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Falesizwe Senior Secondary School



**AIM HIGH**

# **SCHOOL POLICY**

## **Code of Conduct for Learners**

**EFFECTIVE DATE:** 22 MAY 2021

### **REVISION HISTORY:**

As amended on: **22 MAY 2021**

- South African Schools Act Section 9(4) Notice 285 - Reg. 6 (1),(2) and (3)

### **PURPOSE**

Establish a Disciplined and Intentional Environment for The Promotion of Effective Education in the School.

Protect the Rights of all Learners as in the Constitution of South Africa.

That all Learners Associated with this School Uphold the Name of the School with Pride and Dignity thereby not Putting the School to Shame.

Ensure that All Learners Respect their, the Schools, Fellow-Learners, Educators and Non-Teaching Staff's Property.

### **RIGHTS AND RESPONSIBILITIES OF LEARNERS**

- Learners are responsible for regular school attendance.
- The right to work and learn without disturbance by others and not to prevent others from working and learning.
- To commit themselves to doing all work assigned to them, in class or at home, and also to complete work when they have been absent.
- The right to privacy, respect and dignity.
- The right to personal safety and no violence.
- No corporal punishment.
- To a clean, safe and a healthy learning environment with clean water.
- Not to be subjected to physical, intellectual and emotional sexual harassment.

- To develop holistically and to expect educators to maintain a high standard of education.
- The right to freedom of speech.
- Parents are responsible for repairing or paying for any damage caused to school property by a learner should he intentionally damage such.
- Learners may not be sent away from school grounds during school hours without the permission of the Principal or school manager.

The School will reach consensus on a uniform disciplinary structure that is, in spirit and practice, firm, fair, consistent and positive.

A code of conduct gives expression to the norms and values that are prescriptive for and applicable to learners' behaviour, actions and functioning within the school.

A code of conduct (as prescribed by Section 8 (2) of the South African Schools Act) must be aimed at: establishing a disciplined (learners have characteristics such as self-control, responsibility, obedience, excellence) and purposeful school environment (all activities within the school environment are in accord with the vision of the school), dedicated to the improvement and maintenance of the quality of the learning process.

### **OBJECTIVES OF THE CODE OF CONDUCT**

To create a culture of teaching and learning within a school through a discipline system that protects all the learners' right to effective education, their right to human dignity and their right to security.

To give a clear, defined explanation of the behaviour and actions expected of learners so that they can adapt their behaviour accordingly.

To spell out the consistent and uniform actions in the event of infringements and thereby create a feeling of security amongst the learners, in that it is clear to all what is expected from them.

To serve as a gauge for fair and reasonable actions.

To guide the daily functioning of the school and allow activities to happen in an orderly manner.

To realise a safe environment for learners and educators.

To support the objectives, as formulated in the school's mission statement.

### **SCHOOL ATTENDANCE**

- Parents or guardians should ensure that their children attend school punctually and regularly.
- Learners who return to school after being absent the previous day should submit a letter of proof from their parents or guardian in which the reason for their absence is explained.

Parents or guardians should try not to make appointments for learners during school hours.

- If a learner falls ill at school, he or she should report to the office, where the necessary help should be provided.
- Learners may not leave the school grounds without written permission.
- If a learner wants to leave school earlier, a written or telephonic request should be addressed to the office and permission can be granted by the principal or vice-principals.

## **GENERAL NEATNESS OF LEARNERS**

### **Personal Grooming**

- Nails short and clean.
- No jewellery, except watches and/or medical bracelets.
- Only prescription glasses, no sunglasses.
- No make-up.
- No earrings for boys, only studs for girls.

### **Hair (Boys)**

- Short and neat – no ponytails or plaits.

### **Hair (Girls)**

- Hair should be tied with ribbon.
- Straight up

### **School Uniform**

Only the official school uniform and sports clothes of the school except where permission has been granted.

## **GENERAL DISCIPLINE**

The National Department of Education has produced a graded list of misconduct that could be used as a guideline.

When offences regarded as serious misconduct the offenders will appear before the principal and/or School Governing Body, where the suitable punishment will ensue.

### **Level 1 misconduct**

These are regarded as minor and include:

Failure to be in class on time;  
 Bunking class;  
 Failing to finish homework;  
 Failing to respond to reasonable instructions;  
 Being dishonest with minor consequences.

### **Level 2 misconduct**

**These are regarded as somewhat more serious and include:**

Frequently repeated Level 1 misconduct;  
Smoking or carrying tobacco;  
Leaving school without permission;  
**Using abusive language;**  
Interrupting education in the classroom;  
Showing disrespect for another person;  
Engaging in minor vandalism, like graffiti;  
Being dishonest with more serious consequences.

### **Level 3 misconduct**

**These are regarded as serious and include:**

Frequently repeating Level 2 misconduct where action taken by school authorities is considered ineffective;

Inflicting minor injury on another person;  
Gambling;  
Being severely disruptive of classes;  
Forging documents or signatures with minor consequences;  
Racist, sexist or other discriminatory behaviour;  
Possessing or distributing pornographic, racist or sexist materials;  
Possessing dangerous weapons;  
Theft;  
Vandalism;  
Cheating during examinations;

### **Level 4 misconduct**

**These are regarded as very serious and include:**

Repetition of level 3 misconduct;  
Threatening another person with a dangerous weapon;  
Causing intentional limited injury to another person;  
**Verbally threatening the safety of another person;**  
Engaging in sexual activity;  
Selling drugs;  
Possessing or using alcohol or narcotics;  
Disrupting the entire school (eg boycotting or picketing without consent);  
Forging documents or signatures with serious consequences;

### **Level 5 misconduct**

Repetition of level 4 acts;  
Intending to inflict major physical injury on another person (assault);  
Intentionally using a dangerous weapon;  
Sexual harassment;  
Sexual abuse and rape;

Major theft;  
Breaking and entering locked premises;  
Murder

### **Punishment Procedure**

- Any learner who faces suspension should be brought before the school manager.
- The school manager should inform the parent or guardian of the intended action and make arrangements for a fair hearing with the School Governing Body.
- The disciplinary procedures should take place in a fair, open and transparent way and the hearing should be closed to all except the parties involved.

### **GENERAL OFFENCES**

- absence
- late arrival
- offensive language
- improper school uniform
- failure to do homework
- damaging of property

### **Punishment Procedure**

- Verbal or written warning by an educator or the school manager (refer to the disciplinary policy).
- Detention.
- Replacement or repair of damaged property.
- Suspension from certain school activities, e.g. sports, etc. for a specific period.

**Appeal Procedure** to be added .

### **Serious misconduct (Department of Education and Culture) enough to warrant expulsion:**

A learner may be expelled from a school if he or she –

- a) Intentionally violates any regulation in terms of the Act or any provision of the code of conduct framed in terms of Regulation 2 and which may be grounds for expulsion;
- b) In or outside of the building or on or off the premises of the school and whilst under the control of school authorities, intentionally conducts himself/herself in a manner which is or could be seriously detrimental to the maintenance of order and discipline at the school;
- c) Intentionally damages, destroys, uses or appropriates property of the school or another person or body;
- d) Intentionally contravenes any regulation or instruction pertaining to examinations;
- e) Wilfully disobeys a legitimate instruction given by the principal or an educator authorised to do so by the principal;

- f) Intentionally gives false information to the principal or any educator;
- g) Has been convicted in a court of law of a serious offence;
- h) Incites, instigates or procures a fellow learner to contravene or to fail to comply with any regulation or instruction made in terms of this Act, or any rule of such school;

### **RESPONSIBILITIES OF EDUCATORS**

- To respect the learner's right to quality education.
- To diligently execute their duties and responsibilities towards the parents and learner.
- To respect the rights of learners according to the law as set out by the Constitution.
- To fulfil a role that can contribute positively towards the building of a better society by living an exemplary life in the community.
- In cooperation with the parent and learner to fulfil a role that will contribute towards the creation of a climate of healthy learning and education based on sound values and standards.

### **RESPONSIBILITIES OF PARENTS**

- The final responsibility for the behaviour of learners lies with their parents or guardians.
- Parents are expected to:
  - Support learners to comply with all school rules and regulations as explained in the Code of Conduct.
  - Take responsibility for their children's behaviour.
  - Show an interest in their child's school work and make it possible for the child to learn and complete school work in a climate conducive to learning.
  - Attend meetings related to their child's education.

NB: Parents have the right to take steps against any educator, learner or other person who violates the constitutional rights of their children.

**Adopted by the SGB on the 22<sup>nd</sup> May 2021.**

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**Secretary**

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**Chairperson**

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**Principal**

***APPENDIX A" letter informing parents of the fact that their child is required to appear before a hearing of the disciplinary tribunal of the School Governing Body***

(School's address) \_\_\_\_\_

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

(Address of parents of accused learner)

\_\_\_\_\_

**NOTIFICATION OF A SITTING OF A DISCIPLINARY TRIBUNAL**

Dear Mr and Mrs \_\_\_\_\_,

This letter serves to inform you of a meeting of the disciplinary tribunal of this school scheduled to take place on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ at (venue) \_\_\_\_\_ before which your son/daughter, (name) \_\_\_\_\_ ID No: \_\_\_\_\_ is required to appear.

The reason for the tribunal is to consider a charge of misconduct against your child; that he / she allegedly (state nature of the alleged misconduct) \_\_\_\_\_ and to determine what action, if any, should be taken against him/her. It is your right to attend this hearing of the tribunal. Should you not exercise the right the disciplinary hearing will proceed and all decisions taken will be binding on those concerned.

Yours faithfully

\_\_\_\_\_  
(Signature) Chairperson : Governing Body

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Please return this slip to the school. Receipt of the notification dated \_\_\_\_\_ informing me/us of a sitting of a disciplinary tribunal is hereby acknowledged.

\_\_\_\_\_  
Signature of parent/guardian  
***APPENDIX B: letter to a learner accused of misconduct and requiring him/her to appear before a disciplinary tribunal***

(School's address) \_\_\_\_\_ Date: \_\_\_\_\_

(Address of parents of accused learner)

\_\_\_\_\_

\_\_\_\_\_

**NOTIFICATION OF A SITTING OF A DISCIPLINARY TRIBUNAL**

Dear (Insert name of learner) \_\_\_\_\_,

This letter serves to inform you that you are required to appear before a disciplinary tribunal on (date) \_\_\_\_\_ at (venue) \_\_\_\_\_ at (time) \_\_\_\_\_ to answer charges of alleged misconduct, is that you (state nature of the alleged misconduct) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

It is your right to be accompanied by your parents and / or a representative of your choice. Kindly note that should you not appear before the above tribunal the hearing will proceed without you and any decisions taken will be binding on all concerned.

Yours faithfully

\_\_\_\_\_  
(Signature)  
Chairperson : Governing body

Please return this slip to the school. Receipt of the notification dated \_\_\_\_\_ informing me of a sitting of a disciplinary tribunal on is hereby acknowledged.

\_\_\_\_\_  
Signature of learner

**APPENDIX C : letter to parent(s) of a learner in connection with the decision of a Governing Body**

**Warning**

(School's address) \_\_\_\_\_ Date: \_\_\_\_\_

(Address of parents of accused learner)

\_\_\_\_\_  
\_\_\_\_\_

**DECISION OF THE GOVERNING BODY ON THE ALLEGATIONS MADE AGAINST YOUR SON/DAUGHTER : \_\_\_\_\_**  
**ID NUMBER : \_\_\_\_\_**

Dear Mr and Mrs \_\_\_\_\_,

I regret to inform you that the governing body of the \_\_\_\_\_ School, has found your SON / DAUGHTER, \_\_\_\_\_, guilty of misconduct in terms of the Code of Conduct of this school. The clause of the Code of Conduct under which HE / SHE has been found guilty states " \_\_\_\_\_

"

In view of the above decision and owing to mitigating factors submitted at the hearing, the decision is to warn your SON / DAUGHTER that a similar finding of guilty, in the future, may lead to HIS / HER suspension or expulsion from this school.

Your assistance in making the rest of your SON'S / DAUGHTER'S stay at this school happy and constructive, will be greatly appreciated.

As stated at the hearing, you have the right of appeal against this decision to the Secretary of the Department of Education and Culture.

Yours faithfully

\_\_\_\_\_  
(Signature) Chairperson : Governing Body

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Please return this slip to the school. Receipt of the notification dated \_\_\_\_\_ of the decision of the Disciplinary Tribunal on the allegation against my son/daughter is hereby acknowledged.

\_\_\_\_\_  
Signature of parent/guardian  
**APPENDIX D: letter to parent(s) of a learner who has been suspended for one week from attending the school**

***Suspension for One week***

(School's address) \_\_\_\_\_ Date: \_\_\_\_\_

(Address of parents of accused learner)

\_\_\_\_\_  
\_\_\_\_\_

**DECISION OF THE GOVERNING BODY ON THE ALLEGATIONS MADE AGAINST YOUR SON/DAUGHTER : \_\_\_\_\_ ID NUMBER : \_\_\_\_\_**

Dear Mr and Mrs \_\_\_\_\_,

I regret to inform you that the Governing Body of the \_\_\_\_\_  
\_\_\_\_\_ School, has found your SON / DAUGHTER,  
\_\_\_\_\_, guilty of misconduct in terms of the Code of Conduct of this school.  
The clause of the Code of Conduct under which HE / SHE has been found guilty states  
"  
\_\_\_\_\_  
"

In view of the above the governing body has decided to suspend your SON / DAUGHTER from attendance at this school for the week commencing on \_\_\_\_\_ (DATE) and ending on \_\_\_\_\_ (DATE).

On your SON'S / DAUGHTER'S return to school it would be appreciated if you could accompany HIM / HER so that we could discuss HIS/HER future attendance at this school with a view to making it happy and constructive.

As stated at the hearing, you have the right to appeal against this decision to the Secretary of the Department of Education and Culture.

Yours faithfully

\_\_\_\_\_  
(Signature) Chairperson : Governing Body

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Please return this slip to the school. Receipt of the notification dated \_\_\_\_\_ informing us of the decision of the Governing Body to suspend my son/daughter for a period of one week, is hereby acknowledged.

\_\_\_\_\_

Signature of parent/guardian

**APPENDIX E: letter to parent(s) of a learner in connection with the decision of a Governing Body**

**Expulsion**

(School's address) \_\_\_\_\_ Date: \_\_\_\_\_

(Address of parents of accused learner)

\_\_\_\_\_  
\_\_\_\_\_

**DECISION OF THE GOVERNING BODY ON THE ALLEGATIONS MADE AGAINST YOUR SON/DAUGHTER : \_\_\_\_\_ ID NUMBER : \_\_\_\_\_**

Dear Mr and Mrs \_\_\_\_\_,

I regret to inform you that the Governing Body of the \_\_\_\_\_ School, has found your SON / DAUGHTER, \_\_\_\_\_, guilty of misconduct in terms of the Code of Conduct of this school. The clause of the Code of Conduct under which HE / SHE has been found guilty states " \_\_\_\_\_

"

In view of the above it has been decided to recommend to the Secretary of the Department of Education and Culture that your SON/DAUGHTER be expelled from this school. Pending the decision of the Secretary your SON/DAUGHTER will be suspended from attending this school with effect from \_\_\_\_\_ (Date).

As soon as the Secretary has made HIS/HER decision you will be informed in writing.

Should you wish to appeal against the decision of the Secretary, you have the right to appeal to the Member of the Executive Council of the Province who is responsible for Education and Culture.

However, should your appeal be unsuccessful and since your SON/DAUGHTER is of compulsory school-going age, please contact the local District Office, address: \_\_\_\_\_ telephone number: \_\_\_\_\_ to make arrangements for the placement of your SON/DAUGHTER at another school.

Yours faithfully.

\_\_\_\_\_  
(Signature) Chairperson : Governing Body

Please return this slip to the school. Receipt of the notification dated \_\_\_\_\_ informing us of the decision of the Governing Body to expel my son/daughter is hereby acknowledged.

\_\_\_\_\_

Signature of parent/guardian

**APPENDIX F : letter to parent(s) of a learner in connection with the decision of a Governing Body**

**Not Guilty**

(School's address) \_\_\_\_\_

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

(Address of parents of learner)

\_\_\_\_\_  
\_\_\_\_\_

**DECISION OF THE GOVERNING BODY ON THE ALLEGATIONS MADE AGAINST YOUR SON/DAUGHTER :** \_\_\_\_\_ **ID NUMBER :** \_\_\_\_\_

Dear Mr and Mrs \_\_\_\_\_,

I am pleased to inform you that your SON / DAUGHTER, \_\_\_\_\_ has been found not guilty of the allegations made against HIM / HER, i.e. that HE / SHE

\_\_\_\_\_  
\_\_\_\_\_

I assure you of our full support in making the rest of your SON'S / DAUGHTER'S stay at school enjoyable and constructive.

Yours faithfully

\_\_\_\_\_  
(Signature) Chairperson : Governing Body

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Please return this slip to the school. Receipt of the notification dated \_\_\_\_\_ informing us of the decision of the Governing Body on the allegations made against my son/daughter is hereby acknowledged.

\_\_\_\_\_  
Signature of parent/guardian