

DR YUSUF DADOO PRIMARY
SCHOOL

LEARNER'S CODE OF CONDUCT

Dr Yusuf Dadoo Primary School
Department of Education
Gauteng West



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1. PREAMBLE

Dr Yusuf Dadoo Primary School is committed to providing an environment that is conducive to teaching and learning by:

- Promoting the rights and safety of all learners and educators and parents.
- Ensuring learners' responsibility for their own actions and behaviour.
- Prohibiting all forms of unfair discrimination and intolerance.
- Eliminating disruptive and offensive conduct.

The Code of Conduct spells out the rules regarding learner behaviour at school and describes the disciplinary system to be implemented by our School concerning transgressions by learners. The code of Conduct applies to all learners while they are on the school premises or when they are away from the school representing it or attending a school function.

Section 8(4) of the SA Schools Act provides that all learners attending a School are bound by the Code of conduct. All learners attending the school are expected to sign a statement of commitment to the Code of Conduct (Annexure A). The administration of the Code of Conduct is the responsibility of the Disciplinary committee of the school.

2. LEGISLATIVE FRAMEWORK

- South African Schools Act 84 of 1996
- Gauteng Schools Act 6 of 1995
- Relevant Circulars
- Tirisano Documents

3. PURPOSE/AIM OF THE CODE OF CONDUCT

- To ensure that the vision and mission of the school is achieved
- To protect the rights of learners and educators
- Teaching takes place
- School is free from drugs, gangs, bullying, sexual abuse etc.
- All the learners, educators and parents are aware of the Code of Conduct at school
- Respect property
- Promote culture of tolerance and respect for the human rights of others.
- To facilitate learning and teaching at schools.
- To ensure that there is order and discipline in schools.
- To promote and clarify the roles and responsibilities for learners.
- To provide for legitimate disciplinary measures.

4. DEFINITION

CODE OF CONDUCT

The Code of Conduct is a document that lays down clear guidelines about what is acceptable and unacceptable behaviour in a school. It is similar to the school rules. The aim of the school's code of conduct is: Create a proper learning environment. In the past schools depended on meting out corporal punishment as a way of enforcing compliance. But the Constitutional Court has outlawed corporal punishment in line with the South African School Act (SASA) act No 84 of 1996s (10)(1). The code of Conduct principle was laid down in SASA, where it was stated that the function of a Code of conduct is: "to establish a disciplined and purposeful school environment".

5. ADOPTION OF CODE OF CONDUCT FOR LEARNERS

This Code of conduct is an integral part of the school Policy and must be adopted by all stakeholders for "ownership" purposes.

6. FEATURES OF THE CODE OF CONDUCT FOR LEARNERS

Consists of the following:

- Aims of the code of conduct
- Responsibilities of learners
- Responsibilities of Educators with regard to learners
- Responsibilities of Parents with regard to learners
- School rules, regulations and Procedures
- The scope of the Code of Conduct and its Legal implications
- Disciplinary Procedures.

7. THE MAIN PROVISIONS OF THE CODE OF CONDUCT FOR LEARNERS:

The primary factor dictating behaviour of learners is that they should at all times be committed to their responsibilities of learning at school. This implies that their behaviour has to constitute a disciplined and tolerant manner of dealing with each other, with the teachers as well as the environment.

8. INFRINGEMENTS OF THE CODE OF CONDUCT:

Dealing with infringements must always be informed by the following Fundamental principles:

- The disciplinary process must be fair, just, corrective and educative.
- Avoid public humiliation.
- The parent/guardian of the student must be informed and be involved in the process of correcting the behaviour.

9. SCHOOL RULES

The school rules are intended to establish a disciplined and purposeful environment to facilitate effective teaching and learning at our School. Nothing shall exempt a learner from complying with the school rules. Ignorance of School rules is, therefore, not an acceptable excuse.

9.1 GENERAL PRINCIPLES

- Learners are expected at all times to behave in a courteous and considerate manner towards each other, all members of staff and visitors to the school.
- Learners are expected to abide by the school rules with regard to appearance and behaviour when representing the school both during School hours and after School hours, at school and away from School. Learners may not say or do anything that will discredit themselves or the school.
- No learner has the right at any time to behave in a manner that will disrupt the learning activity of other learners, or will cause another learner physical or emotional harm.
- The school will contact parents/guardians when a learner's behaviour becomes a cause of concern and will endeavor, in a spirit of constructive partnership, to resolve the problem.

9.2 SCHOOL AND CLASS ATTENDANCE

Parents/guardians, learners, teachers and School Governing Body (SGB) members are jointly responsible for ensuring that all learners attend School.

- If a learner does not attend School regularly, the relevant grade educator will report the absence of the learner to the parent and the principal in writing. The educator must keep an accurate register of learner attendance and must keep copies of all communication to parents when absence from the classroom is reported.
- All learners are to arrive at School before the official starting time. Learners who are late for School will be marked absent as registers are completed at the beginning of each school day.
- Absence from a class, without the permission of the educator or subject educator, is prohibited.
- Any absence from School must be covered by an absentee note from a parent/guardian.
- Should a learner be absent from School for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical doctor/traditional doctor/ registered herbalist.
- Any absence from a formal examination, test or task must be supported by a letter from a medical doctor/traditional doctor/registered herbalist.
- No learner may leave the School during School hours without a letter from a parent/guardian requesting the release of their child and the permission of the Principal/Deputy Principal; /Grade Head from whom an exit notes must be obtained.
- Truancy from School is prohibited.
- All learners will attend assembly for the full duration thereof.

9.3 SCHOOL UNIFORM AND GENERAL APPEARANCE

Official school Uniform:

Boys: Grade 1-7	Girls: Grade 1-7
• White school shirt • Grey school trousers • Grey socks • Black formal boys school shoes • DYDPS Jersey: Navy and gold • DYDPS Jacket: Navy and gold • DYDPS tie (optional) • DYDPS Cap/beanie • DYDPS Navy blue blazer with emblem (Optional)	• DYDPS Knee length tunic: Navy and gold (No skirts) • Navy blue school pants and white shirt • DYDPS navy and gold school socks • Black formal girls school shoes • DYDPS Jersey: Navy and gold • DYDPS Jacket: Navy and gold • No jewellery, make-up, fancy clips or head bands allowed • DYDPS tie (optional) • DYDPS Cap/beanie • Blue ribbons for plaited hair ONLY • DYDPS Navy blue blazer with emblem (Optional)
Boys: Religious attire	Girls: Religious attire
• Plain white or navy blue toppie • Plain navy-blue kurta with black formal boys' school shoes	• Navy blue scarf • Plain navy blue abaya with black formal girls' school shoes

PE Uniform: To be worn on PE days <u>ONLY</u>
• DYDPS tracksuit: Navy and gold • DYDPS yellow golfer T-shirt or DYDPS white golfer T-shirt • Alternatively, a Plain white/yellow/navy blue t-shirt • Plain black or white takkies (No fancy takkies such as studded, neon light or glitter)

During the hot, summer weather, please provide a blue #DYDPS Cap with a brim and apply a long-lasting sun screen.

- Learners are expected to wear the official School uniform and appear neat and tidy at all times.
- No additions to the uniform that are not in accordance with the regulations will be allowed.
- No earrings, jewellery, accessories, colour contact lenses or visible tattoos are allowed.
- No hair accessories e.g., alic-bands, coloured hair grips and bands
- Fingernails must be kept trimmed short and clean at all times. Nail polish is not allowed.
- During events that allow the wearing of casual wear, learners should wear neat, presentable clothes. Beachwear, tight-fitting clothes, clothes that are see through and/or too revealing are not allowed. Hair, shoes and accessories should be neat at all times.
- Only learners that have applied, submitted relevant supporting documents and received the necessary permission from the school (may deviate from official School uniform for religious and cultural reasons).
- Girls' scarves must be navy blue
- Boys' topees must be white or navy blue
- Kurtas must be navy blue

- PET uniform includes a white T-shirt, navy blue tracksuit pants and white/black takkies.
- Takkies are not allowed to be used with formal uniform
- Navy blue blazers are allowed to be used

9.4 VALUABLES AND PERSONAL BELONGINGS

The school will not be held responsible for theft of or damage to personal belonging on school premises (e.g., cell phones, bags, books and clothing).

- Learners are not allowed to bring cell phones to school.
- All Parents/Guardians and learners are required to read, sign and acknowledge the Dr Yusuf Dadoo Primary School Learner's Code of conduct policy at the beginning of each new academic year.

Liability	The school takes no responsibility for the loss/theft of cell phones that learners bring unlawfully into the school. Theft or damage of a cell phone will not be regarded as a school matter. Parents/Guardians are responsible for ensuring that learners do not bring phones to school. Parents are liable for theft and damage to cell phones.
Protocol for learners	Cell phones are not allowed in school. Those who bring a phone for emergency purposes under the supervision of the parent must ensure that they leave their cell phone in the office with the secretary for safe keeping during the school day. Cell phones may only be switched on once learners are no longer on the school premises.
Special Concessions	For Learners who are going through trauma as a result of an event and who need to keep their cell phones switched on in order to be contactable - Parents/Guardians may apply in writing to the principal. EMERGENCY CALLS: Learners who need to make an emergency call (Only if the school phone/Teacher's phone/SMT's phone is unavailable) about plans for after school transport or sport arrangements may request permission from the teacher to switch on the phone and make a call in the presence of the teacher to ensure learner safety.

- If a parent requests a learner to pay School fees on his/her behalf, such School fees should be paid before the start of the school day.
- Arrangements should be made with the teacher in charge for safekeeping or valuables, etc. during sports practices.
- Learners may not bring cell phones, computer games, iPods or similar electronic devices to School.

9.5 GENERAL SCHOOL RULES

Golden Rule: Learners are not allowed to sell any items at school to anyone

- Loitering and/or playing in and around the corridors, stairs and toilets is forbidden.

- All litter must be placed in refuse bins or wastepaper baskets.
- Willful damaging, vandalizing or neglect of School property and the property of others, either by writing or by a physical act, is prohibited. Theft of School and private property is also prohibited.
- Any act of cheating in class work, homework, informal and formal tests or internal or external examination is prohibited. Furthermore, copying of and/or borrowing another learner's work is forbidden.
- Disruptive, unruly, rude and/or offensive behaviour will not be tolerated.
- The timeous handing in of work is the responsibility of each learner.
- Learners who fail to produce a medical certificate on absenteeism during formal examinations/tests/assessment tasks will obtain a mark of "o" (nought) for the particular examinations/test/assessments task.
- The learner will respect his beliefs, culture, dignity and rights of other learners, as well as their right to privacy and confidentiality.
- Language that is seen as discriminatory or racist is prohibited.
- Any act that demeans or humiliates another learner's culture, race or religion is prohibited.
- All learners have the right to an education free of interference, intimidation and/or physical abuse. The learner will respect the property and safety of other learners. Fighting or threatening of other learners is forbidden.
- The learner will respect those learners in positions of authority. A learner who is in a position of authority will conduct him/herself in a manner befitting someone in authority. She/he will respect the rights of other learners and will not abuse such authority bestowed upon him/her through his/her position.
- The carrying, copying and/or reading of offensive material are prohibited.
- Learners must keep clear of areas that are indicated as out of bounds. These include:
- The playing fields Electrical mains distribution boxes, fire extinguishers and hoses.
- Parking lots.

9.6 RULES GOVERNING PUBLIC PLACES IN SCHOOL

The school is a place of safety where laws pertaining to public spaces are applicable.

- No dangerous objects or illegal drugs as defined in the SA schools Act will be brought onto and/or used on the school property unless authorized by the principal for educational purposes. Dangerous objects include knives, firearms or any item that could harm a person.
- The carrying and /or smoking of **cigarettes and vapes** is prohibited.
- Alcohol is not permitted on school premises or during any school activity.
- The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.

10. TRANSPORT

Learners wishing to park their bikes on the school premises must first obtain permission from the school to do so and make use of the areas specifically demarcated for this purpose (behind the stadium on the playground).

All learners park their bikes (pedal or motorized) on the school premises at their own risk. Specific areas are provided for the safekeeping of bikes, etc, and must be used by learners. The code of Conduct is applicable when making use of public transport to and from School. Learners may not hitchhike while in School uniform, whether formal or sports dress.

11. SCHOOL ENRICHMENT PROGRAMME

Involvement in activities making up the School Enrichment PROGRAMME forms a valuable and integral part of the holistic education of every learner. All learners are, therefore, expected to become actively involved in at least on (1) sport or cultural activity per term.

- The learner is expected to adopt the correct etiquette pertaining to the specific activity at all times.
- Once a learner has committed him/her to an activity; she/he will be bound to meet the rules and obligations related to that activity.
- Involvement in a particular activity will span the entire season/duration in which that activity takes place.
- Attendance of all practices is compulsory. Missing a practice without a valid excuse in writing from the learner's parents may result in the learner being suspended from participation in one (1) inter-school league fixture.
- Appropriate kit/uniform will be worn to practices.
- The correct match kit/uniform will be worn to inter-school league fixtures.
- Learners travelling to an away fixture will travel in full School uniform, unless other arrangements have been made.
- Sports and other kit must be carried in an appropriate bag.
- Learners playing in home league fixtures may arrive at the venue in their appropriate sports kit/uniforms.

12. ACCOMODATION OF RELIGIOUS OR CULTURAL RIGHTS

Religious practices, conduct or obligations that relate to the core values and beliefs of a recognised religion and that are in conflict with any rule contained in this code of Conduct will be accommodated by a deviation from this Code of conduct by the Governing Body under the following conditions:

- The Learner, assisted by the parent, must apply for a deviation from the standard School rules if such rules are in conflict with or infringe on any religious right of the learner.
- This application must be in writing and must identify the specific rule/s that is/are offensive to the learner's religious right/s as contained in the Constitution of the Republic of South Africa.
- This application must include a reasonable interpretation of the religious right that the learner feels are offended and a suggestion on how the rules may be supplemented by the Governing Body to accommodate such religious rights.
- The learner must provide proof that she/he belongs to that specific religion and THAT THE RELIGIOUS PRACTICES, RULES AND OBLIGATIONS THAT ARE IN CONFLICT WITH THE Schools Code of Conduct are his/ her true beliefs and commitments.
- The religious conduct or practice must be lawful.
- The Governing Body will consider the application and, if it is satisfied that the application is justified in terms of Constitutional principles, the application will be granted in writing.
- When Governing Body allows for deviations from the standard rules, such deviations must be based on core religious beliefs inherent to the religion, and it must be compulsory for the learner to comply with such beliefs.
- The deviation must specify the extent of the exemption from the normal rules and must clearly identify the conduct that will be allowed – e.g., the wearing of a head scarf, including colours and details of design; the growing of a beard; or the wearing of a specific hairstyle or jewellery – and the conditions under which such deviation will be applicable to the learner.
- Cultural rights will be considered in the event that they do not relate to a religion, if such cultural rights manifest in conduct of a permanent nature that is compulsory for the cultural group. This refers to cases where the removal of the cultural jewellery or mark will cause considerable pain

to the learner. Normally, cultural rights are exercised through marks and expressions of a temporary nature that are justified for a specific cultural gathering. The learner must convince the Governing Body that his/her cultural rights can be exercised only through a permanent intervention.

- Any request for a deviation from the Code of conduct based on cultural rights must be in writing.
- **Spiritual manifestation, Initiation and Ukuthwasa rituals**
 - Learners who experience spiritual manifestations or has the need to attend initiation rituals will be allowed to honor their spiritual/religious obligations:
 - The period of time required should not exceed 10 (ten) days.
 - The learner will be supported and updated with any work or assessments missed.
 - No spiritual manifestations are allowed on state property. If a learner experiences any form of manifestation, parents will be notified immediately by the SMT and called to collect him/her immediately.
 - Parents are to handle the processes associated with these rituals privately.

13. MISCONDUCT: WHAT IS MISCONDUCT

“Misconduct: means misconduct committed by a learner and includes the following:

- misconduct committed on the premises of a school, whether during or outside of school hours;
- misconduct committed during any school activity, irrespective of whether it is committed within or outside the school premises, and during or outside of school hours; and
- any conduct, committed in or out of school uniform and within or outside the school premises,

Which:

- tends to bring the school into disrepute;
- interferes with the governance, authority and proper administration of the school;
- interferes with the conditions necessary for any school activity;
- subject to the reasonable exercise of the right to assemble, demonstrate, picket and petition as provided in the constitution, 1996 and the code, is committed with the intention of preventing any person from exercising his or her rights, powers or duties as a member of the school community, or is committed in retaliation against such exercise; or
- is prohibited by the code of the school; “prosecutor” means the principal of the school or an educator appointed by the principal to present the case against a learner; “representative” means a parent of a learner, a co-learner or any other person chosen by the learner to represent the learner at a disciplinary hearing;

“School days” means days of the week, excluding Saturdays, Sundays, public holidays and school holiday;

“Serious misconduct” means misconduct as contained in Schedules 1 and 2:

14. DUE PROCESS

DUE PROCESS guarantees a learner a fair hearing before a learner may be suspended for a period of one week or be expelled from the school by the Head of the Education Department. The SGB will keep a record of the proceedings of the hearing. During the hearing the learner will be allowed legal representation.

15. SERIOUS MISCONDUCT AND THE LAW

Serious misconduct will be investigated by the police and handled in terms of the Government notice and regulations promulgated by the Members of the Executive Council in the Provincial Gazette of the provinces concerned.

16. THE SCHOOL, SOCIAL MEDIA, PHOTOS AND CHILD PORNOGRAPHY

Child pornography is defined in the Children's Act as: “any image, however created, or any description or presentation of a person, real or simulated, who is, or who is depicted or described or presented as being, under the age of 18 years and of an explicit or sexual nature...”

The school makes parents and guardians aware of the possibility of undesirable practices, and impresses upon them that the regular monitoring of learners' IT equipment is essential and primarily their responsibility; and

The school, in conjunction with the governing body, communicates with staff and the learners by way of a well-planned awareness campaign during information sharing sessions with parents, regarding incidents of learners sending nude photos and other undesirable pictures and material to other learners via WhatsApp, and other social media platforms.

16.1. OFFENCES OF A SEXUAL NATURE AND SUGGESTED CORRECTIVE AND RESTORATIVE MEASURES

Level 1

1. Making rude jokes
2. Graffiti of a sexual nature

Corrective measures

- Verbal or written warning
- Written apology to victim
- Temporary suspension from sport

Level 2

1. Circulating offensive material
2. Improper suggestions of a sexual nature

Corrective measures

- Final written warning
- Written apology to victim
- Temporary suspension from sport

Level 3

1. Sexual harassment

Corrective measures

- Perpetrator removed if in the same class as victim
- Possible seven - day suspension
- Rehabilitation programme
- Recommended for expulsion
- Counselling or life skills programme if not expelled

Level 4

1. Persistent harassment
2. Public indecency

3. Sexual assault and rape

Corrective measures

- Reported to police
- Possible seven - day suspension
- Seven – day suspension
- Rehabilitative programme
- Recommended for expulsion
- If not expelled, counselling or life skills programme
- if not expelled learner may not be placed in school adjacent to victim's school

17. BULLYING AND CYBER-BULLYING

All intersen phase learners to sign an Anti-Bullying Pledge at the beginning of each year which will be read by them in assembly.

17. 1. DEFINITIONS:

17.1.1. BULLYING means the use by one or more learners of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a learner, teacher or staff member that:

- a. Causes physical or emotional harm to the learner, teacher or staff member or damage to the learner, teacher or staff member's property;
- b. Places the learner, teacher or staff member in reasonable fear of harm to himself/herself or of damage to his/her property;
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the learner, teacher or staff member;
- d. Infringes on the rights of the learner, teacher or staff member to participate in school activities; or
- e. Materially and substantially disrupts the education process or the orderly operation of our school.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as race, religion, gender and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.

17.1.2. CYBER-BULLYING means bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

17.2 FORMS OF CYBER-BULLYING MAY INCLUDE BUT ARE NOT LIMITED TO:

- a. The creation of a web page or blog in which the creator assumes the identity of another person;

- b. The knowing impersonation of another person as the author of posted content or messages; or
- c. The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses(a) to (e) of the definition of bullying.

AT SCHOOL means:

- a. on school premises,
- b. at any school-sponsored activity or event whether or not it is held on school premises,
- c. on a school-transportation vehicle,
- d. at an official school bus stop,
- e. using property or equipment provided by the school, or
- f. acts which create a material and substantial disruption of the education process or the orderly operation of the school.

17.3 ANTI-BULLYING SCHOOL CLIMATE

Bullying, cyber-bullying, and retaliation against any person is prohibited in all schools.

School staff and SGB shall take all reasonable measures to prevent bullying at school. Such measures may include professional development and prevention activities, parental workshops, and learner assemblies among other strategies.

School staff will model courteous behaviour to each other, to learners, and to school visitors. Abusive or humiliating language or demeanour will not be accepted.

Additionally, learners and their families are expected to exhibit courteous behaviour to all members of the learning community in school and at school events.

17.4. DISCIPLINARY ACTION FOR BULLYING AND CYBER BULLYING

The disciplinary actions for violations of the learner's code of conduct policy has been determined by the SGB. Disciplinary actions for violations of this policy shall balance the need for accountability with the need to teach appropriate behaviour. The severity of the disciplinary action shall be aligned to the severity of the bullying behaviour as determined by the SGB. The range of disciplinary actions that may be taken against a perpetrator for bullying, cyber-bullying shall include, but not be limited to:

- a. Verbal warning
- b. Parent/ Guardian notification and meetings
- c. Detention during breaks
- d. SGB Disciplinary Committee hearing and possible **suspension** or expulsion
- e. Loss of the opportunity to participate in extracurricular activities
- f. Writing an essay about why bullying is hurtful and wrong
- g. Adopt a cop (SAPS) to be called in to speak to learner/s.

- h. Learner referred to GDE social development services for counselling.
- i. Meeting with the learner and their parent.
- j. Mediation (if parent and learner are willing)
- k. Community service
- L. Skill building activities

18. THE RIGHTS OF LEARNERS

Democracy

- All learners and partners at school have the democratic right to due process and to participate in decision – making about matters affecting them at school.

Non-Discrimination and Equality

- No person may unfairly discriminate against a learner.

Privacy, respect and dignity

- Every learner has inherent dignity and has the right to have his/her human dignity respected

Non-violence and the freedom and security of a person

- Every learner has the right not to be treated or punished in a cruel, inhuman or degrading manner. Corporal punishment has been abolished
- Learners have the right not to be locked up in solitary confinement or detention

Freedom of expression and right to demonstrate present petitions

- This includes the right to freedom is not absolute. Vulgar words, insubordination and insults are not protected speech. When the expression leads to disruption in school, this right can be limited
- Learners have the right to agreed procedures with the SGB for expressing and resolving school-related grievances. Problems or issues should, as far as possible be resolved at school.

School Environment

- Learners have the right to a clean and safe environment that is conducive to education.

Education

- The South African Schools Act provides that education is compulsory for learners from the year in which such learners reach the age of 7 years until 15
- In cases of suspension and expulsion, placement in an alternative school setting
- Education and learning can be successful, learners have to be committed to self development
- The right to education includes the right to attend all classes, to learn and be taught in all approved subjects, to be informed about school progress and to make use of all school facilities.

19. RESPONSIBILITIES OF LEARNERS

School and Classroom Rules

Classroom rules are designed to give effect specifically to the relationship between educators and learners in the classroom. All learners will be provided with a copy of the classroom rules

- Learning and School work
- Learners must commit themselves to do their work during classes, completed
- assigned homework and catch up on work missed because of absence. Disruption
- at school is unacceptable.

Security and Care of School Property

It is the privilege and obligation of every learner to protect and carefully use all the facilities and equipment so that others that come after them can also enjoy the privilege.

The parent or legal guardian of anyone who intentionally misuse, damages or defaces any school property should replace it or pay for the property which has been damaged.

School Attendance

- Learners to attend school regularly during school hours. Should a learner be absent his/her parent or legal guardian must notify the school to explain his absence
- Learners should actively participate in the learning process and decision making and have the opportunity to talk about their problems
- There should be a relationship of mutual trust and respect between learners and educators
- The RCL should represent the interests and views of the learners within the school.

20. RESPONSIBILITIES OF PARENTS WITH RESPECT TO THE CODE OF CONDUCT

The ultimate responsibility for learner's behaviour rests with their parents or guardians. Parents are expected to

- Support the school, and require learners to observe all school rules and regulations and accept responsibility for any misbehavior on their part
- Take an active interest in their children's school work and make it possible for the children to complete their homework
- Parents should attend meetings.

21. DISCIPLINARY SYSTEM

All learners will abide by the disciplinary system that has been developed by the SGB to assist and guide learner behaviour in the school. Discipline is a collective effort and not the responsibility of one or two educators or the management staff only.

- Disciplinary process at our school is a **whole-school, relational approach to building school climate and addressing learner behavior** that fosters belonging over exclusion, social engagement over control, and meaningful accountability over punishment in a dignified manner.
- Educators **must** familiarise themselves with the latest learner's code of conduct developed by the SGB (Principal will make available to educators).
- Educators **must** familiarise themselves with **Circular 74/2007** on suspension and expulsion of learners (Principal will make available to educators)

- Each teacher must have a discipline file (A flip file/normal file) for each of the classes they teach. The teacher's discipline file must have a class list (Discipline Heads to hand out to level 1 teachers). Educators to fill in discipline forms and file for each learner in their designated file (class list order). The file is to be kept with the teacher during teaching time.
- All educators to practices positive, empathetic discipline instead of punitive discipline when dealing with learners. A Teacher's approach to learners misbehaving must be that of seeking to understand the behaviour demonstrated by the learner because intervention becomes practical if the teacher understands why the learner is behaving inappropriately.
- Educators to refrain from sending learners to the Discipline Head for level 1 offences e.g. did not bring pencil (extra stationery will be given to educators) or forgot to bring homework (Only spelling words/bonds/timetables).
- Before completing a referral form for a learner on a specific offense, the educator must check in their file if the learner has a pre-existing referral form for the same offense. **Only on the third occasion of a level 1 or 2 offense of the same nature, can the learner be sent to the Discipline Head.**
- Discipline Heads to hand out a timetable to teachers at their first Discipline meeting or on the first day of the new academic year on their official graded Discipline WhatsApp groups to be created by the principal. That timetable will indicate when the Discipline head is available (Day and Time) for teachers to send learners. If there is an emergency that cannot wait, please alert your Disciplinary head in your official graded Discipline WhatsApp group.
- No disruptive learners to be sent out of the class or to sit on the floor (illegal) and they should not be sent to sit with Disciplinary Heads who are also teaching a class (we violate learner's right to education and burden our colleagues). Please request training for classroom management from you Discipline Heads to deal with such issues.
- **Educators are to use the school's disciplinary system outlined in the Learner's code of conduct. Completed referral forms are the first step in triggering the disciplinary process. If referral forms are not completed the discipline system cannot be activated and this impedes the timeous discipline intervention by the Discipline Head.**
- Referral forms also need to be completed correctly and in full (if teachers are having a challenge to complete forms – please ask your discipline head to assist you). **If referral forms are not completed correctly or in full as it is a legal document that could be used in an SGB DC hearing, Discipline Heads will send it back to the educator to complete correctly and in full before attending to the case. Educators to attach all evidence to the referral forms before sending to the Disciplinary Head.**
NB: Educators must attach all evidence of their interventions for specific offences e.g. strategies used from the PRIMM book (page numbers) as well as other strategies employed (evidence must be dated). Classroom management skills will be key. Every week the principal and SMT will post classroom management videos/links/resources for teachers to utilise in their classrooms on the DYDPS Announcements WhatsApp group to capacitate teachers in classroom management strategies.
- **No Teacher/s are allowed to walk into any class and reprimand learner/s for any discipline issue in front of the class or in front of another teacher.** This is a breach of the school's discipline process and Audi Alteram Partem rule (listen to the other side) which is the foundation of our school's restorative positive discipline stance advocated by our SGB. **FOLLOW THE DISCIPLINE PROCESS. ONLY SMT will address a whole class when there is a need.** No teacher should be visiting any classes during lessons for any reason as that is an SMT function. If teachers need urgent assistance contact your Discipline head immediately and do not take matters into your own hand.

- **No teacher/s should be discussing any discipline or personal issues about learner/s in the staffroom, in the classroom, on the playground, in the corridors and in the building in general.** This is unprofessional and unlawful and should only be discussed with the Discipline Head or Academic Head or Principal in SMT offices. **Teacher/s will have to account to the parent/guardian if such incidents take place.**
- Only SMT to contact parents for discipline issues unless otherwise instructed by SMT. All phone calls to parents must be logged by the SMT.
- Teachers are not allowed to create WhatsApp groups with parents. Teachers are not allowed to discuss any issue with parents via WhatsApp as WhatsApp communication with parents is not part of our school's policy.
- Follow up sessions between the Disciplinary Head, the educator and parents can be planned for learners who have exhausted alternative methods of addressing discipline issues before referring to the principal. ONLY Disciplinary Head to set this up.
- Feedback – Disciplinary Head to give feedback to educators within reasonable timeframes and Teachers must also do follow up with their Disciplinary Head within reasonable timeframes for specific cases. Communication between Disciplinary Head and educators about specific cases must be two- way, consistent and on-going to avoid challenges of a lack of support. All Communication must be minuted and signed.
- All Educators must communicate to their Disciplinary Head in writing the kind of support they require to address their discipline challenges.
- The principal/SMT will also organise on going internal and external workshops/webinars/courses for teachers on classroom management skills to continually capacitate teachers.

22. GRADING OF OFFENCES

Offences are graded according to the nature and degree of seriousness of the offences, of which Grade 4 offences are the most serious. See Annexure B, Table 1 for a list of offences making up each of the grades 1, 2, 3 and 4.

23. DISCIPLINARY PROCEDURES:

The grade of an offence will determine the procedure to be followed.

- Grade 1 offence – a written warning followed by a final written warning, then a disciplinary hearing.
- Grade 2 offence – a final written warning followed by a disciplinary hearing, then a tribunal hearing.
- Grade 3 offence – a disciplinary hearing or a tribunal hearing (depending on the severity of the particular offence).
- Grade 4 offence – offence immediately reported to the South African Police Service (SAPS) and a tribunal hearing.

GRADE 1: OFFENCES

1. All grade 1 offences will be dealt with by the educators who must keep a written record of such offences and the disciplinary measure taken.
2. When a third grade 1 offence occurs, the matter is referred to the Grade Head along with the record of all three (3) offences and the Grade Head will issue a written warning. A signed copy of acknowledgement will be kept on record by the Grade Head and communicated to the parent/guardian.
3. Should the particular Grade 1 offence recur after disciplinary intervention has occurred and a written warning has been issued, the staff member will, in consultation with the Grade Head, arrange an interview with the learner. A final written warning will be issued. A signed copy of acknowledgement will be kept on record by the Grade Head and communicated to the parent/guardian.
4. The Grade Head will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's grade educator.

GRADE 2: OFFENCES

1. All Grade 2 offence will immediately be referred to the Grade Head. The staff member will, in consultation with the Grade Head, arrange an interview with the learner. A final written warning will be issued and disciplinary action applied. A signed copy of acknowledgement will be kept on record by the Grade Head and communicated to the parent/guardian.
2. When a second Grade 2 offence occurs after a final written warning has been issued for the first offence, the Grade Head will refer the matter to the Disciplinary committee for a disciplinary hearing. The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that an internal disciplinary hearing has been convened.
3. Should the particular Grade 2 offence recur after the issuing of a final written warning and a disciplinary hearing has occurred, the Disciplinary Committee will refer the matter to a tribunal hearing. The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that a tribunal hearing has been convened.
4. The Grade Head will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learners register teacher.

GRADE 3: OFFENCES

All Grade 3 offence will immediately be reported to the Grade. The Grade Head will refer the matter to the Disciplinary Committee who will, depending on the severity of the offence, determine whether to convene a disciplinary hearing or a tribunal hearing. The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that a hearing has been convened.

GRADE 4: OFFENCES

All Grade 4 offence will immediately be reported to the Grade Head. The Grade Head will refer the matter to the principal who will immediately file a report with the SAPS and convene a tribunal hearing. The parent/guardian will be informed immediately of the offence and be advised in writing, a minimum of five (5) days before the designated date that a hearing has been convened.

24. DISCIPLINARY INTERVENTIONS

“Audi Alteram Partem Rule – listen to the other side” as per regulations must apply in all cases. The following list of interventions and corrective measures used by the school are aimed at correcting behaviour before suspension and expulsion:

1. A verbal warning/reprimand to express breach of code of conduct
2. Detention Class (First 10 minutes of first and second break. Communication to be given to parents prior to detention class. Blue slip and WhatsApp message to parents).
3. Written warning.
4. Final written warning.
5. Removal from classes (Principal and SMT)
6. Parental involvement and referral for counselling.
7. Demerits and Fines to compensate for damages, to cover the cost of repair or replacement of the lost or damaged item, and/or the accumulated fine.
8. Temporary suspension of School-related privileges.
9. Exclusion from School activities and functions, e.g., farewell, academic award ceremony.
10. Withdrawal of recognition, e.g., award.
11. Temporary suspension from class or School (Principal), pending disciplinary hearing **with full and agreed academic support from subject teachers.**
12. Disciplinary hearing (SGB DC Committee)
13. Tribunal hearing (SGB DC Committee)

Failure to comply with interventions and corrective measures will lead to further interventions and may lead to the offence being categorized at a higher grade. Expulsion may be recommended for a Grade 3 and a Grade 4 offence. See Annexure B, Table 2 for a list of the possible disciplinary measures to be applied for Grade 1, 2, 3 and 4 offences respectively.

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

- Conduct that violates the rights or safety of others.
 - Criminal behaviour of any kind.
 - Defacing or destroying school property.
 - Disrespectful or objectionable conduct and verbal abuse directed at teachers, other school employees or fellow learners.
 - Outright defiance of lawful requests or instructions issued by persons in authority.
 - Indulging in harmful graffiti, racism or hate speech.
 - Immoral behaviour or profanity.
 - Possessing, using or displaying evidence of use of any narcotics, unauthorized drugs, alcohol or any other intoxicant.
 - Repeated infringements of the school rules or the code of conduct.
 - Possession of dangerous weapons (guns, knives and other objects which may threaten the lives of learners/teachers).
1. Should a learner be found guilty by a court of law for breaking the law of the Republic of South Africa, the school has the right, after a fair hearing through the Governing Body, to recommend expulsion to the Provincial Department of Education.

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

25. SUSPENSION OF A LEARNER BY THE PRINCIPAL OR DEPUTY PRINCIPAL AS A PRE-CAUTIONARY MEASURE

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

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

26. DISCIPLINARY AND TRIBUNAL HEARINGS

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

- Written warning (disciplinary warning form) (Annexure) 1
 - Final written warning (Annexure) 2
 - Notice of disciplinary hearing (Annexure) 3
 - Record of disciplinary hearing (Annexure) 4
 - Review from (lodging of appeal) (Annexure) 5
1. Written notice of a disciplinary or tribunal hearing will be given at least five (5) school days before the hearing, which could imply temporary suspension from classes, excluding formal scheduled tests and examinations which count towards the year mark.
 2. When a notice is issued to a learner the learner must acknowledge receipt of notice by signing for it. This is not an admission of guilt.
 3. If a learner does not appear at a hearing, the hearing will be conducted in his/her absence.
 4. A written verdict of the hearing will be issued to the offender. The offender must acknowledge the content by signing the document.
 5. A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist. Disregard of punishment of the Disciplinary Committee will lead to temporary suspension pending a hearing.

The Disciplinary Hearing Committee will consist of the following members:

- a Governing Body representative;
- the School Principal or Discipline Officer delegated to oversee this function;
- the Grade Head; and
- the grade educator.

The hearing will also be attended by the learner, and any other learners/he may need his/her defence.

Disciplinary measures that a Disciplinary Hearing Committee may impose include:

- Demerits.
- Suspension from school for a minimum of two days up to a maximum of five (5) days, ratified by the Governing Body, to be effective immediately. This will be put in writing and a copy kept on record.
- Recommendation with respect to counselling /attendance of a life skills programme.
- Progress monitoring process initiated for a minimum of two (2) weeks, followed up by a progress report.
- A written conduct and behaviour warning issued. A signed copy of acknowledgement will be kept on record.
- Payment to cover the cost of repair or replacement of the damaged, lost or stolen item.

The Tribunal Hearing Committee will consist of the following members:

- the Governing Body Chairperson;
- two (2) parent representatives from the Governing Body;
- the School Principal or Discipline Officer delegated to oversee this function; and
- the Grade Head.

The Principal /Discipline Officer will keep on record copies of all documentation relating to the offence, the conduct and findings of the hearing, and the disciplinary measures imposed.

The Principal/Discipline Officer will furnish the relevant Grade Head and register teacher with all the information necessary for their records.

27. PROCEDURE DURING HEARING

- ⇒ The Chairperson of the Committee will lead proceedings and:
 - ♦ Introduce those present and state their functions.
 - ♦ Ensure that witnesses are present only while giving their evidence.
- ⇒ The Chairperson must inform the learner of his/her rights:
 - ♦ The right to a formal hearing.
 - ♦ The right to be present at the hearing.
 - ♦ The right to be given time to prepare for the hearing case.
 - ♦ The right to be given advance notice of the charges.
 - ♦ The right to be represented at the hearing by one (1) internal representative.
 - ♦ The right to be accompanied at the hearing by parents/guardian if the learner is a minor.
 - ♦ The right to ask questions on any evidence produced or on statements of witnesses.

- ♦ The right to call witnesses to testify on his /her behalf.
- ♦ The right to an interpreter .to be requested 24 hours prior to the hearing.
- ♦ The right to appeal within five (5) days against any penalty imposed by the Disciplinary Committee.
- ♦ If the learner does not attend, the hearing will be conducted in his/her absence.

- ⇒ The Chairperson is to explain the nature of the alleged breach or misconduct to those present at the hearing.
- ⇒ The procedure of enquiry is to be explained by The Chairperson. The evidence of the complainant and his/her witnesses will be heard first. The learner and panel may ask questions about the evidence. The learner and his/her witnesses may then give evidence and the complainant and Committee may ask them questions.
- ⇒ When all the evidence has been heard, The Chairperson must close the enquiry; dismiss the complainant, the accused, their representatives, the parent/guardian and all the witnesses.
- ⇒ The Disciplinary Committee must discuss and weigh the evidence and come to a decision.
- ⇒ The Chairperson must reconvene all interested parties.
- ⇒ The Chairperson is to communicate the decision of The Committee.
- ⇒ The Chairperson must explain the decision of The Committee and the reasons for the penalty (if any) that has been imposed.
- ⇒ The Complainant and learner must sign the disciplinary form and a copy must be handed to the learner (If the learner refuses, a witness must sign in the present of he learner)
- ⇒ The learner must be advised of his right to appeal (Annexure E).
- ⇒ The signing of the document by the learner does not imply an acknowledgement of guilt.

28. PROCEDURES FOR MONITORING THIS POLICY

- Policy discussed annually with teachers and learners for clarity

29. TOOLS TO BE USED

- Disciplinary Procedures
- Disciplinary **annexures**

30. PROCEDURES FOR NON-COMPLIANCE OF THIS POLICY

- Disciplinary procedures, in line with the learners's code of conduct (SASA)

31. DATE OF FORMULATION

This policy was formulated in 2012 and will be updated annually

32. DATE OF REVIEW AND TERMINOLOGY UPDATE

This policy will be reviewed and terminology will be updated in the beginning of the next academic year, **2023**, or if directives are issued by the Education department or if amendments are made to the SASA Act 1996.

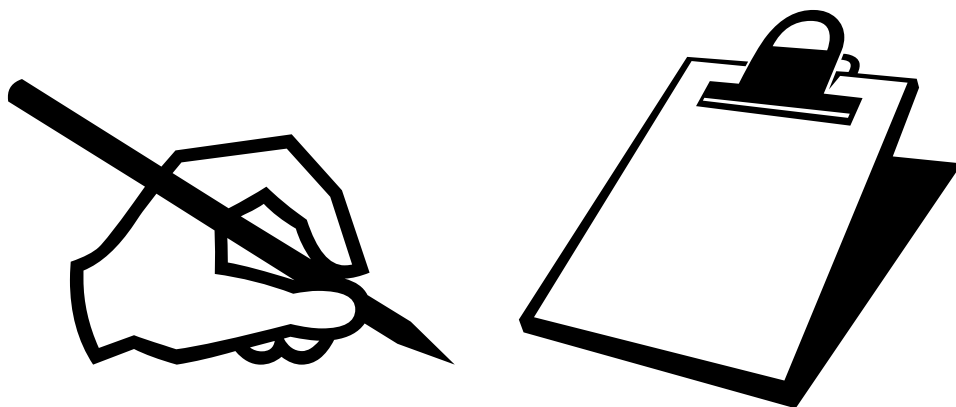
33. RATIFICATION BY SGB

SCHOOL NAME	PORTFOLIO	SIGNATURE	DATE
<i>DR YUSUF DADOO PRIMARY</i>	<i>SGB CHAIRPERSON: Y ISMAIL</i>		
<i>DR YUSUF DADOO PRIMARY</i>	<i>PRINCPAL: MRS J DASRUTH</i>		

34.RATIFICATION BY DISTRICT

NAME	PORTFOLIO	SIGNATURE	DATE
<i>MR L TLHALE</i>	<i>IDSO</i>		
<i>MR L SEOPASENGWE</i>	<i>CIRCUIT MANAGER</i>		
<i>MR V RAJUILE</i>	<i>DISTRICT DIRECTOR</i>		

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)*

Dr Yusuf Dadoo Primary School

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
* 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: - 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	* 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)	* 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	* 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
- 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	* 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	* 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
* failure to: - do classwork set and submit homework - bring the required textbooks, notes, stationery, or equipment to a lesson - hand work in on time * copying another learner's classwork or homework * defacing School property * reporting late for class, relief, or to the exclusion room * use of offensive material to cover books or files * possession and/or use of a cell phone, computer game, iPod and similar electronic devices, during all contact time * arriving late for School without an excuse not	* 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: ■ Verbal reprimand; ■ Written punishment; ■ Detention at break; ■ Subtracting marks or 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/drunken 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

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 DISCIPLINARY 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 DISCIPLINARY 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.

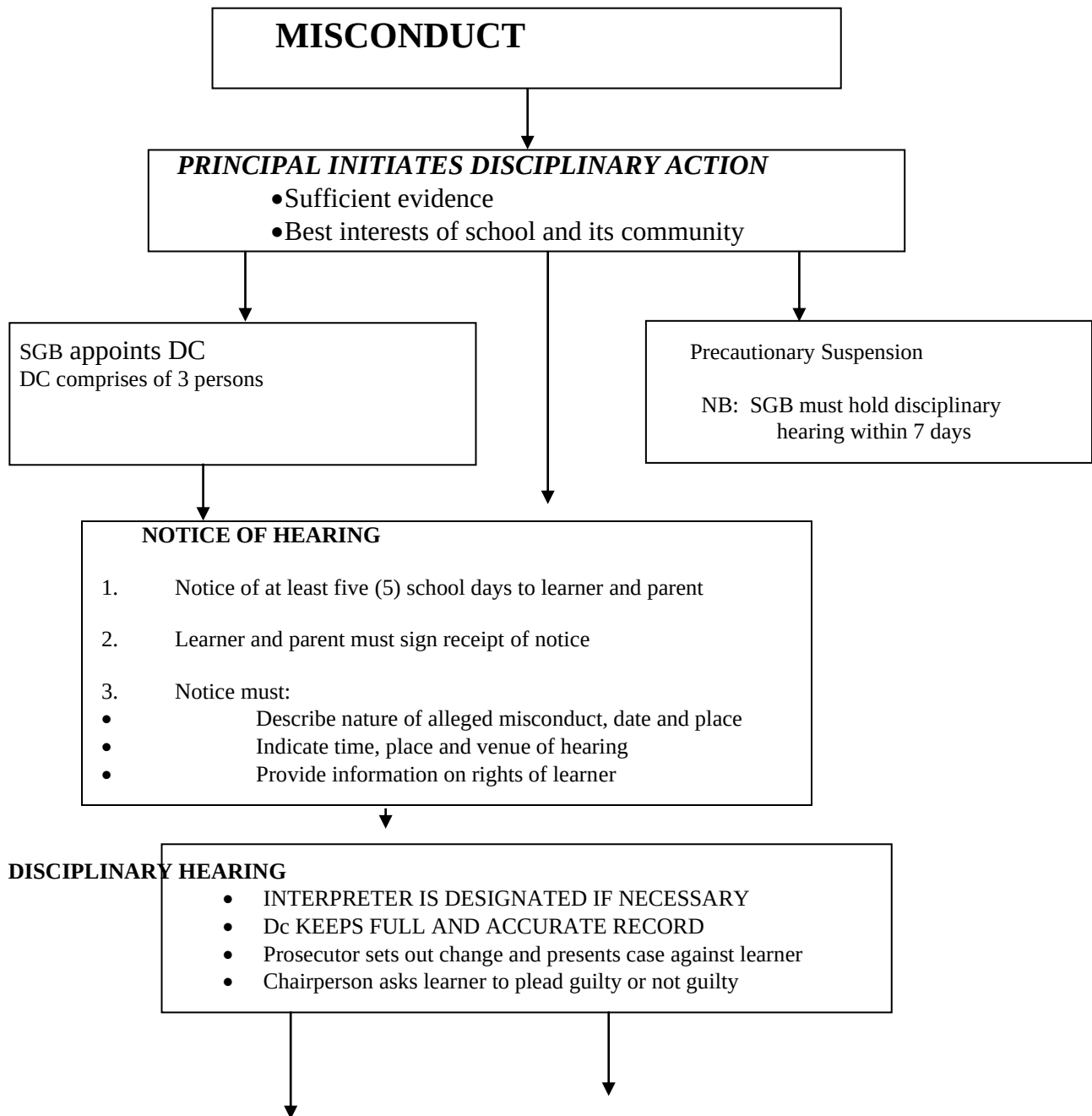
VII. DECLARATION

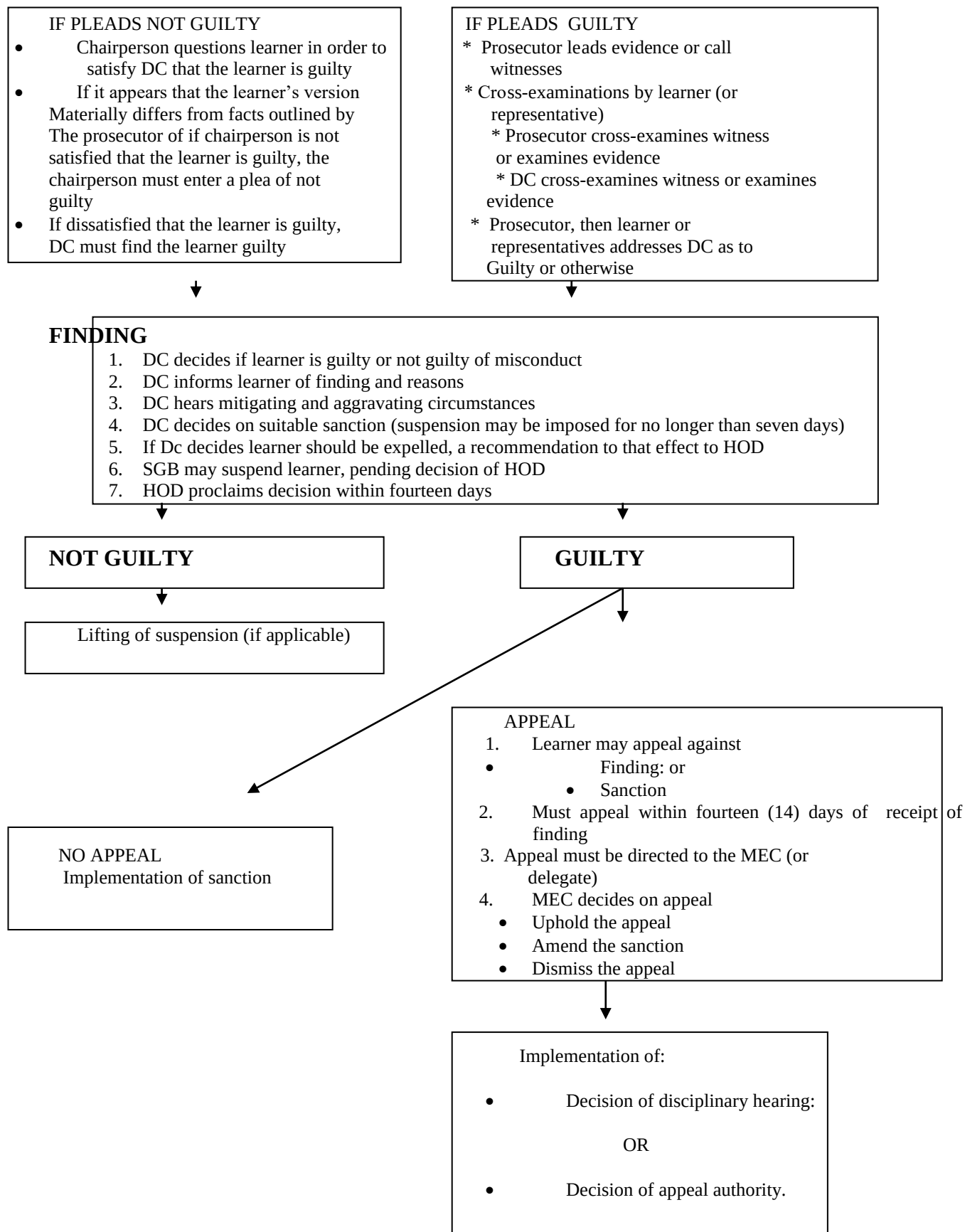
I DECLARE THAT ALL THE INFORMATION SUPPLIED IN THIS DOCUMENT IS TRUE AND ACCURATE

SIGNATURE

DATE

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





[illegible]

RATIFICATION BY SGB

SCHOOL NAME	PORTFOLIO	SIGNATURE	DATE
<i>DR YUSUF DADOO PRIMARY</i>	<i>SGB CHAIRPERSON: MR Y ISMAIL</i>		
<i>DR YUSUF DADOO PRIMARY</i>	<i>PRINCIPAL: MRS J DASRUTH</i>		

RATIFICATION BY DISTRICT

NAME	PORTFOLIO	SIGNATURE	DATE
<i>MR L TLHALE</i>	<i>IDS0</i>		
<i>MR L SEOPASENGWE</i>	<i>CIRCUIT MANAGER</i>		
<i>MR V RAJUILE</i>	<i>DISTRICT DIRECTOR</i>		