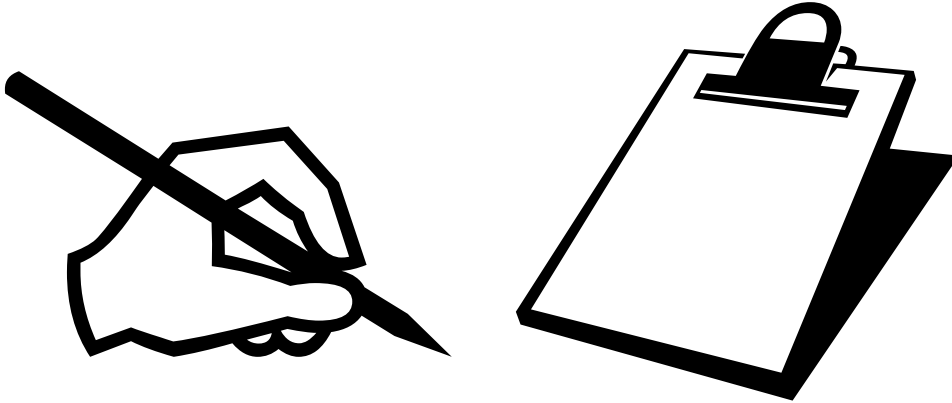


ANNEXURES



Annexure A: *Learner Commitment*

Annexure B: *Table 1: List of offences per grade of offence*
Table 2: List of the possible disciplinary sanctions to be applied
For Grade 1, 2, 3 and 4 offences, respectively

Annexure C: *Written Warning*

Annexure D: *Final Written Warning*

Annexure E: *Notice of Disciplinary Hearing*
Rights of Learner facing Disciplinary Action

Annexure F: *Record of Disciplinary Hearing*

Annexure G: *Lodging of Appeal (Review form)*

ANNEXURE A

School:

Learner Commitment

I, a learner at
School, understand the rules and their implications and hereby commit to:

- * Abide by the Code of Conduct and Disciplinary System.
- * Behave in a courteous and considerate manner and respect other learners, the LRC, all members of staff and visitors to the School.
- * treat everyone with respect regardless of differences in culture, religion, ability, race, gender, age, sexual orientation or social class.
- * Take responsibility for my learning by attending regularly and punctually and completing all my assessment tasks on time.
- * Cooperate with my teachers and other School staff.
- * Assist in making the School a safe place for all.
- * Seek help if I need it.
- * Let the School know if I feel my rights have been infringed, or if I experience any other difficulty.

.....
Learner

.....
Parent/Guardian

.....
Date

ANNEXURE B

Table 1: List of offences per grade of offence

Grade 1: Offences	Grade 2: Offences	Grade 3: Offences	Grade 4: Offences
<ul style="list-style-type: none"> * littering * excessively noisy or unruly behaviour before School, during breaks, and after school * eating, drinking or chewing gum during any contact time (class and assembly) * misconduct in an assembly * entering an out of bounds area, classroom or passage without permission * loitering in the passages, at the tuck shop or vending machines, at the toilets or change rooms * misconduct or poor sportsmanship during and extra-mural activity's practice, intra- or inter-School competition or league fixture * failure to: <ul style="list-style-type: none"> - submit an absentee not or exit notes by the stipulated deadlines - return a library book by the due date, or pay the fine for overdue book/s - attend an extra-mural activity's practice session practice session without excusing himself 	<ul style="list-style-type: none"> * vandalism * interfering with another person 's possessions/ property without the owner's consent * damaging another person's possessions/ property as a result of interfering or using said possessions or property without the owner's consent * racism: remarks/ insults * forgery: altering of official documents such as medical certificates and qualifications and fraudulent use thereof * intimidation by verbal or physical threat to harm the person or his property (bullying) * swearing, lying or using obscene gestures * disrespect or insolence * insubordination – ignoring or failing to carry out a specific instruction (to include failure to do work/ punishment set in the exclusion room, or failure to report to the exclusion room, or failure to report to the subject teacher with this work/ punishment as stipulated) 	<ul style="list-style-type: none"> * possession of weapons that can cause physical injury (knives, etc.) * entering the School premises while under influence of alcohol/drugs * possession, copying, distribution, use or displaying of pornographic material * assault with the intent to do grievous bodily harm * truancy from School or leaving School grounds without the necessary permission * taking part in any form of illegal strike action/meeting/ campaign on School premises * any learner who, in or outside of the buildings, or on or off the premises of the School, whilst under the control of the School authorities, intentionally conducts himself in a manner which is or could be seriously detrimental to the maintenance of order or discipline at the School 	<ul style="list-style-type: none"> * Use of weapons that cause physical injury (Knives, etc.) * possession and/ or use of a firearm, firearm magazine, ammunition, dangerous or lethal weapon * possession, using and/or dealing in drugs, or alcohol, or any other intoxicating substance * poisoning, or attempting to poison another person * theft, robbery, breaking and entering * malicious damage/injury to property of the School, staff members, fellow learners or any other person or body * rape, attempted rape, or indecent assault * physical assault that results in bodily harm * sedition or inciting any form of illegal strike action/ meeting/ campaign on School premises * Any offence punishable under common law

Table 1: List of offences per grade of offence (continued)

Grade 1: Offences	Grade 2: Offences	Grade 3: Offences	Grade 4: Offences
<ul style="list-style-type: none"> - attend duty class - attend a compulsory activity as a spectator without submitting a written excuse letter prior to the event - attend detention * continual interference with another learner which causes minor physical or mental discomfort * misconduct during detention * minor infringements of uniform regulations: wearing of printed T-shirts; and incorrect jersey or tracksuit top as an outer garment; incorrect colour socks or belt; wearing of jewellery * failure to wear the correct full School uniform when in a public place, including the wearing of unauthorized items * failure to wear the correct sports kit for a match or practice * hitchhiking while in School uniform, formal or sport dress * disruptive behaviour in class * Spitting in public 	<ul style="list-style-type: none"> * fighting, common or assault attempted assault * public disturbance and public indecency * gambling * failure to attend detention without prior submission of a written excuse or not * unacceptable hair styles, including bleaching or colouring * display of visible tattoos * using a cell phone as a means of communication during formal testing * Cheating, attempting to cheat, or having forbidden material or information in a test venue during controlled testing (Class tests, term tests, internal exams). This includes any form of communication, verbal or non-verbal, with another learner * copying of computer exercises, projects or any other work intended for the year mark * Truancy from any contact time * possession or use of fire crackers 	<ul style="list-style-type: none"> * violating the rights of other learners to receive education by disrupting classes, preventing other learners from attending classes, preventing teachers from providing teaching, or in any other manner * violating the rights of the teacher to carry out his/her tasks, to the detriment of the School, the staff, the teacher, or fellow learners * reckless or negligent driving whether in School uniform or not, and whether on the School property or not * unreasonable repetition of a Grade 2 offence 	

Table 1: List of offences per grade of offence (continued)

Grade 1: Offences	Grade 2: Offences	Grade 3: Offences	Grade 4: Offences
<ul style="list-style-type: none"> * failure to: <ul style="list-style-type: none"> - do classwork set and submit homework - bring the required textbooks, notes, stationery, or equipment to a lesson - hand work in on time * copying another learner's classwork or homework * defacing School property * reporting late for class, relief, or to the exclusion room * use of offensive material to cover books or files * possession and/or use of a cell phone, computer game, iPod and similar electronic devices, during all contact time * arriving late for School without an excuse not 	<ul style="list-style-type: none"> * failure to attend an extra-mural activity fixture or function as a participant or official * any action which brings the School's name into disrepute * possession of offensive material, excluding pornographic material * tampering with safety and other equipment on School premises * unreasonable repetition of a Grade 1 offence 		

Table 2: List of the possible disciplinary sanctions to be applied for grade 1, 2, 3 and 4 offences, respectively

Each case must be evaluated on its own merits and must be provided with a sanction justified for that specific case. The recommended sanctions provided in this table are guidelines for the Disciplinary committee.

GRADE 1: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
1. Academic: Books/work materials left at home; homework –not done on time/copied 2. Extra-mutual activity: Non-attendance at practices and matches (without a valid excuse to teachers/coach) 3. Personal conduct in classroom/on playground: Inappropriate displays of affection between learners; late arrival for class; uncooperative behaviour; discourteous behaviour/insolence/temper tantrum; foul language; defacing desks/walls/books/cases with graffiti; eating/chewing in class; littering; and cell phone ringing 4. Dress code: Untidiness/unkept appearance; School dress code not followed	Corrective actions/sanctions are carried out by the individual teacher and may include the following: <ul style="list-style-type: none"> ■ Verbal reprimand; ■ Written punishment; ■ Detention at break; ■ Subtracting marks (homework); ■ Temporary confiscation until the end of School term (e.g. uniform, jewellery, cell phones, bags and cases); ■ Removing graffiti from bags and cases at break; and ■ Written notification
GRADE 2: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
1. Plagiarism of any work or cheating/attempted cheating in class test/assignment	Nought for test and warning letter
2. Damage to property/possession of other learners' property	Repair/replacement, warning letter and Principal's detention
3. Defiance/disregarding of an authority figure's instructions	Suspension from class, warning letter and an information hearing
4. Detention – non-attendance	Making up missed detention, warning letter and an information hearing
5. Disregarding test/examination procedures	Warning letter and Principal's detention
6. Disruptive/uncooperative in class	Identification of culprit/s and grade teacher to organize corrective measures
7. Disruptive behaviour frustrating teaching and learning in the classroom	Warning letter and detention
8. Repeated dress code infringement (including hair and personal grooming)	After three (3) warnings, Principal's detention

Table 2: List of the possible disciplinary sanctions to be applied for grade 1, 2, 3 and 4 offences, respectively (continued)

GRADE 2: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
9. Fighting	Warning letter and detention
10. Fire-crackers	Warning letter and detention
11. Forgery, e.g. parent/guardian's signature	Warning letter and detention
12. Gambling on or off school property	1 st offence: Special detention 2 nd offence: Special Detention 3 rd offence: Information disciplinary hearing, special detention and professional counseling (All money to be confiscated)
13. Graffiti: books, case, desks, walls, etc.	Removal, warning letter and principal's detention
14. Late for school – three (3) days	Phone call to parents and detention
15. Late arrival at School after 8:20 am	Phone call to parents and Principal's detention
16. Lying	Warning letter and detention
17. Offensive material	Warning letter and detention
18. Smoking – possession of cigarette/holding cigarette/caught in the act on/off School property	1 st offence: Special detention 2 nd offence: Special detention 3 rd offence: formal disciplinary hearing, special detention and professional counseling (All money to be confiscated)
19. smoking – selling cigarettes on/off School property	1 st offence: Information disciplinary hearing, warning letter and special detention 2 nd offence: Formal disciplinary hearing, warning letter and special detention
20. spitting	Principal's detention
21. Sticking a sharp object, e.g. pin, pen, nib, etc. into a fellow learner	Warning letter and detention
22. substance abuse – possession/sniffing of unauthorized substance, e.g. .meths, benzene, thinners, etc	Information hearing, warning letter and detention
23. Threatening assault/intimidation of a fellow learner	Phone call to parents and warning letter and detention
24. Truancy – bunking a lesson	Principal's detention
25. Truancy – bunking a day or part of a day	Phone call to parents, warning letter and detention

Table 2: List of the possible disciplinary sanctions to be applied for grade 1, 2, 3 and 4 offences, respectively (continued)

GRADE 2: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
26. Vandalism – defacing/damage breaking School property	Phone call to parents, warning letter and detention
27. Verbal abuse of a fellow learner	Phone call to parents, repairs/payment of damages, warning letter and detention
GRADE 3: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
1. Alcohol – possession at School or on a School outing/smelling of liquor/under the influence at School or on School outing	Disciplinary hearing, warning letter, community service and detention
2. Assault on a fellow learner (causing bodily harm)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
3. Bullying/Intimidation	Warning letter and community service and detention
4. Cheating/attempted cheating in examination/cycle test/portfolio work	Nought and warning letter
5. Cheating/attempted cheating in final Grade 12 examination	Implementation of official provincial procedures
6. Possession/distribution of test or examination material prior to test or examination being written	Disciplinary hearing, nought for test/examination, warning letter, community service, detention/official provincial procedures for grade 12
7. Ongoing disruptive behaviour in classroom (frustrating School's educational programme)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
8. Disruptive behaviour on School property or on school sponsored fixture/outing/trip/tour (frustrating School's educational/extracurricular programme)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
9. Engaging in a conspiracy to disrupt the proper functioning of School through collective action	Suspension from class/school. Disciplinary hearing, warning letter, community service and detention
10. Drugs – consumption not associated with School	Interview with parents, professional intervention
11. Gangs – promoting formation forming off/associating with/furthering activities of School gangs/'social groups'	Suspension from school. Disciplinary hearing, warning letter and detention
12. Involving/attempting to involve outsiders in disputes between learners	Disciplinary hearing, warning letter, community service and detention

Table 2: List of the possible disciplinary sanctions to be applied for grade 1, 2, 3 and 4 offences, respectively (continued)

GRADE 3: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
13..Pornography	Warning letter, community service and detention
14. Public indecency	Disciplinary hearing, warning letter, community service and detention
15. Racist conduct that defames a learner/teacher	Suspension from class/school. Disciplinary hearing, warning letter, community service and detention
16. Improper suggestions of a sexual nature	Disciplinary hearing, warning letter, community service and detention
17. Sexual harassment of teacher/learner	Suspension from School. Disciplinary hearing, warning letter, community service and detention
18. Threatening to assault/intimidating a teacher	Suspension from School. Disciplinary hearing, warning letter, community service and detention
19. verbal abuse of a teacher	Suspension from School. Disciplinary hearing, warning letter, community service and detention or expulsion
GRADE 4: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
1. Alcohol – drinking/drunk at School or on School or on School outing	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
2. Alcohol – drinking in public	Suspension from school. Disciplinary hearing, warning letter, community service and detention/expulsion
3. Assault on a learner causing serious bodily harm	Suspension from school. Disciplinary hearing and expulsion
4. assault on a teacher	Suspension from school. Disciplinary hearing and expulsion
5. briber/attempted bribery of any person respect of any test/examination material	Disciplinary hearing, warning letter, community service and detention/expulsion
6. Dangerous weapon or object, e.g. knife – possession at School	Suspension from School. Disciplinary hearing, appropriate punishment, e.g. community service, detention/expulsion
7. Dangerous weapon or object, e.g. firearm – possession at School/on School outing	Suspension from School. Disciplinary hearing, appropriate punishment, expulsion
8. Drugs/illegal substances – possession at School/on school outing	Suspension from School. Disciplinary hearing, warning letter, community service and detention
9. Drugs/illegal substances – consumption/under the influence at school/on school property	Suspension from School. Disciplinary hearing, warning letter, community service, detention and professional counselling

Table 2: List of the possible disciplinary sanctions to be applied for grade 1, 2, 3 and 4 offences, respectively (continued)

GRADE 4: OFFENCES	RECOMMENDED CORRECTIVE SANCTIONS
10. Drugs/illegal substance – dealing ('pushing') at School/on School outing	Suspension from School. Disciplinary hearing and expulsion
11. Forgery of any document or signature to the potential/actual prejudice of the school	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
12. Fraud (financial)	Suspension from school. Disciplinary hearing, compensation, warning letter, community service and detention/expulsion
13. Hostage-taking	Suspension from school. Disciplinary hearing and expulsion
14. Satanic practices that damage property or cause harm to people or any other living creatures.	Suspension from school. Disciplinary hearing, warning letter, community service, detention and professional counselling/expulsion
15. Sexual assault/rape	Suspension from school. Disciplinary hearing and expulsion
16. Theft/dishonest conduct to the prejudiced of another person	Disciplinary hearing, replacement of stolen articles, warning letter, community service and detention/expulsion
17. Trading in test/examination material for personal monetary gain	Disciplinary hearing, warning letter, community service, detention/expulsion
18. Vandalism – malicious damage to School/teacher's property	Disciplinary hearing, repair damage, warning letter, community service and detention/expulsion

ANNEXURE C

School:

Written Warning

Name of learner:

Learner ID number:

Subject:

Teacher:

The above learner has breached the disciplinary code.

Date of offence:

Grade of offence:

Nature of offence:

.....
.....
.....
.....

.....
Learner

.....
Teacher

.....
Witness

.....
Grade Head

.....
Date

One copy to learner, original to be kept by GRADE HEAD.
Learner's signature does not signify admission of guilt, but that charges and action taken have been explained.

ANNEXURE D

School:

Final Written Warning

Name of learner:

Learner ID number:

Subject:

Teacher:

Please take note that this is a final warning. If the disciplinary code is breached again, in any way, it will lead to a disciplinary hearing.

Date of offence:

Dates of previous warnings:

Grade of offence:

Nature of offence:

.....
.....
.....

Learner's statement:

.....
.....
.....

.....
Learner

.....
Teacher

.....
Witness

.....
Grade Head

.....
Date

One copy to learner, original to be kept by GRADE HEAD.
Learner's signature does not signify admission of guilt, but that charges and action taken have been explained.

ANNEXURE E

School:

Notice of Disciplinary Hearing

Name of learner:

Learner ID number:

Subject:

Teacher:

A formal disciplinary hearing will be held and you are obliged to be present:

Date of offence:

Dates of previous hearing:

Venue of hearing:

Time of hearing:

Date served:

The charge against you is as follows::

.....
.....
.....

Date of offence:

Nature of offence:

.....
.....
.....

Suspension from class

You are further advised that you have been suspended from class from:

Time:..... Date:...../...../..... Until Time:..... Date:...../...../.....

During your period of suspension, you will not be permitted on the School premises unless written permission has been given to you by a senior member of management, or for attending this hearing.

Note: Learner receives one (1) copy and the signed copy must be kept and filed.

Rights of Learner facing Disciplinary Action

Learner's rights (to be read by Server)

- * The right to a formal hearing.
- * The right to be present at the hearing.
- * The right to be given time to prepare your case.
- * The right to be given advance notice of the charges.
- * The right to be represented at the hearing by an internal representative.
- * The right to be assisted at the hearing by parents/guardian if under age.
- * The right to ask questions on any evidence produced, or on statements of witnesses.
- * The right to call witnesses to testify on your behalf.
- * The right to an interpreter (to be requested in writing by yourself, the learner, 24 hours prior to the hearing).
- * The right to appeal within five (5) School days against any penalty by the Disciplinary committee.
- * If you do not attend, the hearing will be conducted in your absence

I certify that the above rights have been read and explained to the learner.

.....
Server

.....
Designation

.....
Learner

.....
Witness

.....
Date

ANNEXURE F

School:

Record of Disciplinary Hearing

Venue:.....

Date:.....

Present			
Capacity	Name	Designation	Section

Complainant (if applicable):	Learner:
Witnesses for complainant	Witnesses for learner
1.	1.
2.	2.
3.	3.

Nature of alleged breach or misconduct (charge, date, place and brief description of the incident/s)

Nature of offence:

.....

.....

.....

.....

Plea: The learner admits/denies the charges (the appropriate plea to be underlined).

.....
Learner
Teacher

.....
Witness
Grade Head

.....
Date

ANNEXURE G

APPEAL TO THE MEMBER OF THE EXECUTIVE COUNCIL
--

Appeal against any finding of guilt by the Head of Department in respect of which a penalty of expulsion has been imposed.

Appeal against a penalty of expulsion imposed by the Head of Department

Appeal against an order made by the Head of Department who has expelled a learner of compulsory school age and admits such learner to another school or centre of learning within the province.

Appeal against an order made by the Head of Department who has expelled a learner of compulsory school age and require that such learner attends counseling and procures regular progress reports in respect of such counseling.

Please note that such an appeal against any of these decisions must be lodged with the Member of the Executive Council within 14 days. The notice of appeal together with the grounds for the appeal must be hand-delivered to the office of the Member of the Executive Council.

1. DETAILS OF THE LEARNER

NAME: _____

AGE IN YEARS: _____

DATE OF BIRTH: _____

IDENTITY NO: _____

ADDRESS: _____
(IF NOT LIVING WITH THE PERSON LODGING THE APPEAL)

POSTAL CODE: _____

II. DETAILS OF PERSON LODGING THE APPEAL (IF NOT THE LEARNER)

NAME: _____

RELATION OF THE LEARNER (E.G. FATHER, MOTHER, GUARDIAN, CUSTODIAN OR
PERSON RESPONSIBLE FOR THE EDUCATION OF THE LEARNER)

ADDRESS: _____

POSTAL CODE: _____

TELEPHONE: _____

NAME OF
PRINCIPAL: _____

III. NATURE OF THE APPEAL

IN THE EVENT OF THE APPEAL LODGED IN TERMS OF IV (1) IV (2) IV (3) OR IV (4). THE REASONS FOR THE APPEAL ARE (PLEASE TICK IN THE APPROPREATE BOX)

1. AGAINST ANY OF FINDINGS OF GUILTY BY THE HEAD OF DEPARTMENT IN RESPECT OF WHICH A PENALTY OF EXPULSION HAS BEEN IMPOSED.
2. AGAINST A PENALTY OF EXPULSION IMPOSED BY THE HEAD OF DEPARTMENT.
3. AGAINST AN ORDER MADE BY THE HEAD OF DEPARTMENT WHO HAS EXPELLED A LEARNER OF COMPULSORY SCHOOL GOING AGE AND ADMITS SUCH LEARNER TO ANOTHER SCHOOL OR CENTRE OF LEARNING WITHIN THE PROVINCE.
4. AGAINST AN ORDER MADE BY THE HEAD OF DEPARTMENT WHO HAS EXPELLED A LEARNER OF COMPULSORY SCHOOL AGE AND REQUIRES THAT SUCH LEARNER ATTENDS COUNSELLING AND PROCURES REGULAR PROGRESS REPORTS IN RESPECT OF SUCH COUNSELLING.

IV. REASONS FOR THE APPEAL:

IN THE EVENT OF AN APPEAL BEING LODGED IN TERMS OF IV (1) IV (2), IV (3) OR IV (4), THE REASONS FOR THE APPEAL ARE PLEASE TICK IN THE APPROPRIATE BOX (ES):

1. THE GOVERNING BODY OF THE SCHOOL DID NOT APPOINT A DISCIPLINARY COMMITTEE.
2. THE GOVERNING BODY OF THE SCHOOL DID NOT DESIGNATE ONE OF THE MEMBERS OF THE DISCIPLINARY COMMITTEE AS CHAIRPERSON TO ADJUDICATE THE ALLEGATIONS OF SERIOUS MISCONDUCT.
3. THE DISCIPLINARY COMMITTEE DID NOT COMPRISE THREE PERSONS WHO WERE EITHER MEMBERS OF THE GOVERNING BODY OR PERSONS WHO ARE ELIGIBLE TO BE ELECTED AS MEMBERS.
4. THE CHAIRPERSON OF THE DISCIPLINARY COMMITTEE WAS NOT A PARENT OR COMMUNITY MEMBER OF THE GOVERNING BODY.
5. THE PRINCIPAL OF THE SCHOOL WAS A MEMBER OF THE DISCIPLINARY COMMITTEE.
6. A LEARNER AT THE SCHOOL WAS A MEMBER OF THE DISCIPLINARY COMMITTEE.

7. A MEMBER OF THE DISCIPLINARY COMMITTEE HAD PERSONAL KNOWLEDGE OR INTEREST IN THE MATTER.
8. AN EXECUTIVE COMMITTEE MEMBER OF THE REPRESENTATIVE COUNCIL OF LEARNERS WAS NOT PRESENT AT THE DISCIPLINARY HEARING, ALTHOUGH THIS WAS REQUESTED.
9. THE LEARNERS WAS NOT GIVEN AT LEAST FIVE SCHOOL DAYS WRITTEN NOTICE OF THE DIISCIPLINARY HEARING.
10. THE NOTICE OF THE DISCIPLINARY HEARING DID NOT CONTAIN SUFFICIENT PARTICULARS OF THE DATE, PLACE, TIME OR NATURE OF THE CHARGES TO ENABLE THE LEARNER TO IDENTIFY THE INCIDENT IN QUESTION AND TO RESPOND TO THE CHARGES.
11. THE NOTICE OF THE DISCCIPLINARY HEARING DID NOT INFORM THE LEARNER OF HIS OR HER RIGHTS.
- 1 THE LEARNER WAS NOT GIVEN A COPY OF THE NOTICE OF THE DISCIPLINARY HEARING.
- 2 A COPY OF THE NOTICE OF THE DISCIPLINARY HEARING WAS NOT DELIVERED TO THE PARENT.
- 3 AT LEAST ONE OF THE PARENTS OF THE LEARNER , WHO IS YOUNGER THAN 18 YEARS OF AGE, DID NOT ACCOMPANY THE LEARNER AT THE DISCIPLINARY HEARING.
- 4 AN INTERPRETOR WAS NOT PRESENT AT THE DISCIPLINARY HEARING, ALTHOUGH REQUESTED BY THE LEARNER.
- 5 THE DISCIPLINARY COMMITTEE DID NOT KEEP A FULL AND ACCURATE RECORD OF THE PROCEEDINGS OF THE DISCIPLINARY HEARING.
- 6 THE LEARNER WAS NOT ASKED TO PLEAD GUILTY OR NOT GUILTY TO THE CHARGE(S)
- 7 THE LEARNER OR HIS OR HER REPRESENTATIVE ,WAS NOT PERMITTED TO QUESTION ANY WITNESS OR EXAMINE ANY EVIDENCE PRESENTED BY THE PROSECUTOR.
- 8 THE LEARNER OR HIS OR HER REPRESENTATIVE ,WAS NOT PERMITTED TO ADRESS THE DISCIPLINARY COMMITTEE AS TO THE GUILT OR INNOCENCE OF THE LEARNER.
- 9 THE LEARNER WAS NOT GIVEN A FAIR HEARING.

ADDITIONAL INFORMATION RELATING TO THE CHARGES SHOULD BE GIVEN
IN THE SPACES BELOW.

IN THE EVENT OF AN APPEAL BEING LODGED IN THE TERMS OF IV (3), THE REASONS FOR THE APPEAL ARE (PLEASE TICK IN THE APPROPRIATE BOX):

- 1. THE LEARNER IS NOT SATISFIED WITH THE RECORD SCHOOL OR CENTRE OF LEARNING WITHIN THE PROVINCE.

REASONS FOR THE DISSATISFACTION MUST BE GIVEN IN THE SPACES BELOW.

IN THE EVENT OF AN APPEAL BEING LODGED IN TERMS OF IV (4) ,THE REASONS FOR THE APPEAL ARE PLEASE TICK IN THE APPROPRIATE BOX(ES)

- 1. THE LEARNER DOES NOT REQUIRE COUNSELLING.
- 2. THE LEARNER DOES NOT FEEL THAT THE HEAD OF DEPARTMENT NEEDS TO PROCURE REGULAR PROGRESS REPORTS IN RESPECT OF SUCH COUNSELLING.

REASONS MUST BE GIVEN IN THE SPACES BELOW.

V. ADDITIONAL INFORMATION

PLEASE GIVE ANY ADDITIONAL INFORMATION WITH REGARD TO THIS APPEAL IN THE SPACES PROVIDED BELOW.

VI. DOCUMENTATION TO BE SUBMITTED

CERTIFIED OF ALL THE RELEVANT DOCUMENTATION AND CORRESPONDENCE WITH THIS APPEAL.

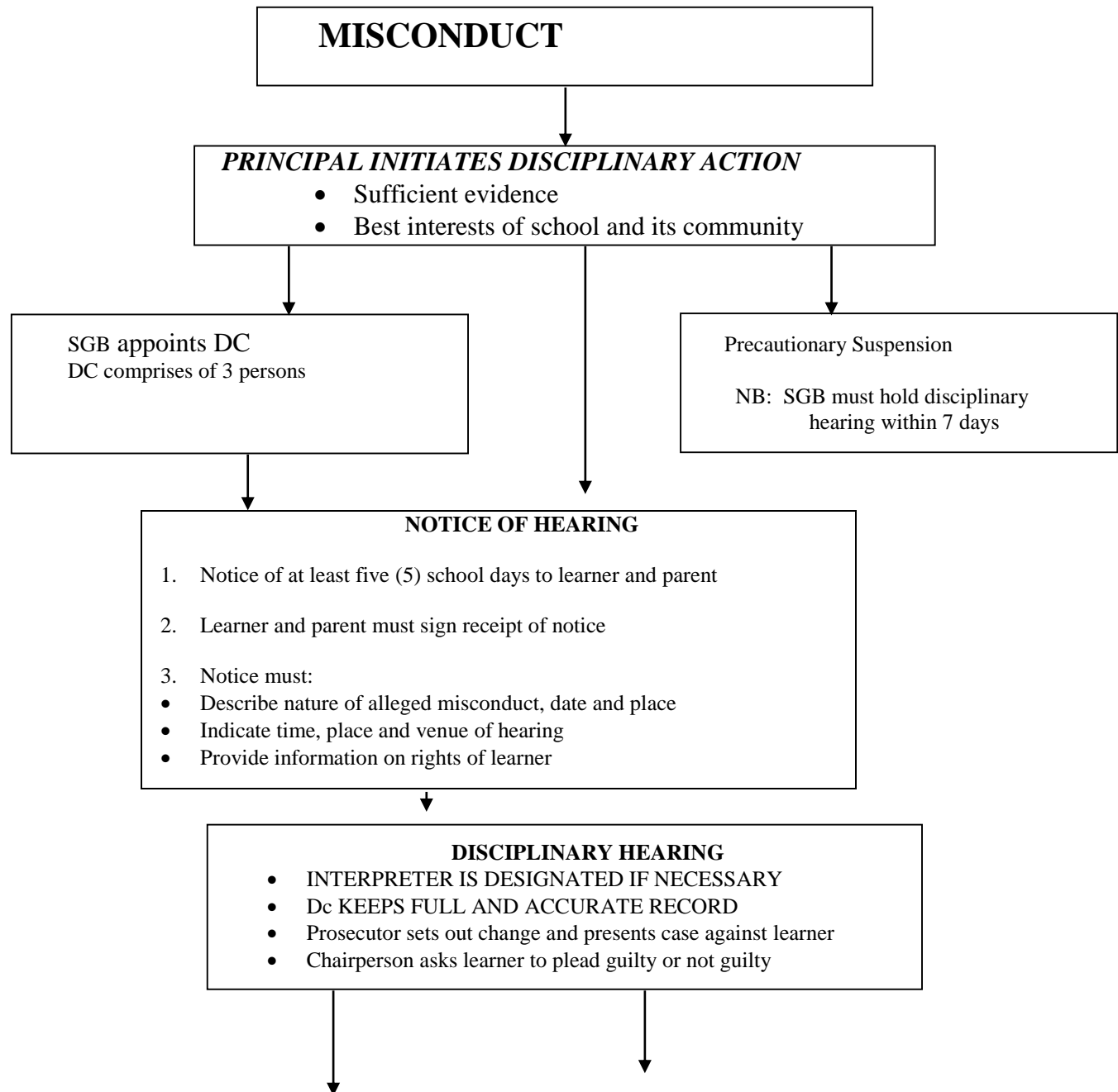
VII. DECLARATION

I DECLARE THAT ALL THE INFORMATION SUPPLIED IN THIS DOCUMENT IS TRUE AND ACCURATE

SIGNATURE

DATE

SCHEMATIC EXPOSITION: MISCONDUCT PROCEDURE FOR LEARNERS AT PUBLIC SCHOOLS (SASA AND THE REGULATIONS)



IF PLEADS NOT GUILTY

- Chairperson questions learner in order to satisfy DC that the learner is guilty
- If it appears that the learner’s version Materially differs from facts outlined by The prosecutor or if chairperson is not satisfied that the learner is guilty, the chairperson must enter a plea of not guilty
- If dissatisfied that the learner is guilty, DC must find the learner guilty

IF PLEADS GUILTY

- * Prosecutor leads evidence or call witnesses
- * Cross-examinations by learner (or representative)
 - * Prosecutor cross-examines witness or examines evidence
 - * DC cross-examines witness or examines evidence
- * Prosecutor, then learner or representatives addresses DC as to Guilty or otherwise



FINDING

1. DC decides if learner is guilty or not guilty of misconduct
2. DC informs learner of finding and reasons
3. DC hears mitigating and aggravating circumstances
4. DC decides on suitable sanction (suspension may be imposed for no longer than seven days)
5. If Dc decides learner should be expelled, a recommendation to that effect to HOD
6. SGB may suspend learner, pending decision of HOD
7. HOD proclaims decision within fourteen days

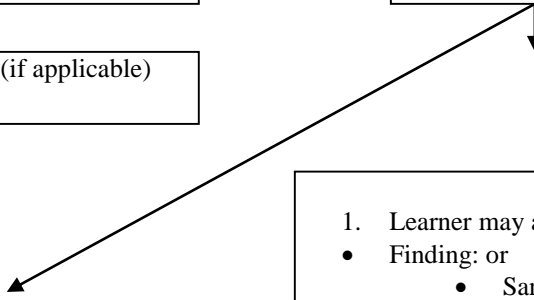


NOT GUILTY

GUILTY



Lifting of suspension (if applicable)



NO APPEAL
Implementation of sanction

APPEAL

1. Learner may appeal against
 - Finding: or
 - Sanction
2. Must appeal within fourteen (14) days of receipt of finding
3. Appeal must be directed to the MEC (or delegate)
4. MEC decides on appeal
 - Uphold the appeal
 - Amend the sanction
 - Dismiss the appeal



Implementation of:

- Decision of disciplinary hearing:

OR

- Decision of appeal authority.

