym area, Grade Ones and Twos on the Foundation Phase playing area and on the netball fields, seniors on the senior playground

- Remember that all classrooms and parking areas are strictly out of bounds during breaks and before and after school
- Move aside to allow an adult to pass
- Include other children in my games
- Consider other children and not disrupt their games
- Move quickly to class when the bell rings
- Get up and greet all adults who walk past

#### C. DURING SPORTING ACTIVITIES

I will:

- Dress appropriately and neatly as prescribed
- Display sportsmanship whether winning or losing
- Respect the umpire's/referee's/teacher's decisions
- Thank the umpire/referee/teacher at the end of the match / practice
- Listen to instructions
- Sit quietly while being transported and wear seatbelts
- Thank the driver and coach
- Assist the teacher in accounting for all the equipment and packing it away neatly
- Attend every practice /match or make my apologies to the teacher / coach

#### D. DURING CULTURAL ACTIVITIES

I will:

- Listen to instructions
- Respect the venue I am using and not touch anything that does not belong to me in the venue
- Pack away, neatly, all equipment
- Leave the venue in a neat, orderly and acceptable condition.

#### E. AT THE AFTER SCHOOL CENTRE

I will:

- Arrive promptly and not loiter near the gates
- Respect the teacher on duty
- Do my homework on my own and in silence at all times
- Inform the supervisor/teacher when I need to go to sport or other cultural activities
- Not interfere or disturb extra-mural activities with my behaviour after school
- Bring a letter when being collected by someone other than the parent/guardian

## F. GENERAL MANNERS

I will:

- Arrive on time for school
- Say 'please' and 'thank you'
- Greet all adults at all times
- Stay away from the carports because they are out of bounds at all times
- Refrain from throwing any objects on the playground or in the classrooms
- Not use unacceptable language
- Not deface any desks or school property
- Not remove or tamper with anything that does not belong to me
- Refrain from any form of challenge of an teacher's authority whatsoever
- Speak to the teacher personally at an appropriate time after the lesson if I have a problem
- Use the toilets and leave them clean
- Dispose of sanitary wear in the appropriate bins provided

## G. AT SCHOOL

I will:

- Not run or play on the corridors
- Keep left and walk briskly
- Not tamper with safety equipment
- Not leave the school ground or classroom during school hours without the permission of the Principal or member of staff.
- Not bring pets or toys or valuables to school
- Obey any lawful instructions of prefects, media monitors and scholar patrol members without complaint
- Leave the school premises by 13:40 unless I am attending the afterschool or an extra-mural activity
- Not involve in any form of initiation and unmannerly farewell celebrations
- Not be guilty of any form of rowdiness or loud behaviour
- Not bring or distribute undesirable reading matter/visual material
- Enter and exit from the hall in an orderly and disciplined manner.
- Only use the public telephones during breaks, before or after school
- Not use the telephone in the office without permission
- Report any accidental breakages to the office immediately
- Not climb over any school fence
- Not go into the school building during break unless I am visiting the Media Centre or Computer Centre
- Not rollerblade or skateboard on school premises
- Keep my hair neat ,clean and in an appropriate style suitable for primary school learners
- Keep my nails short, clean and free from nail varnish/polish
- Exercise exemplary behaviour when making use of public transport



- Behave as an ambassador for my school at all times
- Bring a note written and signed by my parents or doctor's note upon my return to school after I have been absent
- Bring a doctor's certificate if I have been absent from an exam or test
- Catch up any work missed after I have been absent
- Not smoke on the school grounds or while in school uniform
- Bring a letter when leaving school early noting the date, time, reason and person collecting
- All large amounts of money to be paid in at the Finance Office and receive a receipt. (Civvies days and other small amounts to be paid to the class teacher and marked off on a class list and kept in the teacher's money file).

#### **14. THE DISCIPLINE POLICY OF GLENSTANTIA PRIMARY SCHOOL**

The purpose of disciplinary measures is to:

- educate learners to make responsible, independent decisions
- inculcate a strong sense of duty in learners
- to guide learners to self discipline

The disciplinary process is intended to be expeditious, fair, just, reasonable, corrective, consistent and educative. Where possible the parents are informed and involved in the correction of a learner's behaviour. Learners are protected from abuse by adults and other learners.

Teachers must bear in mind that if they do nothing when a learner commits a transgression/misdemeanour/offence, they are doing something wrong, so always do something, but first do no harm in accordance with the Learner Code of Conduct and respect for the Constitutional rights of learners. Do not let one learner feel more punished than another for the same offence. Watch out for favouritism. Parents and learners must read, know and sign the copies in their diaries.

Disciplining is not a vendetta or a vengeful act, but a corrective measure. The most important principles are fairness, justness and consistency. The school rules, as well as those measures which are morally and socially acceptable to the staff, the School Governing Body and the community, will be enforced by a merit and demerit system. In order to ensure that every learner is afforded the best opportunity to work and play without hindrance, the following rules and disciplinary measures will apply:

#### **FOUNDATION PHASE**

Since lifelong success depends, in part, on learning to make responsible choices, we have developed a classroom discipline plan that guides every learner in making good decisions about his or her behaviour. Your child deserves the most positive educational climate possible for his/her growth. Together we will make a difference in this process. The plan is outlined below:

Rules:

1. Follow instructions the first time they are given.
2. Listen when someone is speaking.
3. Keep your hands, feet, objects and unkind words to yourself.
4. Look after all property.'
5. Behave appropriately.

To encourage learners to follow the rules, we will support appropriate behaviour with verbal recognition, positive notes and phone calls home. We also have a sticker program. Every time a learner displays positive behaviour, he / she will be rewarded by the educator with a sticker in their diary. When the chart is full, a new chart will be added. The following rewards are in force:

5 Stickers	Sweet and badge on the wall
10 Stickers	Pin on badge for a week
15 Stickers	Glenstantia Primary School bookmark
20 Stickers	SMS to parents & visit to Principal to show off
25 Stickers	Certificate at Assembly and privilege pass – civvies for a day
50 Stickers	Tuckshop Voucher (Ice-cream)
75 Stickers	Tuckshop Voucher (R10.00)
100 Stickers	Movie Ticket
After 100 Stickers	Start over, but Certificates get “grandeur”

If a learner chooses to break a rule however, the following steps will be taken:

- 1<sup>st</sup> time: Reminder – first warning: learner is verbally reminded that he/she has broken a rule. This is recorded on the educators tracking sheet.
- 2<sup>nd</sup> time: Time out – limited: learner is placed in a special place inside the classroom and isolated for a period of five minutes.
- 3<sup>rd</sup> time: Behaviour journal – learner is given a chance to note incorrect behaviour and signs his /her name next to the educator’s recording of this event.
- 4<sup>th</sup> time: Behaviour journal – learner is sent to the Grade Leader to explain his / her behaviour. Grade Leader records in the journal.
- 5<sup>th</sup> time: Behaviour journal – learner is sent to the Head of Department to explain his / her behaviour. Head of Department records in the journal.

6<sup>th</sup> time: Learner will visit the Discipline Administrator, who will decide necessary follow-up action to be taken.

Parents to sign the behaviour journal.

Please note that each learner starts everyday with a clean slate. In the case of behaviour that causes a severe disruption, the learner will be sent to the Discipline Administrator's office immediately and parents will be contacted.

Our goal is to work with you to ensure the success of your child during this year.

## **INTERSEN PHASE**

### **The merit system:**

#### **Positive reward sheet**

##### Reward mileposts for positive points

- Verbal recognition - constant
- 50 positive points - SMS home, bookmark & lollipop (Teacher)
- 100 positive points - 1<sup>st</sup> certificate at assembly & privilege pass
- After 100 positive points - start again at number 1, but certificates get grander and rewards get more tangible.
- After 200 points - A tuck shop voucher.
- Also after 200 points - having a demerit entry (negative points) deleted after negotiation.
- After 300 points – a free movie ticket.
- After 400 points (4<sup>th</sup> certificate) a learner is issued with a merit badge, which allows them other privileges, like extra access to the computer centre, going through out of bounds areas, etc.
- At 500 merit points or more, the learner is awarded an Ambassador badge and s(he) is allowed to represent the school at auspicious occasions.

These do not cancel any demerit points, but are recorded as separate entries for good behaviour.

<b>Code</b>	<b>Positive behaviour</b>	<b>Merit points</b>
P01	All personal items marked (clothing/stationery/kit)	5
P02	Assisting the teacher	5
P03	Bringing materials to class to enhance lesson	5

P04	Cleaning class/ grounds	5
P05	Dedicated duty to scholar patrol	10
P06	Dedication to choir duties	10
P07	Earning credits for outstanding behaviour outside the school/ being an ambassador for the school	15
P08	Exceptional enthusiasm towards school based activities	15
P09	Following instructions the first time	5
P10	General good behaviour	5
P11	Good behaviour for a week (class winning the order chart)	5
P12	Good effort on homework / classwork assignments	5
P13	Good sportsmanship	10
P14	Good test scores	10
P15	Helping at events at school	10
P16	Helping friends with schoolwork or other tasks	10
P17	Homework assignments handed in before due date	5
P18	Honesty	10
P19	Leadership displayed	10
P20	Media Centre participation	5
P21	Neatness of work – school/other	5
P22	No demerits for the whole of the previous term	20
P23	Outstanding behaviour during school outings	5
P24	Parents attend meetings	5
P25	Participation and >85% attendance in any extra-curricular or co-curricular activity	15
P26	Participation in inter-house gala/athletics	5
P27	Positive feedback – fundraising	5

P28	Positive group work	5
P29	Receipt of an Etiquette Badge	5
P30	Reporting bad behaviour/ vandalism	10
P31	Reward for NO demerits for Homework in a week	5
P32	Star of the term	10
P33	Tests signed	5
P34	100 points carried over from previous term	100
P35	50 points carried over from previous term	50
P36	20 points carried over from previous term	20
P37	10 points carried over from previous term	10
P38	5 points carried over from previous term	5
P39	Community Service	20

### Demerits

Certain sections of this Code of Conduct prescribe that certain acts or omissions constitute a breach of the Code of Conduct of Glenstantia Primary School. Demerit points (negative points) act as a deterrent for bad behaviour and are awarded for misconduct which varies from 5 to 100.

Demerit points shall accumulate and shall carry over from term to term until the end of each year. Record will be kept until such time that the learner concludes his/her education at Glenstantia Primary School. The nature of the conduct shall determine the manner in which the incident shall be dealt with. The Principal together with the member of staff in charge of discipline shall confer and determine the appropriate course of action to be taken. The School Governing Body member who is the designated chairperson of the SGB Discipline Committee may also be consulted for input and opinion.

The following Guidelines shall prevail:

- 1<sup>st</sup> offence shall be dealt with by the teacher in the classroom, more serious offences to be reported to the discipline office for record keeping purpose
- 2<sup>nd</sup> offence shall be dealt with by the teacher and shall take the form of “time out” etc.
- Repeat offences shall result in the learner been sent to the discipline officer who shall exercise his/her discretion, and where appropriate shall instruct them either to return to class or sit in the “time-out” centre.

- Any learner removed from the classroom situation and sent to the “time-out” centre/discipline office shall bear the responsibility for catching up work missed.

The following Guidelines shall prevail with regard to demerit points:

- At 50 demerits a sms will be sent to parents notifying them that 50 or more demerits have been accumulated.
- At 75 a “first offence letter” is issued and the learner attends a detention (date and times as stipulated on the letter). The learner may also perform community service at Glenstantia Primary School.
- At 100 a reminder letter is issued and a request is made for the parents to meet with the member in charge of discipline as well as the grade leader.
- At 125 a second letter is issued for detention as well as summoning the parents to an interview with the member in charge of discipline as well as the Headmaster.
- At 150 the learner is brought together with his/her parents to a meeting with the Chairperson of the External Disciplinary Committee of the School Governing Body.
- At 175 a 3<sup>rd</sup> detention letter is issued.
- At 200 the Principal issues a letter to parents sanctioning a School Governing Body Hearing.

The above guidelines aims to establish a disciplined and purposeful school environment dedicated to improving and maintaining the quality of education at Glenstantia Primary School.

Learners who have attained 50 demerits will be suspended from Extramurals for a week.

Learners attaining 100 demerits or more for behaviour will be excluded from tours and year end outings.

**Table 1A**

<b>Code</b>	<b>Category 1 (<i>Specific offence</i>)</b>	<b>Demerit points</b>
N01	Absence from rehearsal/meeting/practice/appointment without a valid reason	5
N02	Eating/drinking in class/chewing gum	5
N03	Endangering others through boisterous behaviour	5
N04	Failing to respond to reasonable instructions (Insubordination)	5
N05	Failure to take responsibility for the accountability sheet	5

N06a	Homework: not done; incomplete	5
N06b	Homework: no book at school	5
N06c	Homework: no equipment at school	5
N06d	Homework: assignment not done/incomplete	5
N07	Jaywalking (crossing the road anywhere, not at scholar patrol)	5
N08	Late for class/meetings/activities/rehearsals/appointments/ substitution/school (up to 5 min. late )  [more than 5 min =>refer to higher authority]	5
N09	Littering (level 1)	5
N10	Loitering between classes	5
N11	Neglecting to bring an absentee letter upon return to school.	5
N12	Neglecting to return a signed tear-off slip the next day.	5
N13	No media book	5
N14	No name markings on clothing or equipment	5
N15	Not looking after or damaging own property	5
N16	Out of class without a Teacher's Official Card	5
N17	Passing around notes in class	5
N18	Pea shooting/using other projectiles	5
N19	Poor work ethic towards homework when other measures have been ineffective	5
N20	Neglecting to bring swimming gear for KDA	5
N21	Refusal to obey prefects' lawful instruction	5
N22	Riding the furniture in spite of warnings to refrain	5
N23	Running on corridor	5
N24	Test not signed	5
N25	Throwing things from balconies/spitting off balconies	5

N26	Uniform violation	5
N27	Untidy/slovenly/careless work	5
N28	Sent to Principal for poor work ethic	10
N29	In time out centre/discipline office	10

Suggested consequences (**in addition to demerit points**) which give the teacher some recourse are:

**Table 1B**

1. Reminder/Entry in discipline file/order chart	6. Grounds duty (collecting litter etc. with the educator on break duty)
2. Verbal warning	7. Small menial tasks like cleaning blackboard/floor/desks/windows, etc.
3. Time out (isolation within the classroom)	8. Phone parents
4. Break detention (Individual)	
5. Withholding of privileges	

**Category 2** offences might contain the following, more serious misdemeanors: they may be dealt with by the teacher or they may be passed on to the **next level of authority**, viz. the head of department, grade leader, subject head, discipline officer or other person in the line, **but only after the educator has lost the ability to act**. That means that the teacher has acted, but it does not have the desired effect.

**Table 2A**

<b>Code</b>	<b>Category 2 (Specific offence)</b>	<b>Demerit points</b>
NB01	Absence from match/gala/performance/educator's detention	10
NB02	Bunking class / substitution	20
NB03	Cell phone violation (ringing or using during school time) (confiscation for 2 weeks)	20
NB04	Climbing onto roof or over barriers	10
NB05	Constantly late for school	20
NB06	Damaging of property ( <u>minor vandalism</u> ) [can be fixed]	20



NB07	Disrespect (more serious infringement)	20
NB07a	Disrespect: Argumentative	20
NB07b	Disrespect: Unkind words	20
NB07c	Disrespect: Swearing	20
NB07d	Disrespect: Abusive Language	20
NB08a	Disruption which disallows other learners to learn- just before time-out	10
NB08b	Disruption at Tuckshop	10
NB08c	Disruption of examination	15
NB08d	Disruption of lesson: arguing	10
NB08e	Disruption of lesson: inattentive	10
NB08f	Disruption of lesson: no book	10
NB08g	Disruption of lesson: no textbook	10
NB08h	Disruption of lesson: ongoing	10
NB08i	Disruption of lesson: sleeping	10
NB08j	Disruption of lesson: stupid comments	10
NB08k	Disruption of lesson: talking	10
NB08l	Disruption of lesson: throwing things	10
NB08m	Disruption of lesson: walking around	10
NB08n	Disruption of extra class/lesson	10
NB08o	Disruption: causing a disturbance	10
NB08p	Disruption: classwork not done	10
NB08q	Disruptive behaviour outside classroom	10
NB08r	Disruptive behaviour in hall / assembly	10
NB09	Failing to attend formal detention	30
NB10	Failing/refusing to carry out a verbal instruction	10

NB11	Falsely identifying oneself	10
NB12	Frequently repeating Level 1 misconduct and not responding to disciplinary measures taken by the educator	15
NB13	Hiding other people's property	15
NB14	Littering with intent*	10
NB15	Lying / being dishonest	20
NB16	Mean/nasty & horrible to a fellow learner	10
NB17	More than 5 min late for class without a valid reason	10
NB18	Neglecting duty (prefect/scholar patrol/class captain/ other)	10
NB19	Noisy - excessively so during class change	10
NB20	Not accepting responsibility for his/her actions	10
NB21	Not returning offence letter or detention letter	10
NB22	Obscenity (gesture/writing/drawing/showing)	20
NB23	Out of bounds (in the wrong place at the wrong time)	10
NB24	Selling items for personal gain	15
NB25	Threatening another learner with violence – Bullying Level 2	50
NB26	Uniform Violation	20
NB27	Abusing Internet	10

\*This is littering with intent, e.g. to get back at an educator, or something equally vindictive.

# This is willfully and defiantly refusing to carry out an instruction.

Suggested consequences (**in addition to demerit points**) which give the HOD/grade leader/subject head some recourse are:

**Table 2B**

1. Suspension from class for a period of time/lesson to time out centre	5. Community service (up to two hours)
2. Detention Individual	6. Depriving them of their privileges e.g. sport
3. Detention on another day (with added service, e.g. weeding, fixing, cleaning of dustbins or outside areas, [only after consulting with parents].)	7. Phone parents
4. Disciplinary talk with learner in the presence of learner's parents or guardians;	8. Daily report (accountability control sheet) taken by learner and signed by all educators
	9. Subtracting of marks for cheating
	10. Temporary confiscation of items eg. Cell phone

**Category 3** offences are those dealt with by the Discipline Administrator or Deputy Principals and then only when they have been referred by an educator who considers them serious enough or by an HOD, grade leader, subject head or other person in the line. These are the offences for which they will be held accountable as they are criminal offences in the world out there. Learners will in all cases be given the opportunity to relate their side of the incident. Thereafter, should there be a need, points will be awarded.

**Table 3A**

<b>Code</b>	<b>Category 3 (Specific offence)</b>	<b>Demerit points</b>
NC01	Assault (in other words - violent fighting or striking another person resulting in assault and battery) even intention to assault or verbally threatening the safety of others	100
NC02	Being in the presence of smokers	50
NC03	Bullying/intimidation/inciting other learners to fight	50
NC04	Cheating/copying in a test/exam.	50
NC05	Coercion to join or belong to a gang	100
NC06	Cruelty to animals	50
NC07	Defacing or damaging property (graffiti/vandalism/desks/chairs, walls, glass, floors, ceilings, text-books, etc.)	100
NC08	Defamation of character	50

NC09	Engaging in sexual activity - inappropriate kissing	100
NC10	Falsifying/forging signatures or letters (fraud)	100
NC11	Frequently repeating Level 2 offences and not responding to disciplinary measures taken by the teacher	100
NC12	Gambling	100
NC13	Gangsterism (a group activity where premeditated offences are committed in order to cause damage, injury or harm.)	150
NC14	Gross insubordination*	50
NC15	In possession of a dangerous weapons	100
NC16	In possession of or distributing or using illicit material (i.e. tobacco, drugs, alcohol, pornography, racist or sexist materials, etc.)	100
NC17	Inciting other people to violence or engaging in a conspiracy to disrupt the proper functioning of the school through collective action.	100
NC18	Indecent behaviour	50
NC19	Leaving school premises without permission	50
NC20	Publically defaming and bringing disrepute to the School's name in any way	50
NC21	Racist, sexist or other discriminatory behaviour	100
NC22	Robbery/breaking and entering locked premises	100
NC23	Severely disrupting classes	50
NC24	Sexual harassment	100
NC25	Smoking on school premises or in school uniform	100
NC26	Stealing/theft or possession of stolen property	100
NC27	Truancy	50
NC28	Under the influence of narcotics/liquor on school premises, in school uniform or on school excursion	100

\*This is going against instructions or being really rude to any person in authority.

Suggested ways of dealing with these offences (**in addition to demerit points**) which give the Discipline Administrator/Deputies/Principal some recourse are:

**Table 3B**

1. Disciplinary hearing	6. Referral of learner to an outside agency for counseling/treatment programme
2. Application to GDE for limited suspension from all school activities, pending expulsion	7. Meeting with parents to discuss future of learner
3. Suspension from class or school	8. Expulsion
4. Isolation	
5. Withdrawal of privileges	

**Category 4 or 5** offences are those which are so serious that the Discipline Administrator will consult with the Principal and/or School Governing Body for action. These are the offences for which they can or should be suspended or expelled. Suspension in school is under authority of the Principal in collaboration with the learner's parents. This means that the parents must consent and then the learner will be taken out of class if he/she causes problems for as long as is deemed necessary until he/she has sufficiently recovered their composure/behaviour to return to class and unless they conform they will be suspended again. In this context suspension is an alternative to expulsion and if parents fail to consent to the suspension, then the sanction of expulsion may be imposed by the School Governing Body.

Only the School Governing Body may suspend a learner from school, and for a period not exceeding 5 school days. The School Governing Body may also be advised by the Principal and executive staff to consider expulsion as a consequence.

This Code of Conduct and procedure is not meant to be exhaustive and the school, School Governing Body and the Principal may impose discipline which is appropriate in the circumstances and which is not specifically mentioned herein.

When determining the appropriate action to be instituted against any learner for misconduct, the schedules as defined in terms of the Provincial Gazette dated 4 October 2000 shall be adhered to, i.e.

- Schedule 1 relates to serious misconduct that may lead to suspension.
- Schedule 2 relates to serious misconduct that may lead to expulsion

Where any act or omission constitutes a breach of schedule 1 or schedule 2 as stated, an annotation shall be made as per schedule 1 or schedule 2, accordingly in conjunction with the number of demerit points allocated e.g. theft, 50 demerits, Schedule 2.

### **13.1 Schedule of acts of Serious Misconduct**

This schedule is not an exhaustive list of types of serious Misconduct. Learners, parents and educators accept that civil standards of behavior and socially acceptable conduct are required and the breach of a social or behavioral norm may amount to Serious Misconduct even if it is not listed in this schedule.

The following are considered acts of Serious Misconduct (As per the South African Schools Act, Act 84 of 1996):

## **SCHEDULE 1**

### **(SERIOUS MISCONDUCT THAT MAY LEAD TO SUSPENSION)**

A learner will be guilty of serious misconduct if he or she, intentionally and without just cause-

- a) Seriously threatens, disrupts or frustrates teaching or learning in a class;
- b) Engages in a conspiracy to disrupt the proper functioning of the school through collective action;
- c) Insults the dignity of or defames any learner or any other person, which includes racist remarks;
- d) Distributes, or is in the possession of any test or examination material that may enable another person to gain an unfair advantage in a test or examination;
- e) Cheats in a test or examination or any other form of assessment such as assignments;
- f) Engages in any act of public indecency;
- g) Sexually harasses another person;
- h) Is found in possession of or distributes pornographic material; or
- i) Is under the influence or in the possession of alcohol;

## **SCHEDULE 2**

### **(SERIOUS MISCONDUCT THAT MAY LEAD TO EXPULSION)**

A learner will be guilty of serious misconduct if he or she-

- a) Is found guilty of misconduct as contemplated in Schedule 1 after having been found guilty of the same or similar misconduct on two previous occasions;
- b) Fails to comply with a punishment of suspension as a correctional measure; or
- c) Intentionally and without just excuse-
  - 1) Forges any document or signature to the potential or actual prejudice of the school;

- 2) Trades in any test or examination question paper or in any test or examination material;
- 3) Attempts to bribe or bribes any person in respect of any test or examination to enable himself or herself or another person to gain an unfair advantage therein;
- 4) Engages in fraud;
- 5) Engages in theft, or otherwise acts dishonestly to the prejudice of another person;
- 6) Is in possession of, consumes or deals in any illegal substance or other harmful substance;
- 7) Is in possession of, uses or transmits narcotic or unauthorized drugs or on visible evidence of such possession, use or transmission;
- 8) Is in possession of any dangerous weapon;
- 9) Assaults or threatens to assault another person;
- 10) Holds any person hostage;
- 11) Murders any person;
- 12) Rapes any person; or engages in any sexual activity which amounts to an offence in law; or
- 13) Maliciously damages property.

## **13.2 The investigation process**

13.2.1 A member of staff will be appointed as an investigator by the Principal to investigate allegations of acts of Serious Misconduct

13.2.2 All interviews with possible perpetrators and witnesses will be conducted confidentially and statements taken in the presence of at least one parent.

13.2.3 The school may suspend a learner in accordance with the provisions of the South African Schools Act during the course of the investigation

All involved in acts of Serious Misconduct will be expected to disclose the truth. Any deceit may be considered an aggravating factor in the administration of punishment, if guilt is established. A learner may decline to answer questions on the grounds that the answer may be self-incriminating.

13.2.4 Any notes taken by the investigator and/or a witness present during the investigation will form part of the official record of any proceedings.

13.2.5 Learners may be asked to make written statements, which will be signed and dated. Such statements may be used later in any proceedings that follow the investigation. Any person who makes a statement as provided for in this paragraph shall be entitled to read it before signing it and shall be given a personal copy to keep.

13.2.6 Once a matter has been investigated as fully as possible and in accordance with the time frame stipulated in the South African Schools Act, the investigator will proceed as follows:

- a. Refer the matter to the Disciplinary Committee of the School Governing Body for further investigation and/or a determination of an appropriate sanction resulting from a formal Disciplinary Hearing; or
- b. Refer the matter to the Principal for discussion with the parents.

### **13.3 Disciplinary committee ('DC')**

13.3.1 The investigator will present the school's case to the DC

13.3.2 The DC is constituted as follows:

13.3.2.1 Chairperson nominated by the School Governing Body

13.3.2.2 Chairperson of the School Governing Body

13.3.2.3 A friend, family member or teacher, chosen by the learner to be present in a supportive capacity

13.3.3 Any other person who may be of assistance to the DC, at the discretion of the School Governing Body Chairperson

13.3.4 The investigator is only present to present the case and is not involved in the deliberations of the DC.

13.3.5 Legal representation of the learner is permissible

13.3.6 The decisions taken will be expressed by the Chairperson of the DC. Other members are present to assist the Chairperson to make a decision both to the guilt and appropriate sanction of the learner

13.3.7 The Chairperson may impose any sanction he/she considers appropriate for the purposes of progressive discipline or reform of the learner concerned as long as it does not infringe on his/her Constitutional rights and provisions of the South African Schools Act



- 13.3.8 The Chairperson may refer the matter back to the investigator for further investigation, in which case the DC will reconvene at a later date set by the Chairperson to hear further evidence
- 13.3.9 The DC will deal with the matter if the guilt of the learner may be determined without resolving complex issues of fact or law or both, and the punishment contemplated is not likely to be expulsion or suspension from school for more than five days
- 13.3.10 If the learner is found guilty, the Chairperson will recommend an appropriate sanction.

#### **13.4 Expulsion of the learner from the school**

- 13.4.1 If the punishment contemplated is expulsion from the school, the School Governing Body and principal must refer the sanction to the Head of Department, Gauteng Department of Education.

#### **13.5 Formal disciplinary hearing**

- 13.5.1 If the alleged offence is a matter of Serious Misconduct, and/or if the guilt of the learner cannot be determined without resolving complex issues of fact or law or both, and/or the learner faces expulsion, or suspension from school for longer than five days, the investigator may request that a disciplinary hearing be convened to deal with the matter. The procedures for such a hearing are dealt with below:
- 13.5.2 Depending on the seriousness of the alleged offence, considerations of fairness to all concerned and the interest of investigation, the Principal may suspend a learner from school activities pending the outcome of the investigation
- 13.5.3 Factors that will be considered in the convening and outcome of the disciplinary hearing are:
  - a. The learner's best interest must be considered at all times (perpetrator and victim). This must be tempered by the responsibility of the Chairperson of the hearing to the rest of the school community
  - b. The strictest confidentiality must be adhered to, as most hearings will be dealing with minors.

#### **13.6 Procedures of a formal disciplinary hearing**

- 13.6.1 The hearing will be conducted in English. If the learner or his/her parents require any translation or interpretation, this will be provided by the school

- 13.6.2 Separate hearings may be convened to hear the case of different learners involved in the same alleged act of Serious Misconduct. This will be the decision of the Chairperson of the DC and School Governing Body. The Chairperson of the DC may determine otherwise at the start of the Hearing dealing with the matter.
- 13.6.3 The investigator will inform the learner(s) and the parents in writing of the complaints against the learner and impending Disciplinary Hearing five working days prior.
- 13.6.4 Details of the time and venue of the hearing will also be provided. All arrangements will be made on reasonable notice, to allow all, parties to prepare for the hearing.
- 13.6.5 The hearing will be convened within seven working days of the alleged offence having been reported to the Principal.
- 13.6.6 Every learner has the right to the presence of one or both parents. If this is impossible, the parents may request in writing that another adult be present in their place. Their absence, unless with good cause will not be allowed to delay the hearing indefinitely.
- 13.6.7 The School Governing Body designated Chairperson of the Disciplinary Hearing may request the help of no more than two other School Governing Body members to assist him/her during the hearing.
- 13.6.8 At the start of the hearing, the Chairperson will ask the investigator to present the complaints. This will involve stating the nature of the transgression and charges leveled and specify the act or omission in question. The written notice of the hearing will be tabled.
- 13.6.9 The learner(s) will then be asked by the Chairperson to “guilty” or “not guilty” to the charges.
- 13.6.10 The learner or the learner’s representative shall then state the defense (if any) and furnish such information as he/she may consider helpful to the hearing in clarification of the learner’s case.
- 13.6.11 If a “guilty” plea is entered, the hearing will proceed as follows:
- a. The learner will be asked by the Chairperson to state in his/her/their own words why they are guilty of misconduct
  - b. The investigator and/or Chairperson may question the learner(s) to ensure the full facts of the matter are disclosed.
  - c. The Chairperson will then determine whether or not the learner(s) is guilty of the alleged misconduct with the assistance of the other members.
  - d. If the finding is one of “guilty” the hearing will then proceed to hear in aggravation or mitigation.
- 13.6.12 If a “not guilty” plea is entered, the hearing will proceed as follows:

- a. The investigator will present the evidence of the alleged act of misconduct
  - b. The investigator may call witnesses and present documentary or physical evidence to substantiate the allegation against the learner(s)
  - c. The learner(s) will then be given an opportunity to present evidence in person and/or through witnesses and present documentary or other physical evidence in support of the learner's case
  - d. After each of the learners and any witnesses have testified they may in turn be cross-examined by the investigator and DC members to obtain further clarity on the matter.
- 13.6.13 The Chairperson may also request any other witness not called by either party, to give evidence after both the investigator and the learner(s) have presented their evidence and witnesses.
- 13.6.14 Once the evidence has been heard, the Chairperson will make a finding as to the guilt or innocence of the learner(s).
- 13.6.15 The hearing may be adjourned for no more than 3 working days to enable the Chairperson to make a finding.
- 13.6.16 In the case of a "guilty" finding by the Chairperson, evidence in mitigation and aggravation may then be led. The process for leading such evidence will be the same as that outlined above. The hearing may be adjourned to allow a reasonable amount of time for such evidence to be prepared.
- 13.6.17 Factors that could be considered include the level of remorse shown by the learner(s) whether or not the learner was co-operative or deceitful in uncovering the truth of the matter, previous record, relevant precedents and/or any other personal, psychological, medical and/or family circumstances.
- 13.6.18 The findings will be reduced in writing by the Chairperson and communicated to the learner as soon as possible.
- 13.6.19 These procedures do not in any way limit the rights of the learner and his/her parents provided for in the Constitution of the Republic of South Africa.
- 13.6.20 Any person who is aggrieved with the outcome of a hearing in which her or his rights were affected may appeal to the School Governing Body or HOD within 5 days of receipt of a ruling by the DC.

### **13.7 The appeal process**

13.7.1 Appeals to the School Governing Body and HOD shall be in writing and shall state:

- a. the full names of all parties to the hearing

- b. the disciplinary complaint
- c. the facts and the grounds for appeal.

13.7.2 The appeal shall enclose a copy of the ruling or finding made by the Chairperson of the DC.

13.7.3 The School Governing Body or designated members other than those that were on the DC, will hear the appeal at a time and place communicated in writing

13.7.4 All appeals shall be decided on the record of the hearing of the first instance.

13.7.5 A party wishing to bring new evidence to the appeal shall be required to explain why that evidence was not available at the hearing of the first instance and School Governing Body may decide to admit or decline such new evidence.

13.7.6 Legal representation may be permitted by the School Governing Body and DC, with due regard to the complexities of the matter.

**I have read the Code of Conduct and understand same.**

**I have discussed the Code of Conduct with my child.**

**I undertake to obey the School rules at all times and comply with this Code of Conduct in all respects. Yes/No**

**THUS DONE AND SIGNED AT \_\_\_\_\_ ON THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2014**

**LEARNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_**

**PARENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_**

15. **CONCLUSION**

The Governing Body of Glenstantia Primary School may, from time to time, amend this Code of Conduct after due consultation with all stake holders.

SIGNED BY

Chairperson of the SGB: \_\_\_\_\_ Date:


The Principal: \_\_\_\_\_ Date:

IDSO: \_\_\_\_\_ Date: \_\_\_\_\_

15. **CONCLUSION**

The Governing Body of Glenstantia Primary School may, from time to time, amend this Code of Conduct after due consultation with all stake holders.

SIGNED BY

Chairperson of the SGB:  Date: 26 November 2014

The Principal: \_\_\_\_\_

Date: \_\_\_\_\_

IDSO: \_\_\_\_\_

Date: \_\_\_\_\_