

**LAERSKOOL**



# **CODE OF CONDUCT FOR LEARNERS**

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1. **TITLE OF THE POLICY:**  
Code of Conduct for learners of Laerskool Tygerpoort

2. **EFFECTIVE DATE:**  
28 Augustus 2024

3. **DATE OF NEXT REVIEW:**  
August 2027

4. **REVISION HISTORY**

<b>As amended on:</b>
4.1 30 November 2022
4.2 28 August 2024

5. **VISION AND MISSION OF THE SCHOOL**

5.1 **VISION:**  
As per the School's vision.

5.2 **MISSION:**  
As per the School's mission

6. **PREAMBLE**

6.1 This code is governed by a Primary Rule that runs like a thread throughout: **NO UNRULY BEHAVIOUR OF ANY LEARNER MAY INTERFERE WITH TEACHING AND LEARNING.** The SGB of the School has adopted this Code of Conduct (the Code) in accordance with the South African Schools Act, 1996 and the National Regulations for the Compilation of a School's Code of Conduct, in order to clearly communicate standards for all expected learner conduct, the disciplinary consequences which may be applied to all learners who violate those standards, and the applicable procedures for the implementation of disciplinary consequences.

6.2 This code of conduct replaces any previous code of conduct. This legally enforceable Code is the version that will be used to implement any disciplinary actions against any learner of the school and to which all learners of the school must adhere to.

6.3 The Learner Code of Conduct was developed to assist learners, parents and educators to know their rights and concomitant responsibilities and for learners to avoid engaging in unacceptable conduct. A condensed form or extraction of the Code is published in the school diary with referral to the complete code which is available from the office during school hours and/or on the school website. This code of conduct replaces all other disciplinary procedures, rules and regulations previously published and must be read in conjunction with all relevant policies of the school.

6.4 Discipline is the positive direction of behaviour toward established standards of conduct, fully understood, and based on reason, judgement, and the rights of others. The school, community and parents share the responsibility for helping the learner develop self-discipline. If self-discipline fails, disciplinary actions must be imposed to protect the learner and to ensure the rights of others in the school community. Therefore, all learners are obliged to comply with the Code without fail. Learners must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects learner attitudes and influences learner behaviour.

6.5 The School has the legal authority to create and enforce rules related to learner conduct and behaviour while on school property, traveling to or in attendance at a school-sponsored or school-related event or activity, whether on or off school premises. The School and the SGB, if escalated to an external disciplinary hearing of the SGB, has the authority to issue disciplinary consequences and sanctions for certain other learner conduct that relates to, affects, or shares a nexus with the School, its learners, or its employees regardless of when or where the conduct occurs.

The School may also issue discipline based on a learner's use of any digital/ electronic/social media, whether on or off the school premises. The Code of Conduct is published once a year and may not contain subsequent changes in policy or procedure. When a policy or procedure is revised, the change will be communicated through school newsletters/circulars or other means of communication, at which time the published revision shall replace previous information.

- 6.6 Learners and parents/guardians accept that sanctions implemented in terms of the Disciplinary Procedures is legitimate, impartial, absolute, binding, and is a consequence of the breach of Code of Conduct and other school regulatory policies. All participants involved are urged to refrain from bias, interpersonal difficulties, abuse of power, or dislike that may compromise the authority of the School's Disciplinary Committee, due process, fairness, and equity.
- 6.7 All learners attending the School are bound by the Code of Conduct of that School and nothing shall exempt any learner from complying with the code and all school rules. Parents and learners are encouraged to contact the head of management (discipline) with any questions or concerns regarding the requirements and provisions of the Code. Parents/Guardians should attend any meeting convened by the SGB/SMT for them. Ignorance of the prescripts of the Code, school rules and any related policies by a parent and any learner is no excuse.
- 6.8 Parents and learners are expected to read and be familiar with the provisions of the Code. Lack of knowledge or awareness about any School rules, including this Code, will not excuse violations of the Code. All learners and/or their parents attending the School are expected to sign a statement of commitment to the Code of Conduct in the School Diary or on the acceptance form which forms part as one of the appendices of the Code. Ignorance or lack of knowledge or any claim thereto of the prescripts of the Code of Conduct and any school rules and related policies is not an acceptable excuse.
- 6.9 Parent cooperation is essential to achieving the School's vision and mission and ensuring that learners learn in a safe, secure and positive environment. Parental involvement and cooperation are vital in the discipline process. Parents should understand and be familiar with the Code, ensure that his or her child understands and seeks to comply with this Code, and assist the school in counselling learners regarding appropriate behaviour and abide by the sanctions of the school and/or the DH. Parents are also obliged to accept that compliance with sanctions may, on occasion, cause disruption and inconvenience to the learner's family but that this is often a consequence of discipline and Parents agree to support the school in its endeavours in this regard.
- 6.10 It is beyond the scope of this Code, related school rules and policies to identify all potentially relevant laws, rules, or regulations and national, provincial and school policies that may apply to a specific disciplinary case. It must be clearly noted that the Code of Learner Conduct, although comprehensive, is still not an exhaustive representation of every possible example of inappropriate behaviour for which any learner may receive a disciplinary consequence/sanction and any learner committing an act of misconduct not listed in the Code will still be subject to the discretionary disciplinary authority of the principal and/or his/her designate.
- 6.11 In this policy, any reference to any one gender includes the other genders (where applicable). The reference to any word in the singular shall include a reference to the plural (where applicable); and a reference to the plural shall include a reference to the singular.

## **7. PURPOSE AND AIMS OF THE CODE**

- 7.1 The purpose of the Code is to set out the parameters within which learners should behave in order to protect and promote the integrity and security of each learner and all members of the school community. The school is made up of a number of cultures and the Code of Conduct aims to promote and protect this unique character. It seeks to establish and maintain an attitude of respect, tolerance and reconciliation among learners themselves and respect for educators and other adults in the service of the school. Furthermore, the code aims to nurture an attitude to life characterised by self-discipline, exemplary behaviour and a striving for maturity. In accordance with the spirit of this Code of Conduct, it is expected of each learner to conduct himself or herself in a manner which will promote the well-being, good name and image of the school, as well as the self-image of each learner.

7.2 All alleged acts of Serious Misconduct must be dealt with through the process described in this code of conduct and related policies and legislation, and this means that the Parents, Learners, Staff and the Management of the school accept that the final decision as to whether or not an act of serious misconduct has occurred, rests with the principal who makes a recommendation to the SGB for the holding of a SGB Disciplinary Committee of the School. These procedures make provision for an appeal and once again, the Parents, Learners, Staff and the Management of the school accept that the outcome of the appeal hearing or appeal to the School authorities is final and binding and that no person outside the hearing is in a position to make a judgment of this nature, because they have not heard all the evidence.

### 7.3 Aims and Objectives of the Code

7.3.1 To ensure that no learner is unlawfully and unfairly treated and conversely the rights of others in the school is equally protected in the same manner.

7.3.2 To foster mutual respect and establish a culture of tolerance and peace amongst learners and educators in the school.

7.3.3 To ensure that the administrative procedures for disciplinary processes are clearly defined and due process and fair treatment for every learner, assuring each an opportunity to be heard, provided that such opportunity is not misused to circumvent the process through disruptive and malicious behaviour during the processes.

7.3.4 To provide substantial guidance for behaviour standards and expectations for learners.

7.3.5 To define and establish the responsibilities and rights of learners.

7.3.6 The Code establishes the consequences for violations of the rules of conduct. Violations that are not considered serious, or those that do not require formal disciplinary action to be enforced, can be dealt with by the educator, without the consent of the principal. Informal disciplinary action is not generally recorded on the learner's record but in certain cases may still require communication with the parents/guardians.

7.3.7 Describes the procedures for processing disciplinary violations.

7.3.8 The Code is the foundation that should foster a wholesome learning and educational environment within school.

7.3.9 The Code affords each learner an uninterrupted opportunity to pursue academic excellence provided that the learner does not behave contrary to the Code.

7.3.10 The Code provides rules for the safety and welfare of the whole school community.

7.3.11 The Code does not, in any sense, weaken the position of the Principal, SMT and educators and SGB with regard to the maintenance of good conduct and order in the school.

## 8. TERMINOLOGY AND ACRONYMS

### 8.1 Terminology

Term	Definition
Abscond	Means leaving school or a school activity without permission or prior arrangement with the principal or his/her delegate and/or staying away for a period longer than one day. Also see truant/bunking.
Absent from School	Absent from school means being found away from their school facility, during official school hours on days when the school is in session, and during all other times when learners are supposed to be in school, or to be present at a place and time as required from the learner or during any register period.

Term	Definition
After-school detentions	To be served when convenient for the school: Learners' schedules are not considered when scheduling detention.
Aggravation	Factors given by the Evidence leader during the Disciplinary Hearing to convince the chairperson and members of the Disciplinary Committee regarding the sanction that should be given.
Alcohol/Alcoholic Beverage	Those substances as defined in the Liquor Act as well as any drug, or substance or any liquid containing alcohol.
Allege	Claim or assert that someone has done something illegal or wrong, typically without proof.
Allegation	An allegation is a claim that something happened. It must be proved.
Arson	<p><b>Arson is:</b>  A crime and/or misconduct that involves starting a fire or causing an explosion with intent to destroy or damage:</p> <ol style="list-style-type: none"> <li>a. Any vegetation, fence or structure on open-space land; or</li> <li>b. Any building, property/belongings of others, habitation or vehicle.</li> <li>c. An act that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or</li> <li>d. An act that involves intentionally starting a fire or causing an explosion and in so doing: <ol style="list-style-type: none"> <li>i. Recklessly damages or destroys a building and/or any belonging of another, or</li> <li>ii. causes another person to suffer bodily injury or death as a result of the fire or attempt to start a fire in any way or as a result of any action.</li> </ol> </li> </ol>
Assault/Threaten to assault/Fighting (Physical)	<p>Assault (including any physical altercation or fight) consists of unlawfully and intentionally:</p> <ol style="list-style-type: none"> <li>a. applying force to the person of another;</li> <li>b. inspiring a belief in another person that force is immediately to be applied to him or her;</li> <li>c. an act done or undertaken with intent to cause fear in another of immediate bodily harm or even death;</li> <li>d. the intentional infliction of or attempt to inflict bodily harm upon another; or</li> <li>e. the direct or implied threat to do bodily harm to another with the power and present ability to carry out the threat.</li> <li>f. application of force, directly or indirectly, to another person, or</li> <li>g. threatening another with immediate personal violence in circumstances which lead the threatened person to believe that the other person or group of persons who is threatening him/her/a group of learners/any other person intends or has the power to carry out the threat.</li> <li>h. Harm may include, but is not limited to, significant injuries such as swelling, bleeding, concussions, broken bones, sprains, or where medical attention was sought for any injury and/or emotional stress.</li> </ol> <p><b>Note:</b>  A learner might be disciplined both for bullying and sexual harassment, in an appropriate situation, or bullying and assault.</p>
Assault with intent to cause grievous bodily harm (GBH)	This is another form of assault, however, committed with the intention to cause serious bodily injury

Term	Definition
At School/On school premises/ during any school activity	Is defined as in a classroom, elsewhere on school premises, on a school bus or other school related vehicle, or at any school-sponsored activity or event whether or not it is held on school premises where a learner can be identified as a learner of the school in or out of school uniform, in or out of school hours.
[The Principle of a] Balance of probabilities	Means a preponderance of evidence. In a disciplinary hearing of the school, one party's case needs only be more probable than the other. To state that a case is proven on a balance of probabilities means that it is more likely than not to have occurred. It means that it is probable, i.e., the probability that some event happened is more than 50%.
Belief on Reasonable Grounds	In this regard what is reasonable depends on context and the nature of the item in question. "Belief on reasonable grounds" does not mean "absolutely certain" but based on the principle of a balance of probabilities.
Best Interests of the Child Principle	This principle that the best interests of the child principle establishes that every decision or measure that is adopted and concerns or involves a child or a group of children, must be made by prioritising their rights, interests and needs. It promotes the dignity of all children without exception, and guarantees their integrity, their holistic development and the full and effective enjoyment of all the rights they are entitled to. The application of this principle involves an ongoing process of assessment of the effects of a given situation on the rights of children, taking into consideration the context, the moment and, of course, their opinion and any special needs they may have or the lawful restriction of such a right.
Breach of Computer Security	<ul style="list-style-type: none"> <li>a. Knowingly accessing a computer, computer, hand held mobile device, network, or computer system without the effective consent of the owner.</li> <li>b. Accessing a computer, computer network, or computer system owned by or operated on behalf of the school and the learner knowingly alters, damages, or deletes school property or information; or commits a breach of any other computer, computer network, or computer system.</li> <li>c. Infects the school system with any computer virus/ hacking programme.</li> </ul>
Breaking and Entering	Means any act of unlawfully entering with force, or any unauthorised presence and/or entry into any building or other structure, or conveyance (vehicle) of the school or any school employee or any learner with the intent to damage or remove property without permission or theft of property or destruction of property, or harm to a person or persons in doing so.
Bullying/Cyber Bullying	<ul style="list-style-type: none"> <li>a. Written, online, digital or verbal expression or physical conduct that (1) has the effect of physically harming a learner, damaging a learner's property, or placing a learner in reasonable fear of harm to the learner's person or of damage to the learner's property; or (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a learner.</li> <li>b. Furthermore, cyberbullying is also when a person is tormented, threatened, intimidated, extortion of any kind is exerted on another, black mailed (emotionally or otherwise), harassed, humiliated, embarrassed or otherwise targeted by another person using the Internet, interactive and any digital technologies and devices and/or cell/smart phones.</li> </ul>

<b>Term</b>	<b>Definition</b>
Bunking	See Truancy.
[Unruly] Bus Conduct	The act of engaging in conduct or behaviour, which interferes with the orderly, safe, and timely transportation of learners.
Campus	See school premises.
Caution or Verbal Reprimand/ Warning	Refers to an informal verbal caution/reprimand/ warning by the Principal or any other educator, in any circumstances or any place.
Charge Sheet	The charge sheet is merely a description of misconduct alleged or reported and not proved against the learner which requires proof of evidence and inquiry based on a balance of possibilities. By no means does it mean that the disciplinary committee has already reached a conclusion.
Chairperson [Presiding officer]	The chairperson is the person in charge of the tribunal [SGB DC]
Cheating	<p>Cheating includes any attempt to give or obtain unauthorised assistance relating to the completion of any academic assignment/test/examination/assessment using any method, notes, textbook, script or device.</p> <p>This includes assisting another to commit an act of academic dishonesty or allowing someone to do these things for one's benefit.</p> <p>The act of inappropriately and deliberately distributing or using information, notes, materials, or work of another person in the completion of an academic exam, test, or assignment. Not telling the truth.</p>
[The] Code (CoC)	Means the code of conduct of the school, rules and related policies.
Contempt of Disciplinary Hearing Proceedings/ Disciplinary Committee	<p>Contempt of the school's disciplinary proceedings/ Disciplinary Committee consists of:</p> <ol style="list-style-type: none"> <li>Violating the dignity, repute or authority of a disciplinary committee member in his/her capacity as a member of the said committee; or</li> <li>Unnecessarily disrupting or interrupting the disciplinary proceedings of the committee;</li> <li>Ignoring the directives of the presiding officer;</li> <li>Being disruptive and shouting or interrupting the presiding officer or any member;</li> <li>publishing information or comment concerning a pending proceeding which has the tendency to influence the outcome of the proceeding or to interfere with the proceedings or ignoring the lawful process pre, during or post the proceedings</li> <li>Involving officials of the GDE when it is contrary to the regulations regarding the disciplinary proceedings or before the HoD has made any findings.</li> </ol>
Contraband	Means any unauthorised item in the possession of any learner or in the possessions of any learner or which was in his/her possession before it was seized or observed, which is prohibited by the Code, any school rule, and/or school policy and/or any legislation law or stolen or taken or used without permission.
Controlled substance	See Drug/Medicine
Crimen Injuria/ Affecting the dignity of another	Means the unlawful and intentional violation of the dignity or privacy of another person, in circumstances where such violation is not of a trifling nature.
Cyber Misconduct	Means any cyberstalking, cyberbullying, or online harassment. The use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic

Term	Definition
	bulletin boards, and social media sites/platforms/Apps to harass, abuse, bully, or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, malware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, non-consensual recording of sexual activity, and non-consensual distribution of a recording of any sexual activity/improper behaviour. (Also see cyberbullying)
[School] Diary	Learners are issued with a School diary at the beginning of the year. The purpose of this diary, as with any diary, is to record any information necessary for a productive day at School. Homework, sports kit, events, research and personal reminders should be written down daily.
Dangerous Behaviour	Behaviour by a learner that is a threat to the safety of other learners and/or others in the School Community.
Dangerous Object [possession of]	<p>a. The act of possessing or using devices which are designed to inflict or could inflict pain or injury to another individual.</p> <p>b. The act of possessing any item, although not specifically designed to do harm to another person, which is used to cause or attempt to cause injury, or is used to put someone in reasonable fear or have them believe they are in danger of being injured or harmed in any way, and/or the item is considered disruptive at school.</p> <p>(Also see assault).</p>
Days [School Days]	Means days of the week, excluding Saturday, Sundays, public holidays and any school holidays.
Deadly conduct	Deadly conduct occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly stabbing or injuring another person or discharging a firearm/weapon in the direction of an individual, habitation, building or vehicle.
Defamation	Defamation consists of the unlawful and intentional publication or distribution of matter that impairs another person's reputation and or dignity be it, orally, written or online.
Defeating or obstructing the course of justice in terms of the Code	The transgression of defeating or obstructing the course of justice in terms of the Code consists of unlawfully and intentionally engaging in conduct which defeats or obstructs the course or administration of the orderly and lawful management of the school. This may also include refusing to adhere to a lawful command or to be tested for the use of any illicit substance, being subjected to a search and/or to adhere to any sanction.
Defiance of Authority/Wilful Disobedience/ Insubordination	Means a flagrant or hostile act challenging the authority of any school staff member, bus driver, or any other adult in authority and/or any act of deliberately refusing, or failing to follow a direction or an order from a school staff member, bus driver, or any other adult in authority at school.
Detrimentially Affect the Learning Environment	Anything in the school environment that has a negative or disruptive effect on learning or general discipline.
Disciplinary Committee	A Disciplinary Committee is convened by the school to hear any learner misconduct as indicated in the policy.
Disciplinary Action/ Procedures	Action taken in terms of this policy, other school rules and policies and legislation.
Disciplinary Hearing	An administrative tribunal convened by the Disciplinary Committee of the school to facilitate the hearing of facts and/or

Term	Definition
	evidence regarding accusations of alleged misconduct by an accused learner and or group of accused learners. Hearings will take place in the language of learning and teaching of the school and the outcome is based on the principle of a balance of probabilities.
Disciplinary Process/ Action	Means the processes and procedures set out in this code of conduct and other rules, procedures and legislation.
Dishonesty [Cheating/lying/being/cribbing/untruthful]	<p>Dishonesty, in connection with any school activity. Acts of dishonesty include, but are not limited to:</p> <ol style="list-style-type: none"> <li>a. The commitment of the acts of cheating, lying, stealing and deceit in any of their diverse forms is dishonest.</li> <li>b. Cheating, plagiarism or other forms of academic dishonesty</li> <li>c. Knowingly furnishing false information to any educator/staff member of the school/any member of the SGB/any parent or other person.</li> <li>d. Knowingly aiding and abetting, directly or indirectly, other parties in committing dishonest acts is in itself dishonest.</li> <li>e. Forgery, alteration or the unauthorised use of any school documents, records or identification.</li> <li>f. Bribery or intimidation in relation to results of competency.</li> </ol>
Disruptive learner	Means any learner who is substantially disruptive of the educational process/school activity or substantially interferes with the educator's or a coach's authority over the classroom/school activity or interferes with a bus driver's ability to safely operate a school bus or any other form of transport on or off school premises in or out of school hours and as described in the Code. (Also see disruptive or obstructive conduct/behaviour).
Disruptive or obstructive conduct/behaviour	<ol style="list-style-type: none"> <li>a. The term "disruptive" or "obstructive conduct" means conduct by a learner or parent, not protected by law, that interferes with, impedes, or otherwise unreasonably hinders the normal teaching, learning, administrative, or other functions, procedures, services, programmes, or activities of the school.</li> <li>b. The term includes disorderly conduct, breach of the peace, lewd or obscene/immoral conduct, obstruction of pedestrian or vehicular traffic, or interfering with the orderly conduct of school investigations or disciplinary proceedings, including interfering with or retaliating against any complainant, witness, or other participant. (Also see disruptive learner).</li> <li>c. Any learner being openly disruptive during any class/school activity in or outside of school hours or on or off school premises in or out of any school uniform.</li> <li>d. Engaging in verbal outbursts, and talking loudly to other co-learners independent of class discussion/instruction during any school activity.</li> <li>e. Talking in an openly abusive manner or disrespectful manner to any educator/adult and/or to other learners in a class/during any school activity in or outside of school hours or on/ off school premises in or out of any school uniform.</li> <li>f. Disregarding any lawful verbal and/or written instruction relative to expected conduct during classroom instruction.</li> <li>g. Initiating or participating in any inappropriate conduct that disrupts classroom activities.</li> </ol>

Term	Definition
	h. Using any device to cause disturbance inside or outside the classroom/school activity during educational instruction.
Dress Code	Means the established an acceptable dress code policy to which all learners shall comply unless deviations have been approved by the SGB for individual learners.
Drug abuse/Drug	Drug abuse refers to the use of any chemical substance which has the potential of being abused of which cocaine, Ibuprofen, marijuana [dagga/cannabis], heroin, LSD, ecstasy, alcohol, tobacco as well as appetite suppressants, caffeine pills, diet pills or liquids, cough mixtures, controlled substances, thinners, Valium, Welconol, synthetic drugs, cough mixtures, codeine, opioids are but a few. It refers to the excessive use of any chemical substance which results in the impairment of an individual's mental, emotional or physical state of wellbeing.
Due Process	The recognition that certain procedures underpinned by fairness and just application of laws, rules and regulations are applied in decisions which may affect the right and interests of a learner.
E-Cigarette [Vape/Twisp]	Means an electronic cigarette, vape, disposable vape or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, vape, twisp or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.
Educator	Means any person, excluding a person who is appointed to exclusively perform extracurricular duties, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and education psychological services at school.
Electronic/Social media/ devices/mobile devices/ handheld devices/cell phones	Refers to all forms, kinds and types of electronic devices, communication systems, networks, software, websites, and any other technology resources including, but not limited to, social media, text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing or file sharing Web sites, any Apps, cellular telephones, smart phones, portable electronic devices, any type of computers.
Evidence	In context of the code this term refers to: a. the available body of facts or information indicating whether a belief or proposition is true or valid based on the principle of a balance of probabilities; and/or b. evidence is anything that you see, experience, read, or are told that causes you to believe that something is true or has really happened. c. It is information used to show what happened. It can, be testimony, documents or other things, videos, electronic images, sound recordings, CCTV footage. A person can write down what happened in an affidavit or say what happened in testimony. A person can also explain how a document helps show what happened.
Excessive use of alcohol, or abuse of alcohol	"Excessive" use of alcohol, or "abuse" of alcohol, is taken to mean sufficient use to bring persons into a clearly visible state of intoxication, such as would make one embarrassed to be associated with them.

Term	Definition
Extracurricular Activities	“Extracurricular activities” are defined as: any school sponsored program where learners from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/interscholastic athletics, sports activities and matches and competitions, choral, any activities, or field trips, and club activities.
Excused absences	Include: medical, court, academic field trips, death in family, or exceptional circumstances. Absences shall be documented with parent notes, doctor’s notes, court notices, or other authorised documentation to verify the absences as determined and accepted by the principal.
Expulsion	Means the permanent removal of a learner from a school as instructed by the SGB.
Extortion	Extortion consists of taking any undue emotional or other advantage from another by intentionally and unlawfully subjecting that person to pressure which induces him or her to submit to the taking. In law it is a criminal offense of obtaining money, property, or services from an individual or institution, through blackmail. (Also see victimisation and intimidation).
Failure to comply	Means refusal or failure to comply with any lawful instructions, command or directions of any school official, refusing to comply with any term or condition of any disciplinary sanction.
False Alarm or Report	A false alarm or report occurs when a person knowingly initiates, communicates or circulates a report of a present, past or future bombing, fire, offense or another emergency that he or she knows is false or baseless and that would ordinarily: <ul style="list-style-type: none"> <li>a. Cause action by the school to deal with emergencies;</li> <li>b. Cause action by an official agency organised to deal with emergencies;</li> <li>c. Place a person in fear of imminent serious bodily injury; or</li> <li>d. Prevent or interrupt the occupation of a building, room, space or place of assembly or any sports field or any other gathering place consisting of seating/standing space.</li> </ul>
Fighting/Assault/Threat to assault	The act of two or more persons/learners mutually participating in any form of oral/physical dispute and/or the use of force or physical violence/assault or threats of assault at school/ while in or out of school uniform, in or out of the school premises/in or out of school hours that may or may not require physical restraint or results in injury requiring first aid or medical attention of any person. This may include pushing, shoving, or any altercations that stop or do not stop upon any verbal command by an authorised person. The physical nature of a fight could also include but is not limited to hitting, punching, biting, slapping, poking, grabbing, pulling, tripping, kicking, pinching, pulling of hair or any other bodily part/limb stabbing/hitting with an object and use of any object that can become or regarded as a dangerous weapon in context of the [bodily] harm caused to another person. Play fighting, hitting back or hitting 'because' shall be treated as a fight by the school.
Forgery and Uttering	Means the act of making a false or misleading written communication, forging another person’s signature on a document to a school staff member or purporting that it was signed by a staff member or any other person with either the intent to deceive or under circumstances which would

Term	Definition
	<p>reasonably be calculated to deceiving another person, or producing, possessing, or distributing any false document, changing marks on a report, producing a false copy of a document item, or any record represented to be as an authentic school document, item, or record or presenting such false document/record during a disciplinary hearing as evidence.</p> <p>Uttering consists of unlawfully and intentionally passing off a false document (forged) to the actual or potential prejudice of another.</p>
Gang/Gang Activity/Gang affiliation	<p>a. Means any ongoing organisation, association or group who may or may not use a common identifying name, sign or symbol consisting of two or more persons, whether formal or informal, who have a high rate of interaction among themselves to the exclusion of others and who are frequently involved in anti-social, delinquent or criminal activity;</p> <p>b. who may have as one of its primary activities the disruption of the school educational process, to commit any other breach of the Code and/or any school activity and the commission, attempt to commit, conspiring to commit, or solicitation of one or more prescripts of the Code or any school rule or any school policy;</p> <p>c. are engaged in any criminal acts;</p> <p>d. and which may have an identifiable name or identifying sign or symbol, and whose members individually or collectively engages in or whose members engage or engaged in a pattern of criminal gang activity or disruption of the school educational process;</p> <p>e. or compromises the safety of any person on and off the school premises with or without assault, threats, blackmail, intimidation and other sexual or criminal illegal acts.</p> <p><i>(Please note this is not a comprehensive description).</i></p>
Gang [Like] Activity	Activity that is associated or may be associated with or similar to gang activity. The act of engaging in any verbal, written, or physical act which is associated with becoming a member of a gang, being a member of a gang, or participating in gang identified rituals or behaviour.
Gang-Related Apparel/Appearance	Wearing or displaying any clothing, jewellery, accessories, makeup, tattoo, or any other appearance or apparel which may be considered gang related in any manner which is associated with being a member of or participating in a gang or gang related activity
Gender-based Violence	Any form of behaviour – including psychological, physical, and sexual behaviour – that is based on an individual’s gender and is intended to control, humiliate, or harm the individual. This form of violence is generally directed at women and girls and is based on an attitude or prejudice, which can be conscious or unconscious and which exists on the individual and institutional level, that aims to subordinate an individual or group on the basis of sex and/or gender identity.
General Rules of the Classroom/School	The rules referred to in this Code.
Grade	Means that part of an educational programme which a learner may complete in one school year, or any other education programme which the Member of the Executive Council of Education may deem to be equivalent thereto.

Term	Definition
Graffiti	Graffiti are markings with paint, an indelible pen, marker or any stationary that leaves a residue, or an etching or engraving device or any other object on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, signs, insignia, emblems, drawings or paintings.
Group Violence	Two or more persons inflicting physical harm upon a victim or victims.
Harassment	<p>Harassment prohibited by this Code consists of physical conduct, offensive touching or any uncalled for or offensive verbal gesture and/or conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, gender, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, any physical characteristic, sexual orientation, or disability when the conduct:</p> <ol style="list-style-type: none"> <li>a. has the purpose or effect of creating an intimidating, hostile, or offensive academic environment;</li> <li>b. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;</li> <li>c. otherwise adversely affects an individual's academic opportunities;</li> <li>d. prevents or interrupts any educator/coach from performing his/her duties as an educator in the school environment;</li> <li>e. behaviour which is hostile or offensive to a reasonable person and which unreasonably interferes with an individual's social life and any behaviour that creates an undermining of the integrity or dignity and/or any emotional stress of any individual.</li> </ol> <p>Harassing behaviour can make a reasonable person feel uncomfortable, unsafe, frightened, embarrassed, and may be physical, verbal or non-verbal. The common link is that the behaviour would be unwanted by any reasonable person and could not be justified through a personal or family relationship.</p>
Harassment (Cyberbullying)	The act of using information and any communication technologies such as, but not limited to email, cell phone, WhatsApp, TikTok, X, WeChat, Snapchat and other Apps, Facebook, Instagram and other text messages, SMS, defamatory personal web sites and defamatory personal pooling web sites to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to threaten or harm others or which substantially disrupts or interferes with the operation of the school or a learner's academic performance.
Harassment (Racial/hate speech/homophobia)	The act of discriminating against another person which discrimination is prohibited by law – race, gender, national origin or sexual orientation, including any verbal, nonverbal, graphic, written, or physical conduct that denigrates or shows hostility or aversion toward any learner/educator/staff member/parent/visitor based upon the above, when such conduct substantially interferes with a learner's academic performance, or creates an intimidating, hostile, or offensive school environment. Such harassment may include, but is not limited to epithets and slurs, negative stereotyping, threatening, intimidating, or hostile acts and/or written or graphic material that show hostility or aversion toward an individual or group or wearing any clothing or symbols.

Term	Definition
Harmful	Any situation, action or object that poses an immediate threat to the physical or emotional safety or dignity of any person.
Head of Department	Refers to the head of the GDE.
Hearing (this is not the whole procedure it is explained in full to an accused learner at the start of a hearing of the SGB DC)	<p>A hearing is where the tribunal (DC) decides what happened. The school has a chance to prove their case with evidence. The accused learner has a chance to question to the complainant's evidence and to prove a defence with evidence. A tribunal member listens to all of the evidence to decide if there was a transgression of the Learner CoC, if so, what sanction to give, if applicable.</p> <p>After the hearing, the tribunal member gives their reasons for the decision based on a principle of a balance of probabilities.</p>
Horseplay/Rough Play	Means any act of engaging in rowdy, rough behaviour that interferes with the safe or purposeful order of the school.
Inappropriate Sexual behaviour	Sexual behaviour on the part of a young person that places the person or another individual "at risk" physically, psychologically, or socially and/or that is inappropriate relative to the person's age or stage of development (examples include: unprotected sexual activity that might result in sexually transmitted disease; the viewing of pornography at a young age; or the posting of sexual information on the Internet).
Illegal Act/Activity	Conduct of any kind that is in violation of any legislation/regulations.
Incendiary Device	Any material/liquid/object that causes fire or is used to cause a fire or an explosion of any kind including any kind of firework.
Indecent assault	Indecent assault consists of unlawfully and intentionally assaulting, touching or holding another in circumstances in which either the act itself or the intention with which it is committed is indecent or can be construed as indecent in terms of the Code.
In loco parentis	<p>Means acting in the place of a parent who has entrusted the custody and control of his or her child to an educator or another person during normal intramural or extramural school activities or during an external DC hearing.</p> <p>The "In loco parentis" responsibilities to all learners by the school diminishes immediately upon exit of the school premises, unless in the care of an officially appointed person on behalf of the school.</p>
Initiation Practice	<p>Means any act which in the process of initiation, admission into, or affiliation with, or as a condition for continued membership of the school, any group, intramural or extramural activities, interschool's sports team, or organisation that:</p> <ol style="list-style-type: none"> <li>endangers the mental or physical health or safety of a person;</li> <li>seeks to undermine the intrinsic worth of human beings by treating some as inferior to others;</li> <li>subject individuals to humiliating, any injurious or violent acts which undermine the constitutional guarantee to dignity in the Bill of Rights;</li> <li>undermines the fundamental rights and values that underpin the Constitution;</li> <li>impedes the development of a true democratic culture that entitles an individual to be treated as worthy of respect and concern; or</li> <li>destroys school, public or private property.</li> </ol> <p>Initiation of any kind or manner is prohibited at the school and in terms of SASA.</p>

Term	Definition
Intimidation	<p>a. The term “intimidation” as used in the Code means a threat or other physical harm and/or action in any way that is intended to cause fear or apprehension in a person, and includes the coercion or deterring any learner from participating in or taking advantage of any school programme, benefit, activity or opportunity for which the learner is or would be eligible.</p> <p>b. It also means any act by a person with the intent to compel or induce a particular person to do or to abstain from doing any act or to assume or to abandon a particular standpoint by means of-</p> <ul style="list-style-type: none"> <li>i. assault, injury or causing damage to that person or any other person; or</li> <li>ii. threats to kill, assault, injure or cause damage to that person or any other person or that person’s property.</li> </ul>
[Gross] Insubordination	<p>a. Insubordination can be described as the [blatant] refusal to obey any reasonable and lawful instruction/command by any authorised educator, the principal, school personnel/ member of the SMT, member of the SBST, coach, instructor, therapist, counsellor, psychologist, member of the GDE or any other supervisor.</p> <p>b. In may further also be described as resistance to or defiance of authority or a disobedience, insolence, cheekiness, rudeness, bringing the school’s name into disrepute, and rebellious or mutinous behaviour resulting in an actual disruption of teaching and learning in the school or frustrating teaching and learning in the school or during any school activity.</p>
Item/object/device/image	<p>a. Any physical object/device; and/or</p> <p>b. Any information stored in digital form which includes a text, an image, an audio clip or track, and a video clip or movie.</p>
Jurisdiction	The power/delegated power to hear and determine a school matter.
Kidnapping	Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.
Late to Class/Late coming	Learners are considered late to class after the bell has gone and the time to change classes have passed. Excessive lateness without a valid reason (8 minutes or longer) shall constitute truancy/bunking.
Learner	Means any enrolled learner of the school receiving education or obliged to receive education in terms of relevant legislation and in the age/norm for the grade and/or school.
Leaving School Without Permission	The act of leaving school grounds/premises without proper administrative authorisation.
Loitering	A learner’s unauthorised presence at or in any school premises, function or school activity or the act of being in or about the school premises or any school activity or in a specified restricted area at unauthorised times or out of a classroom without permission of any school personnel.
Malicious Injury to Property	It consists of unlawfully and intentionally damaging the property of another.
Medicine	<p>Means for the purposes of the Code, any substance or mixture of substances used or purporting to be suitable for use or manufactured or sold for use in –</p> <p>(a) the diagnosis, treatment, mitigation, modification or prevention of disease, abnormal physical or mental state or the symptoms thereof in any person; or</p>

Term	Definition
	(b) restoring, correcting or modifying any somatic or psychic or organic function in any person, and includes any veterinary medicine.
Medium of Instruction	The language of Learning and Teaching in the School.
Minor	Means any person under the age of eighteen (18).
Misconduct	<p>Means in terms of the Code any act or omission that is punishable because it is contrary to a law, regulation and/or rule committed by any learner and includes the following:</p> <ol style="list-style-type: none"> <li>a. Misconduct committed on the premises of the school, whether during or outside of school hours;</li> <li>b. Misconduct conducted committed during any school activity, irrespective of whether it is committed within or outside the school premises, and during or outside school hours; and</li> <li>c. Any conduct, committed in or out of school uniform and within or outside of the school hours or anywhere and anytime where the learner can be identified as a learner of the school and within or outside the school premises which: <ol style="list-style-type: none"> <li>i. Tends to bring the school in disrepute in any manner</li> <li>ii. Interferes with the governance, authority and proper administration of the school</li> <li>iii. Interferes with the conditions necessary for any school activity or school sponsored activity</li> <li>iv. 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;</li> <li>v. Disrupts the schooling and education in the school during in or out of school hours; or</li> <li>vi. Is prohibited by the Code of the school.</li> </ol> </li> </ol>
Missed Detention	The act by any learner of not attending any assigned detention without being excused by the school authorities.
Missing from Class/Activity	Absent or late coming to class/a school activity without administrative approval.
Mitigating Circumstances	The concept of “mitigating circumstances” refers to evidence brought by the accused learner and/or his representative that may persuade the chairperson and members of the SGB Disciplinary Committee to issue a lighter sanction for misconduct than would normally be imposed.
Murder	Murder is the unlawful and intentional killing of a human being.
Non-consensual sexual contact/touching.	Non-consensual sexual contact, which is any form of sexual touching with any part of the body or other object, by any person upon another, without consent.
Not Cooperating/refusal to Co-operate	The act of failing to follow the lawful directions/instructions of an educator, a member of the SMT, SBST administrative staff, coach or volunteer in the school setting. Also see insubordination.
Offensive/Unwanted Touching	Means intentionally touching another person either with a limb or body part of his or her body and/or with any object, knowing that the person is thereby likely to cause offense or alarm to such other person; or Intentionally striking another person with any bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.
Outer clothing	Includes coat, jacket, jersey, Drimac, blazer, track suit, sweat jacket, hoodie, raincoat and/or cardigan or any other similar

Term	Definition
	clothing. Other clothing that can be required to be removed includes any head covering, gloves, footwear or socks (except tights or stockings).
Paraphernalia	Any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, any controlled substance, or a dangerous drug into the human body, including but not limited to glass objects, rolling papers, needles, baggies with residue, bags containing illicit substances, razor blades, lighters, matches, bongos and pipes.
Parent	Means – a. the parent or guardian of a learner; b. the person legally entitled to the custody of the learner; or c. the person who undertakes to fulfil the obligations of a person referred to in paragraph (a) and (b) towards the learner’s education at school.
Peer Pressure	Means the influencing factor - a. whereby a learner feels pressured by any learner to act or not to act and to participate or not to participate in an activity in order not to be ostracised; b. Whereby a learner would not come forward after being initiated for fear of victimisation. (Also see intimidation).
Personal possessions	Includes but is not limited to purses, wallets, suitcases, bags, tog bags, sports bags, backpacks, book bags, packages, any other bags and/or clothing, head covering, other objects and/or devices, cell phones belonging to any learner and includes footwear. (Also see clothing).
Perjury (Also see Dishonesty)	Perjury consists in the unlawful and intentional making of a false statement in the course of a judicial proceeding by a person who has taken the oath or made an affirmation before, or who has been admonished by somebody competent to administer or accept the oath, affirmation or admonition.
Physical Violence/Assault/ Threat of Violence/ Assault	Means a. Intentionally making physical contact or directing such action of an insulting and provoking nature with the person or another; or, b. Intentionally making physical contact which causes physical harm to another, unless such physical contacts or physical harms were in self-defence (which must be proven) of himself or herself, as provided for in the Code; or c. Damage to the property of another person or persons or the school. (Also see extortion). d. Threatening gestures/language which can be interpreted as intimidatory or intended to intimidate/threaten another person.
Poisoning or Administering Poison or Other Noxious Substance	This serious misconduct consists of unlawfully and intentionally administering poison or other noxious (harmful) substance to another.
Positive drug test result	Means a finding of the presence of drugs or their metabolites in the sample tested
Possession	Regardless of the learner’s knowledge or intent to possess the item, to have in or on: a. any learner’s person or in the learner’s personal property, such as the learner’s clothing, purse, or suitcase, backpack, tog bag, in any container or bag of any kind; b. in any vehicle used by the learner for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or

Term	Definition
	c. any other school property used by the learner, such as a locker or desk or any “other hiding place”.
Principal	Refers to the educator appointed or acting as the head of a school.
Profanity/Obscene/Abusive Language	The act of using any profane, vulgar, or unnecessary crude utterance or gesture, whether directed towards a fellow learner, parent, visitor, staff member, educator, bus driver, security guard, administrator and/or coach, any member of the SMT and the SBST, SGB and volunteer or merely done overtly.
Prohibited item/Contraband	Includes but is not limited to: a. alcoholic beverages, marijuana, controlled substances, synthetic or plant-based products or dangerous drugs; b. any drug or contraband related paraphernalia; c. prohibited [dangerous] weapons and items/objects; d. any other item prohibited by this Code.
Provincial Department/ “GDE”	Gauteng Department of Education.
Prosecutor/Evidence Leader	Means an educator or any person appointed by the school principal who has SACE number, to present the charges and the case against an accused learner during a DC hearing.
Public Display of Affection	The act of failing to refrain from public displays of affection in school. The practice of embracing, and kissing in school is considered in poor taste and disruptive to the educational environment.
Public Indecency	This transgression in terms of the Code consists of immorally, unlawfully, intentionally and publicly engaging in conduct which tends to deprave the morals of others, or which outrages the public’s or the school community’s sense of decency.
Public Violence	It consists of the unlawful and intentional commission, together with a number of people, of an act/s which assume serious dimensions and which are intended forcibly to disturb public peace and tranquillity or to invade the rights of others.
Receiving stolen property	The transgression of receiving [stolen property] consists of unlawfully receiving possession of stolen property knowing it to have been stolen.
Reasonable belief/ suspicion	Means that a school official has grounds to believe that the search will result in evidence of a violation of the Code, policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a learner or staff member, a learner's suspicious behaviour, a learner's age and past history or record of conduct, or other reliable sources of information or on the principle of a balance of probabilities.
Refusal to Identify Self	Refusing to show an identification/dairy and/or to give a correct name when requested to do so by school personnel or a security guard.
Repeated Misconduct	Learner misconduct that is chronic or continual even after the implementation of interventions and consequences.
Representative	Means a parent of an accused learner, and/or any other adult person chosen by the accused learner to represent the accused learner at a disciplinary hearing with the approval of the SGB and/or the DC. See Section 8 of SASA. Representative excludes formal legal representation in the resolution of complaints in terms of this policy.
Restraint of a Learner	Restraint is the act of controlling the actions of learners when such actions may inflict harm to others or to the learner, or violate the rights of other learners or educators. Educators may use reasonable measures where necessary to prevent a learner from harming him/herself or others.

<b>Term</b>	<b>Definition</b>
Retaliation/intimidation/ Threaten to harm	Harming or threatening to harm another: (1) on account of their service as a School employee or volunteer, (2) to prevent or delay another's service to the School, or (3) because the person intends to report a crime or violation or of this Code and/or to act as a witness in any disciplinary hearing/investigation of the school.
Robbery	The act of taking or attempting to take anything of value that is owned by another person or organization, under the confrontational circumstances of force or threat of force or violence and/or by putting the victim in fear. (Also see theft).
Sanction	The sanction for an offence/misconduct/violation of the Code and/or any school rule and/or related policy.
School	Refers to Laerskool Tygerpoort
School Bus/Transport	Means every vehicle operated for the transportation of learners, educators and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of learners and other persons acting in a supervisory capacity to or from school or school activities during or in or out of school hours.
School Day	Means days of the week, excluding Saturdays, Sundays, public holidays and school holidays (unless otherwise arranged). (Also see days).
School Governing Body	Is the body responsible for Governance issues at Laerskool Tygerpoort in terms of SASA.
School Function	Is any school activity and/or school sponsored activity which is a privilege and not a right to attend which includes any sporting activity, concert, grade 7 farewell or any similar events and/or functions.
School Management Team	The committee that assists the principal in managing the school, consisting of the Principal, Deputy-Principals, Heads of Department and other co-opted educators.
School Premises	<ul style="list-style-type: none"> <li>a. School premises includes any school building on any school premises;</li> <li>b. on any school-owned vehicle or in any other school-approved vehicle used to transport learners to and from school or school activities;</li> <li>c. any activity off school property at any school sponsored or school-approved activity, event or function, such as a field trip or athletic event or any vehicle where learners are under the jurisdiction of the school; or</li> <li>d. during any period of time an educator or coach is supervising learners on behalf of the school or otherwise engaged in school business;</li> <li>e. The grounds adjacent to and owned or rented in common with any building or other structure owned or rented by the school.</li> </ul>
Search	<ul style="list-style-type: none"> <li>a. A search is an examination of any learner or his/her property for something that is or may be hidden or in their physical possession and/or in their belongings.</li> <li>b. A search may include situations where a learner is required to remove items of outer clothing or to empty out his or her pockets.</li> <li>c. It can also involve a learner's 'correspondence' including written and electronic material (for example, in a diary, on a mobile phone, any other digital/electronic device or on a laptop).</li> <li>d. It can also include a learner's locker, vehicle, bicycle, motorbike.</li> </ul>

Term	Definition
	<p>e. It can also be undertaken by any law enforcement agency.</p> <p>f. A search may take place in terms of the legal process in SASA and other legislation/procedures prescribed by the authorities and in the Code.</p>
Self-defence	When the person who is not the aggressor in an encounter uses the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter will not be considered self-defence.
Serious Misconduct	Means misconduct as contained in Schedule 1 and 2 of General Notice 6903 of 2000 as amended and the different levels of misconduct in the Code.
Sexual Aggression	Sexual aggression includes but is not limited to any unwanted sexual advances or actions intended to make the other person uncomfortable, embarrassed, or humiliated, and might include obscenities or gestures, exposure, or physical contact.
Sexual Harassment	<p>Sexual harassment consists of unwelcome sexual advances, requests for sexual favours, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature in person or otherwise online or via any other method of communication.</p> <p>Sexual harassment may include, but is not limited to:</p> <p>+unwelcome verbal harassment or abuse;</p> <ul style="list-style-type: none"> <li>a. unwelcome pressure for sexual activity;</li> <li>b. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of learners by educators, staff, or other school personnel to avoid physical harm to persons or property;</li> <li>c. unwelcome sexual behaviour or words, including demands proposals, solicitation for sexual favours, accompanied by implied or overt threats concerning an individual's status;</li> <li>d. unwelcome sexual behaviour or words, including demands for sexual favours, accompanied by implied or overt promises of preferential treatment or not to be harmed or injured in any manner</li> <li>e. unwelcome/offensive behaviour or words directed at an individual because of gender.</li> </ul>
Sexual intimidation	The term "sexual intimidation" incorporates the definition of "sexual harassment" and means threatening or emotionally distressing conduct based on sex, including stalking (or cyberstalking), voyeurism, indecent exposure, or the non-consensual recording of sexual activity or distribution of such recording.
Sexual Molestation	Sexual molestation is defined as a learner doing any immoral or indecent act to or in the presence of another person, without that person's consent, with the intent to arouse or satisfy the sexual desires of either the learner or the other person. This includes a learner forcing another person to make physical contact with the learner's intimate body parts.
Sexual / Lewd Behaviour	The act of making unwelcome sexual advances, requests for sexual favours or other inappropriate verbal, non-verbal, written, graphic, or physical conduct of a sexual nature toward learner(s) and/or staff, educators, members of the SMT/SBST, coaches, volunteer when such conduct substantially interferes with academic performance, or creates an intimidating, hostile, or offensive school environment. Subjecting an individual to lewd, sexual gestures, comments, sexual activity, or exposing private body parts in a lewd manner.
Sexual touching	Is any contact of a sexual nature, however slight.

<b>Term</b>	<b>Definition</b>
Sexual Violence	<p>Sexual violence (which may include sexual harassment) is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts or forcing another person to participate in any sexual act of any nature.</p> <p>Sexual violence may include, but is not limited to:</p> <ol style="list-style-type: none"> <li>a. touching, patting, grabbing, or pinching another person's intimate parts, or any other body part, whether that person is of the same sex or the opposite sex;</li> <li>b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts or body parts in an inappropriate manner;</li> <li>c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;</li> <li>d. threatening to force or coerce sexual acts, including the touching of intimate parts or any other body parts or intercourse, on another in any manner; or</li> <li>e. exposing any body part of another without consent during the act of sexual violence.</li> </ol>
Sexting	<p>Sexting refers to an act (intentionally or unintentionally) of sending/sharing any sexually explicit photos, sound recordings, electronic/digital links, videos, film, YouTube and any other recording of any type, drawings, cartoons, images, text messages or e-mails through the means of a cell phone/smartphone and/or any other electronic device/computer of any kind on any social media platform/App email address real or fake by using any digital/electronic programme or coding and any algorithm that belongs to or is in the possession of any other person.</p>
Smoke/To smoke/Smoking/Vaping	<p>Means to inhale, exhale, hold or otherwise have control over an ignited tobacco product, weed, drug, synthetic drug, e-cigarette/vaper or plant, and 'smoked' and 'smoking' have corresponding meanings.</p>
Soliciting	<p>Requesting, commanding, or attempting to induce another learner to engage in specific conduct that would constitute a violation of the Code, and with the intent that a violation of the Code be committed.</p>
Substance	<p>Is taken to have the same meaning as "drug" indicated above and elsewhere in the policy.</p>
Suspension	<p>Means the temporary refusal of admission to a learner to a school, usually suspension precedes expulsion. A learner who is suspended may not attend school apart from undergoing assessments, writing tests or exams who must then leave the school premises after such assessment or writing such test or exam.</p>
Testimony	<p>Testimony is the statement that a person makes when they are a witness at a hearing. It can also be accepted in written form by the Disciplinary Committee as evidence.</p>
Theft	<p>Non-consensual taking or attempt to take the property of another or possession of property taken from another person. In terms of the Code thefts also consists of the unlawful taking of moveable property belonging to another/the School with intent to deprive the owner/School permanently/temporarily of the property including but not limited to the unauthorised carrying, riding away with, or concealing the property of another person, including motor vehicles, with or without any threat, violence, or bodily harm. (Also see Robbery)</p>

Term	Definition
Threat/Intimidation	<p>Means any act of threatening or causing physical harm/injury to another person with or without the use of a weapon/dangerous object/item or any electronic/digital/mobile communication device that includes all of the following elements:</p> <ol style="list-style-type: none"> <li>a. intent - an intention that the threat is heard or seen by the person who is the object of the threat;</li> <li>b. fear - a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and</li> <li>c. capability - the ability of the offender to actually carry out the threat directly or by a weapon/dangerous object/item or other object that can easily/or not so easily be obtained to cause any harm to the person being threatened or any other person.</li> </ol>
Threatening Language	Use of verbal, physical, or written threats to do bodily harm to a person or to damage personal property/school property.
Tobacco	Means cigarettes; cigars; cheroots; half smoked cigarettes, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; tobacco papers; and any other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in any form and/or in a pipe, bong, or other tobacco-related devices/paraphernalia.
Tobacco Possession	The act of possessing, using, smoking, sniffing, distributing, or selling tobacco products on school grounds, at school-sponsored events/activities on or off school premises, smoking in school uniform or where a learner can be identified as a learner of the school or on school transportation.
Trespassing	The act of entering or remaining on school grounds/premises, school transportation, or at or during any school-sponsored activities/event /on campus without any authorisation or invitation and with no lawful purpose for entry in and out of school hours and/or in or out of school uniform.
Truancy/Skipping Class/ Skipping School/Bunking	<ol style="list-style-type: none"> <li>a. Unauthorised absence from a classroom/ school activity/assembly/other place that any learner has been instructed to attend or absent from school without a valid reason.</li> <li>b. Absconding from school.</li> <li>c. Climbing over a school fence.</li> <li>d. Running away or hiding from school personnel on school premises or off the school premises.</li> <li>e. The act of not reporting to class / school / school activity without receiving proper prior approval and/or following the established procedures for checking out of school.</li> </ol>
Unauthorised	Means any item/action dangerous to the health or safety of learners or school personnel, or disruptive of any lawful function, mission, or educational and other process of the school, or any item described as unauthorised in the Code, school rules and related policies. It also means any request denied or any contravention of the Code.
Unauthorised Area	The act of being present in buildings, rooms, classrooms, centres, hallways, or other areas of the school premises restricted to learner access during all or a portion of a day.

Term	Definition
Under the influence	<p>a. When in any educator’s professional judgment, the learner does not have the normal use of mental or physical faculties likely attributable to the learner’s use of marijuana, a controlled substance, any kind of medicine in any form, dangerous drug or alcoholic beverage. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use or other abnormal or erratic behaviour. The learner need not be legally intoxicated.</p> <p>b. For school purposes, the term means any level of impairment and includes even the odour of alcohol or drugs on the breath of a learner. Also, it includes being impaired by reason of the abuse of any material used as a stimulant. In addition, “possession” of alcohol or drugs will be considered to have occurred for purposes of school rules if the learner is in such close proximity to alcohol or drugs (for example, a learner being in a car where alcohol is present and no adults are present in the car) or to others who are consuming alcohol or drugs (for example, being at a school activity at which other learners are consuming alcohol products) the school officials/educators may reasonably determine that the learners was in “possession” of the items as well.</p>
Use	<p>a. With respect to substances, voluntarily injecting, ingesting, smoking, inhaling, or otherwise introducing a prohibited substance into the body.</p> <p>b. With respect to objects or devices, putting into action or service or carrying out an action or purpose with the object or device.</p> <p>c. Use includes to sell, buy, distribute, hide, conceal, dispense, possess, use or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.</p>
Vandalism/Malicious damage of property	Means any act of intentional destruction, damage, or defacement of public or private property and/or maliciously damaging property without consent of the owner or the person having custody or control of it.
Verbal Altercation/fight	An intense argument between two or more learners/teachers/parents/stakeholders that disrupts the learning environment and may in some cases result in physical contact. (See fighting/assault)
Verbal Reprimand/Warning	Refers to an informal verbal warning by the Principal, Deputy Principal or the Head of a Grade for violations of the Code or a school rule. The verbal warning to the learner may also include that more disciplinary measures may be taken if the negative behaviour continues and will be documented on the learner’s debit record.
Violence	Violence in any form or action is prohibited by the Code and is a physical act of aggression or assault upon another or a group of individuals because of, or in a manner reasonably related to, race, gender, creed, religion, age, marital status, familial status, status with regard to public assistance, sexual orientation, or any form of disability or any disagreement, argument, or as a result of any physical or verbal or non-verbal act caused by one or more persons.
[Dangerous] Weapon/Object	Means any object, device or instrument designed as a weapon or an object that can be used as a weapon which through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury, or be used to threaten

Term	Definition
	another person to injury that other person or any group of persons. Weapons may include firearms designed to propel a projectile by an explosive reaction, including starter guns, the components of any such devices, silencers, or other destructive devices such as fireworks, any incendiary device, matches or any other chemicals or any poisonous substance.
Witness	A witness is a person who was there when something happened. A witness in a hearing is a person who comes to the hearing to tell the tribunal what they saw or heard happen. A witness must promise to tell the truth.

## 8.2 Acronyms

Acronyms	Explanation
CoC	Learner Code of Conduct of the School
DBST	District Based Support Team
DC	Disciplinary Committee of the SGB
MEC	Member of Executive Council of a province who is responsible for education in the province.
SAIC	School Assessment Intervention Committee
SAPS	South African Police Service
SASA	South African Schools Act
SBST	School Based Support Team
SGB	School Governing Body
SMT	School Management Team

## 9. APPLICATION AND SCOPE OF THE CODE

- 9.1 The South African Schools Act, 1996, empowers the school authorities to discipline learners, but it is beyond the law to delegate this authority to learners. Learners are stakeholders with other members of the school community but are not in charge of the school. Enrolment at the school automatically constitutes acceptance of compliance with the CODE OF CONDUCT by the learner and other criteria which may be enforced from time to time during the operation of the school.
- 9.2 The Code of Conduct ("Code") adopted by the SGB of the School applies to learners when the learner is waiting for GDE transportation at a designated stop, being transported to and from school on School transportation, at school, or participating in a school-sponsored activity no matter where the activity is occurring. In addition, the learner may be subject to the Code for off-campus activities, regardless of the time or place where the conduct occurs, if the learner's conduct is found to have a detrimental effect on the health, safety, and welfare of other learners as an enrolled learner of the school and where such conduct affects the good name, honour and reputation of the school.
- 9.3 In terms of section 6 the National Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners (G.N. 776 of 1998 published in Government Gazette No. 18900 dated 15 May 1998) the ultimate responsibility for learners' behaviour rests with their parents or guardians [caregiver]. It is expected that parents will (a) support the school, and require learners to observe all school rules and regulations and accept responsibility for any misbehaviour on their part; and (b) take an active interest in their children's schoolwork and make it possible for the children to complete assigned homework and that Parents should attend meetings that the governing body convenes for them which also implies meetings with the principal and any staff member.
- 9.4 In terms of Section 8(4) of SASA, no learner shall be exempted from the obligation to comply with the CODE OF CONDUCT and must be adhered to all its prescripts except where exempted in writing by the SGB:
- On the School premises before, during and after school hours;
  - at all official School events, activities and school sponsored events both within and outside regular school hours and on and off the school premises; and

- c. in any situation, on or off school premises, on line, where the learner is recognisable as a learner of the school in or out of school uniform, related dress and/or insignia.
- 9.5 This Code is used to govern conduct and discipline at the School. Therefore, each learner must obey the Code and school rules while on school grounds/premises; while being transported to or from school at school expense; and during school-sponsored events, field trips, athletic functions, and similar activities. During such times, all learners are subject to the immediate control and direction of educators, staff members, or bus drivers to whom such responsibility has been assigned by the principal/SGB.
- 9.6 The Code also applies to any learners who commit felonies, nefarious or delinquent acts which would be a crime if committed by an adult, off School premises or whose conduct off the school premises in or out of school hours/days may have a detrimental effect on the orderly operation of the school, or jeopardise the health, safety, or welfare of learners and staff members of the school. Furthermore, learners may be subject to school disciplinary sanctions when they commit acts away and apart from school that can be shown to pose a threat or danger to the safety of other learners, staff, educators, parents or school property, or will prevent the orderly delivery of the educational programme, or present a danger to the learner who committed the infraction.
- 9.7 This Code, though not all-inclusive, is intended to inform parents and learners about how our school operates and also to establish the expected standards of the school learner community. Parents must note that his Code is also intended to familiarise parents and learners with most of the school rules and regulations so that we can avoid any future mis-understandings. It is therefore the responsibility of each learner and parent to read, understand, and abide by this Code of Learner Conduct, school rules and related policies of the school and any other applicable legislation.
- 9.8 School educators and members of the SMT/SBST are responsible for being aware of the specifics of the Code and applying them appropriately.
- 9.9 The School may initiate various forms of informal and formal disciplinary measures and are entitled to apply disciplinary action that the school believes is appropriate in circumstances, but within the guidelines provided in the Code procedure. However, the judgement and discretion of School/SGB with regard to disciplinary measures will, therefore, not be rigidly restricted by the procedure or the code.
- 9.10 The school will contact parents (electronically, telephonically or in writing) whenever a child's behaviour becomes cause for concern and will endeavour, in a spirit of constructive partnership, to resolve the problem. The parents, however, remain the persons ultimately responsible for ensuring that their child meets the disciplinary standards required by the school and the parent-body as a whole (as represented by the Governing Body).
- 9.11 When addressing occurrences of bad behaviour, breaches of discipline or serious misconduct with a learner, staff members, parents, the SGB, educators and learner leaders will not threaten any particular punishment and parents, learners and management are all encouraged to refrain from threats, abuse of power or any indication of bias, dislike or interpersonal difficulties, that may compromise the authority of the disciplinary process or the atmosphere of equity, of due process, and fairness in which a disciplinary process/hearing should take place.
- 9.12 To minimise classroom disruptions, staff do not deliver messages from parents/ guardians to learners in lesson time. In case of an EMERGENCY, parents may contact the School Office to convey the message to the learner concerned at the first opportune moment. The school/SGB kindly request that Parents/Guardians refrain from contacting educators/ any member of management directly. All appointments must be made through the school Office/the principal's secretary. NB: The school security guards or terrain caretakers/ any staff member or any other learner are not allowed to leave their posts to deliver items to the school office on your behalf.
- 9.13 The School's disciplinary policies do not normally extend to off-school premises or non-school sponsored activities. However, the school does have a vested interest in the well-being of its learners and community. The school reserves the right to inform parents or law enforcement authorities if it has knowledge of illegal actions by a learner of the school. Should untoward behaviour be deemed to have occurred, the school may elect to suspend its normal disciplinary process and apply consequences up to and including suspension and disciplinary hearings. Such exceptions are at the discretion of the Principal of the School.

## **9.14 Misconduct not specified or mention in the Code of Conduct**

9.14.1 The discipline code of conduct set out in this policy is intended to be illustrative but not an exclusive listing of acts of misconduct and the consequences for each. Misconduct, which is not specifically listed in this policy and other related policies and legislation that may be deemed to warrant disciplinary steps up to and including a recommendation to the HoD by the SGB for expulsion following provision of all due process procedures. In addition, the disciplinary consequences listed for each offense may be increased or decreased by a SGB Disciplinary Committee/ Internal Disciplinary Committee or the Principal owing to mitigating or aggravating circumstances.

## **10. LEGISLATIVE FRAMEWORK**

- 10.1 The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), as amended.
- 10.2 The South African Schools Act, 1996 (Act No. 84 of 1996), as amended.
- 10.3 National Education Policy Act, 1996 (Act No. 27 of 1996), as amended.
- 10.4 Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- 10.5 Regulations on the Devices to be Used and Procedure to be followed for Drug Testing, GN 1140 in GG 31417 of 19 September 2008.
- 10.6 Employment of Educators Act (Act No.76 of 1998) as amended.
- 10.7 South African Council of Educators Act (Act No 31 of 2000).
- 10.8 The Gauteng Schools Education Act, 1995 (Act No.6 of 1995).
- 10.9 Criminal Law (Sexual Offences and Related Matters) Amendment Act (Act no 32 of 2007) (SORMA).
- 10.10 The Control of Access to Public Premises and Vehicles Act 1985 (Act No. 53 of 1985), including regulations made under it ("the Public Premises Act").
- 10.11 Regulations for Misconduct of Learners at Public Schools and Disciplinary Proceedings, 2001 (General Notice 2591 of 2001).
- 10.12 Drugs and Drugs Trafficking Act (Act 140 of 1992)
- 10.13 Child Justice Act 75 of 2008.
- 10.14 Medicines and Related Substances Act No 101 of 1965, As Amended.
- 10.15 Regulations for Safety Measures at Public Schools Government Notice No. 1040, October 2001, as amended.
- 10.16 Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners, General Notice 776 of 1998.
- 10.17 RICA.
- 10.18 Relevant Court Judgments.
- 10.19 Regulations to Prohibit Initiation Practices in Schools, GN No. 1589, 13 December 2002.
- 10.20 Protection of Personal Information Act, 2013.
- 10.21 Protection from Harassment Act, 2011 and relevant regulations.
- 10.22 Children's Act, 2005, as amended and relevant regulations.
- 10.23 National Policy on Learner Attendance, General Notice 361 in GG 33150 of 4 May 2010.
- 10.24 Disaster Management Act.
- 10.25 National Policy on HIV, STIS and TB for Learners, Educators, School Support Staff and Officials in all Primary and Secondary Schools in the Basic Education Sector.

## **11. RELEVANT POLICIES AND PROVINCIAL CIRCULARS**

- 11.1 GDE Circular 74/2007.
- 11.2 Any relevant policy of the school relating to misconduct by learners.
- 11.3 The Bill of Responsibilities for Learners of the Department of Basic Education, 2008.
- 11.4 GDE Circular 4 of 2014 Banning Corporal Punishment.
- 11.5 School Policy on the Management of Drugs and Drug Use by Learners.
- 11.6 School Social Media Policy and Cell Phone Policy.
- 11.7 School Search and Seizure Policy.
- 11.8 School Policy on Dangerous Weapons.
- 11.9 DBE Protocol to Deal with Incidences of Corporal Punishment in Schools.
- 11.10 DBE Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools.
- 11.11 DBE Challenging Homophobic Bullying in Schools
- 11.12 DBE National Policy in Dealing with Pregnant Learners.

- 11.13 School Attendance Policy.
- 11.14 School CCTV Policy.
- 11.15 School's Policy on Inclusion, Equality and Diversity.
- 11.16 Code of Conduct for School Parents.
- 11.17 School's Anti-smoking and Vaping Policy.

## **12. POLICY STATEMENTS**

### **12.1 School Environment and Discipline**

- 12.1.1 A safe environment that is conducive to education including security of property, security of person, well-cared for school facilities, school furniture and equipment, toilet facilities, absence of harassment in attending classes, writing tests and examinations, participating in school activities, extramural activities or sport, all create an atmosphere that is conducive to education and training. All parties have a responsibility to maintain such an environment.
- 12.1.2 Discipline must be maintained in the school and the classroom to ensure that the education of learners proceeds without disruptive behaviour and offences perpetrated by other learners. The Schools Act, 1996 and related legislation and policies empowers school authorities to discipline learners, but it is unlawful to delegate this authority to learners.
- 12.1.3 Learners have the responsibility to learn and develop their own full potential and to allow fellow learners, without any hindrance, to reach their full potential.
- 12.1.4 The school engages in positive orientation which involves a process of induction that seeks to introduce learners to their new academic environment in a manner where dignity is enhanced as learners are advised, guided and mentored. This process focuses on self-discipline, self-motivation and self-respect together with academic and sporting achievements.

### **12.2 Specific Acts/Offenses**

- 12.2.1 Listed below are some examples of offenses that may result in discipline that is addressed in the policy in more detail. Other acts that are not listed below may result in discipline if a learner should have known that the act might hurt, injure, harass, or threaten others, affect the dignity of others, damage property, disrupt class or school, or violate a criminal law.
- 12.2.2 Some, but not all, of the acts that may result in discipline are:
  - a. arson;
  - b. blackmail;
  - c. bullying in all forms;
  - d. cellular telephones, electronic communication devices, and other electronic devices, the use of (See the school's social media policy)
  - e. cheating
  - f. chemical spray, pepper, mace; possession of;
  - g. computers or electronic devices, improper use of;
  - h. cyberstalking;
  - i. defiance in any form;
  - j. disruptive demonstration, participation in;
  - k. drug paraphernalia, possession of;
  - l. extortion;
  - m. failure to give correct name;
  - n. false alarm, making of (this includes pulling a fire alarm);
  - o. falsifying or altering records (for example, computer records or attendance notes);
  - p. fighting;
  - q. gambling;
  - r. gang participation or display of gang-like behaviour;
  - s. hazardous material, possession of;
  - t. hazing
  - u. hitting someone
  - v. interference with school personnel/educators;
  - w. interference with the movement of another learner;

- x. leaving school grounds without permission;
- y. physical force, use of against someone;
- z. profanity;
- aa. recordings of fighting or acts of bullying, assault, or battery, whether staged or real; posting or disseminating or posting to the internet;
- bb. repeated misconduct;
- cc. school rule, violation of a; (e.g. dress code violation);
- dd. sexting;
- ee. sexual activity at school, at a school activity, or on a school bus;
- ff. sexual or other harassment;
- gg. stealing;
- hh. threatening to hurt someone;
- ii. tobacco, possession of;
- jj. toy or replica gun or knife, possession of;
- kk. trespassing;
- ll. vandalism;
- mm. verbal abuse of another;
- nn. other serious misconduct which will lead to disciplinary consequences include but are not limited to the aforementioned infractions.

### **12.3 The Rights of the Learners (Also see the Bill of Responsibilities and Rights of Learners in the Appendix)**

- 12.3.1 While it is important that learners understand that they have rights and responsibilities, it is equally important that they understand that their individual rights are balanced against the rights of other learners, educators and staff within the school or any other person connected to the school e.g. parents, SGB members, SBST members or officials of the GDE. The Code outlines the learner's rights and responsibilities and provides a guide for the Principal to balance those rights against the Principal's responsibility to provide a safe and caring school.
- 12.3.2 At the school all learners shall have the right to due process. The school prides itself on its record of allowing learners to express and resolve school-related grievances together with the SMT and SGB in a responsible and courteous manner without infringing on the dignity of the others in the school.
- 12.3.3 Any form of disciplinary measures and actions embarked upon by the school is underpinned by dignity and respect.
- 12.3.4 Corporal punishment is prohibited at the school.
- 12.3.5 Learners are protected by laws prohibiting the release of any personally identifiable information, (including any CCTV footage, documents, reports or any other electronic information or evidence) to any party (excluding school authorities or a DC), without the consent of parents/guardians, or learners 18 years of age even during any disciplinary process.
- 12.3.6 The school will endeavour to provide learners with a clean, safe, healthy environment with access to clean running water and toilets and an environment that protects them from harassment and intimidation from attending classes and writing tests and examinations thereby creating an atmosphere conducive for teaching and learning.
- 12.3.7 Learners have the right to expect educators to maintain a high standard of professionalism, given the opportunity to teach and educate them without any disruptions.
- 12.3.8 Learners have the right to privacy in his/her personal possessions unless the Principal or her designee has reasonable cause to believe that illegal or harmful materials are possessed by the learner and/or are being used to disrupt the educational process or to endanger the health, safety or welfare of the learner herself and/or others.
- 12.3.9 Learners have the right to expect to attend a school free of drugs, weapons, dangerous objects/items, inebriation or any person being under the influence of any illicit substance, drug verbal and physical bullying, intimidation or victimisation.

- 12.3.10 Learners have the right to expect attend a school free of sexual harassment or criminal behaviour.
- 12.3.11 Learners have the right to expect to develop his/her full potential.
- 12.3.12 Learners have the right to expect to be treated with courtesy, tolerance and consideration but in turn must treat others equally in the same way.
- 12.3.13 Learners have the right to expect clean surroundings and hygienic premises but must do their part to keep it in such a condition.
- 12.3.14 Learners have the right to expect essential and appropriate learning facilities provided they contribute to it being so.
- 12.3.15 Learners are expected to be aware with each right they have, there is a concomitant responsibility to be exercised that in turn affects the rights of others.
- 12.3.16 Learners have the right to attend all classes regularly, free from interference, disruption whether of a verbal or physical nature, by any other person especially fellow learners, but are not allowed to disrupt classes.
- 12.3.17 Learners have the right to receive tuition in all preferred subjects, where practicable, according to the learner's abilities and subject to the core curriculum and standards required by the Provincial Department of Education.
- 12.3.18 Learners have the right to receive regular feedback reflecting academic progress.
- 12.3.19 Learners have the right to make responsible use of the school facilities subject to availability and the limitations imposed thereon by school rules and general school organisation.
- 12.3.20 Learners have the right to receive appropriate counselling within reasonable means for personal and/or educational problems within the limits of the school otherwise it is the responsibility of parents when directed by school authorities or the outcome of any disciplinary action.
- 12.3.21 Learners and their parents have the right to request in writing, to be excused from any activity which is against their religious beliefs provided the motivate such a request to the SGB,
- 12.3.22 Learners have the right to follow an agreed-upon procedure for expressing and resolving grievances provided that they follow the correct procedures in a courteous and respectful manner in terms of the school's policies and the Code.
- 12.3.23 As far as possible, learners/educators who have been victims of certain offences committed by other learners, as well as the siblings of the learner victims, may request to be kept separated from the learner offender both at school and during school transportation and any other school activity as far as possible. The School may forbid the offender to make contact or intimidate a victim in any manner and may institute further disciplinary procedures if it is not adhered to.

#### **12.4 The Responsibilities of Learners**

- 12.4.1 In the summary below, it is not possible to list the behaviour required of learners in every circumstance in the code. However, it *is* required of all learners to act, dress and behave sensibly, decently and in accordance with the code of behaviour generally accepted in the community served by the school. This is so, even if such actions or behaviour are not specifically either required or barred in terms of the other sections of this code, rules, disciplinary guidelines and demerit system and therefore include but are not, necessarily limited to learners undertaking to:
- a. refrain from engaging in any behaviour that violates the provisions of this Code of Conduct any other rules, including classroom rules, instructions and other related school policies.

- b. have the responsibility to avoid any behaviour that is detrimental to achieving their own and other learner's educational goals to learn and to pass subjects;
- c. attend all classes daily on time and pay attention to educational instruction;
- d. do all academic assignments and activities, including homework;
- e. be in possession of the appropriate working materials and stationery items for all subjects;
- f. be responsible for their own work;
- g. respect all persons and property;
- h. greet staff and visitors to the school courteously;
- i. refrain from abusive language and inflammatory actions, indiscreet sexual behaviour, teasing, intimidation, bullying in any form, emotional abuse, racist or sexist remarks or related in-appropriate gestures, indecent or immoral behaviour, comments, remarks or actions, and any form of initiation;
- j. conduct themselves in a safe and responsible manner;
- k. be correctly attired or groomed in accordance with the school rules;
- l. seek changes in an orderly and approved manner;
- m. protect school property;
- n. not litter or despoil the premises in any way;
- o. create mutual respect amongst themselves;
- p. strive towards being proactive, independent, critical, disciplined and creative thinkers;
- q. observe, respect and uphold the school rules;
- r. display a positive attitude and enhance the reputation of the school wherever possible;
- s. encourage a disruption-free learning process;
- t. refrain from any form of assault, the carrying of dangerous weapons/objects, criminal or illegal activities, intimidation, verbal and physical bullying, sexual harassment, victimisation, intimidation, smoking, drunkenness, the possession or use of drugs, or being in possession of pornographic material in any form or on any digital electronic device;
- u. adhere to the school's social media policy and the Code.

## **12.5 Privacy/Confidentiality**

12.5.1 The School will respect the privacy of a complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school's legal obligations to investigate, to take appropriate action, and to conform to any discovery or disclosure obligations. All records generated and disciplinary hearings held under the terms of the Code and related policies and rules and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

12.5.2 The findings from a Disciplinary hearing and all other warnings/debit points and other reports recorded are to be regarded as Confidential Disciplinary Records and shall remain on the learner's file for the duration of their time at the School. Disciplinary records are not to be forwarded to institutions of higher education.

## **12.6 Accommodation of Religious or Cultural Rights of Learners**

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

- a. 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 rights of the learner. The application must be accompanied by a letter from the Religious Leader.
- b. The application must be in writing and must identify the specific rule/s that are offensive to the learner's religious right/s as contained in the Constitution of the Republic of South Africa.
- c. This application must include a reasonable interpretation of the religious rights that the learner feels are offended and a suggestion of how the rules may be supplemented by the School Governing Body, to accommodate such religious rights.
- d. The learner must provide written proof that she/he belongs to that specific religion and that the religious practices, rules and obligations that are in conflict with the school's Code of Conduct are his/her true beliefs and commitments.

- e. The religious conduct or practice must be lawful and not cause any undue disruption to the school educational process or any school activity.
- f. The School Governing Body must consider the application and if it is satisfied that the application is justified in terms of Constitutional principles, the application will be granted in writing.
- g. The School Governing Body reserves the right to consult with other experts/knowledgeable persons on the requested deviation.
- h. When the 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.
- i. The deviation must specify the extent of the exception from the normal rules and must clearly identify the conduct that will be allowed e.g. the growing of facial hair; or the wearing of a specific hairstyle or jewellery/adornment and the conditions under which such deviation will be applicable to the learner.
- j. 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 emotional distress to the learner. Normally, cultural rights are exercised through marks and expressions of a temporary nature that are justified for a specific cultural gathering. The learner must convince the School Governing Body that his/her cultural rights can be exercised only through a permanent intervention.
- k. Any request for a deviation from the Code of Conduct based on cultural rights must be in writing and must be based on a process similar to that contained in the sub-para-graphs above.

12.6.2 The SGB shall consider the application for exemption from any other provision of the Code by any learner/parent that has been received in writing, with the necessary earnestness and responsibility, and within the framework of the Constitution, legislation and court judgements, and will inform the learner/parents of its decision in writing within 30 school days.

## **12.7 The Legal Authority for the Control and Discipline of Learners**

12.7.1 The South African Schools' Act empowers a governing body of a school to maintain discipline in a school. The Code of Conduct must prescribe behaviour that respects the rights of learners and educators.

12.7.2 The school will make every effort to ensure that parents and learners understand that disciplinary action may be taken against any learner and/or learners if they contravene the Code of Conduct and school rules and related policies. In cases where action has to be taken the school will inform the learners regarding the reasons for:

- a. Their conduct being considered as a transgression, misbehaviour, misconduct and/or serious misconduct in contravention of the Code.
- b. They are to be disciplined and/or sanctions may be imposed.

12.7.3 All enrolled learners (no matter what age even if they are adults in terms of the law) at the school are subject to the Code, applicable school rules and related policies without exception. (Section 8(4) of SASA).

12.7.4 All learners will be informed about the Code's contents on enrolment at the school and a summary of the CoC may be published in the school diary and it is expected of every learner and parent to sign the learner undertaking to abide by the school's CoC, Honour Code, classroom rules, instructions and any other related policy.

12.7.5 Any educator at the school who has a SACE number shall have the same rights as a parent to control and discipline any learner of the school, in accordance with the Code, school rules and related policies during the time the learner is in attendance at the school or school related activities off or on school premises, within or outside of school hours or where and when such a learner can be identified as a learner of the school, in or out of school uniform.

## 12.8 Search and Seizure of Contraband

- 12.8.1 The Principal or any educator as delegated in writing by the principal, upon reasonable suspicion, or any intimidating display/threat or assault with any of the said item(s), has the legal authority to conduct a search of any learner or any property as indicated below but not restricted thereto in possession of any learner for:
- a. any dangerous weapon/object;
  - b. any contraband,
  - c. firearm;
  - d. illicit drugs and/or over the counter medication/prescribed medication,
  - e. any tobacco/nicotine containing product which includes cigarettes and or any electronic smoking device/vaper/vape/disposable vape, vape products and/or the possession, use, or distribution of matches, lighters or any related product to the use of tobacco or any other nicotine product/ vaper flavouring liquid. It also includes tobacco products, which include cigarettes, chewing tobacco, snuff and e-cigarettes as well as vapers/vaping products possessed by any learner eighteen years of age or older;
  - f. any alcohol product or harmful dangerous substance;
  - g. synthetic (herbal) drugs;
  - h. any stolen property;
  - i. any pornographic material in any form or on any digital and/or electronic devices brought onto the school property;
  - j. and/or any emblems/badgers/patches/paraphernalia/clothing illustrating any images/slogans/wording/advertisements of use related to the aforementioned objects or any gang affiliation or any gang activities;
  - k. ammunition of any kind;
  - l. any type of fireworks,
  - m. toy weapons/replicas of any weapon;
  - n. laser beam devices;
  - o. any common pocket knife of any kind that may have one or more blades and utility tools or, a plastic knife, a blunt-bladed table knife, steak knife, any other kind of knife blade or any other type of blade or other item that is not designed or typically used as a weapon/dangerous object;
  - p. any intimidating display of the item(s);
  - q. any concealed weapon/dangerous object;
  - r. needles or other sharp objects that can be used as a weapon or dangerous object.
- 12.8.2 The principal and/or his/her delegate who has a SACE number, shall fully document and may take photographs of contraband found and seized in and for every incident where a search is conducted. Such documentation shall include a detailed account of the search, items impounded, the learners(s) involved, a list of all witnesses present, and other information regarding the incident.
- 12.8.3 The power to search in terms of SASA, without consent, allows a personal search involving the removal of outer clothing and/or any head covering (hat, cap, beanie etc.) but not an intimate search (Intimate searches may only be carried out by someone with more extensive powers such as a police officer). The learner must also empty all his/her pockets in front of the persons conducting the search. (See Appendix for procedures to undertake searches of learners).
- 12.8.4 The School is not required to inform parents/learners before a search takes place or to seek their consent to search a learner or his /her belongings. Nor is there any legal requirement for the school to inform learners/parents when alcohol, illegal drugs or potentially harmful substances are found in the course of a search, but after investigation the school may do so, if circumstances permit.
- 12.8.5 If a learner realises that he/she is in possession of any contraband, and voluntarily surrenders such contraband to an educator/staff member/security guard/member of SAPS or any other person, before the start of an investigation or search and seizure investigation, then the learner may be eligible for mitigation in a disciplinary response from the school or the SGB disciplinary committee.

- 12.8.6 The Principal or an educator as delegated in writing by the principal, upon reasonable suspicion, has the legal authority to test any learner for the use of any drug, illegal substance and/or any harmful dangerous substance, synthetic drugs and other medicines, pills and opiates.
- 12.8.7 The prescripts of Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners, General Notice 776 of 1998, forms part of this code of conduct as well as other policies of the school.

### **12.9 Habitual Learner Transgressors**

- 12.9.1 Learners must be aware that they are learners of the school for 24/7 and may be disciplined for actions that brought the school's name and honour in disrepute especially when it comes to transgressing the school's social media policy.
- 12.9.2 The principal/head of management (discipline) may institute disciplinary procedures against habitual transgressors including academic isolation, detention and suspension and disciplinary hearings.
- 12.9.3 Every educator is responsible to assist the school governing body with discipline in a lawful manner at the school and any school related activities.
- 12.9.4 Every educator has a duty to control the actions of learners when such actions may inflict harm to others or to the learner, or violate the rights of other learners or educators.
- 12.9.5 Educators must take reasonable measures where necessary to prevent a learner from harming himself or herself or others or the educator.
- 12.9.6 In cases where a learner cannot adjust to the school and where his or her behaviour is objectionable in that it violates the rights of others, an educator has the obligation to refer such a learner to the principal and to inform the learner's parents and the school governing body.
- 12.9.7 Violence against any School personnel/any other learner(s) by a learner or any learners is grounds for detention, out-of-school suspension, and recommendation for expulsion after due process by the disciplinary committee of the school to the HoD, or imposition of other disciplinary action by the school and may also result in criminal procedures being instituted by the affected staff member or learner/victim.

### **12.10 Any Learner Who Is an Accomplice/ Accomplice Activity/In the Presence of Misconduct**

- 12.10.1 Any learner who is an accomplice or complicit in any activity that transgresses the Code may be disciplined or a sanction can be imposed, if such a learner is an accomplice to another person in the commission of any misconduct. A learner is an accomplice to another person if, with knowledge that it will promote or facilitate the misbehaviour, he/she:
- Solicits, commands, encourages, or requests such person to engage in the misbehaviour, or
  - Aids/assists or agrees to aid such other learners in planning or committing the misbehaviour.
- 12.10.2 A learner is not an accomplice if he/she is the victim or participation is terminated prior to the misbehaviour and a timely warning/information is provided to any educator or school official that the misbehaviour may occur or is planned to occur.
- 12.10.3 If a learner engages in accomplice activity, he/she may be charged with the same offense as the learner who committed an offence and may receive the same sanction, with an indication to the disciplinary hearing that the learner committed the offense as an accomplice.
- 12.10.4 Any learner who is present when such misconduct occurs or has knowledge of such misconduct and does not report it to the school authorities are guilty of misconduct in terms of the Code.

## **12.11 Use of CCTV Cameras in the School and Surveillance (Also see the School's CCTV Policy)**

- 12.11.1 This serves to provide parents and learners notice that the installation of CCTV in the School is sanctioned by school policy and the Code of Conduct and approved by the Governing Body and is legal in terms of the Protection of Personal Information Act, 2013.
- 12.11.2 The purpose of such a CCTV installation should always be for the strict control over any footage and the purpose for which the footage may be used and will be for the promotion of educational rights of the majority of the learners and also to protect the security of learners, educators, staff and visitors alike.
- 12.11.3 The Principal will have strict control over any footage and the purpose for which the footage may be used.
- 12.11.4 The learners and teaching staff have a constitutional right to privacy, but such right to privacy may be limited in terms of competing constitutional rights such as **security of the person** and **the right to education** amongst others and particularly where there would not be a legitimate expectation of privacy in any particular circumstances.
- 12.11.5 The school shall be entitled to monitor any and all learner activities at the school, on any school premises, facility, vehicle or premises and/or facilities of customers of the school, therefore security cameras/CCTV installations may not be tampered with or re-aligned.
- 12.11.6 Monitoring of any footage and monitors may be carried out by personal observation, surveillance equipment, CCTV surveillance and/or searches of learner's property from time to time.
- 12.11.7 Learners shall be required to co-operate and/or assist and/or participate in any investigations or searches carried out by the school and shall comply with any instructions given by the school in this regard.
- 12.11.8 It is specifically recorded that learners and parents have been informed of, and is aware of the fact that such monitoring may take place from time to time.
- 12.11.9 All monitoring in terms of the Code and related policies are essential and necessary for the operational requirements of the business of the school and in order to protect the business of the school against unlawful activities, losses, shrinkage and any other form of harm or damage.
- 12.11.10 Any CCTV footage, information or evidence or documents obtained or procured by the school through surveillance of activities may be used as evidence against any learner in any proceedings, whether internally in the school or in any tribunal, forum or Court but will remain confidential and may not be released to any outside party and or even any parent without a court order or a police warrant.

## **12.12 Safeguarding Confiscated/Seized Items by the School Authorities**

- 12.12.1 As soon as practicable after confiscation of any item/contraband that is confiscated or found in a learner's possession/bag/locker or on reasonable suspicion is believed to belong to a learner or was in the learner's possession, should be photographed or videoed with commentary, may be downloaded to an USB or secure server or secured in an envelope or bag and marked with the learner's name, grade, description of the item and date of confiscation and signed into the register for confiscated items and placed in the school's vault/safe. A receipt should be completed at the time of deposit and a copy either given to the learner directly or placed in their form folder and handed to them by his/her educator at the earliest opportunity.
- 12.12.2 Members of staff are permitted to **confiscate inappropriate items and even cell phones or any other digital/electronic device/smart watch which may be** considered harmful or detrimental to school discipline and the school is protected from legal proceedings arising from the confiscation of the same if the items are brought on to school premises or used during any school activity or off the school premises or after school hours, in contravention of the Code.

- 12.12.3 All reasonable steps will be taken to ensure that storage arrangements are secure, but all confiscated items are placed in the vault at the learner's risk and the school accepts no responsibility for loss or damage of any kind if it is not an illegal item.
- 12.12.4 For some items, the school will deal with it in terms of the provision of SASA and the School will always seek specialist advice, for example suspected illegal drugs and items/objects which might be used as weapons. The school is committed to working in partnership with Police and other specialist law enforcement and other governmental agencies to cover such issues. The school will not hesitate to access specialist support and advice if an incident occurs that warrants such intervention.
- 12.12.5 Items/contraband which might be considered for confiscation include, among other items not listed here:
- a. Any item posing a threat to others - for example, a laser pen being used to distract and possibly harm other learners or staff.
  - b. Any item/object/substance posing a threat to good order for learning.
  - c. Any item which is against school uniform/dress code and appearance rules.
  - d. Any item posing a health or safety threat.
  - e. Any drug, alcohol, medicine product, substance.
  - f. Any tobacco product or related paraphernalia, such as lighters, pipes, cigarettes which will be destroyed.
  - g. Any vaper and related paraphernalia which will be destroyed.
  - h. Any unauthorised jewellery items
  - i. Any weapon/dangerous object.
  - j. Any item which is counter to the ethos of the school and/or which is illegal for a learner to have in his/her possession in terms of the Code or common law.
  - k. Cell Phones and other electronic devices confiscated if found operational during school hours.
- 12.12.6 Cell phones and other electronic devices may be returned after the principal has given permission.

### **12.13 Educator Reporting Information**

- 12.13.1 Any educator has the authority, consistent with this code, school rules and related policies and applicable law, to manage his/or her classroom, discipline learners, and refer a learner to the principal/head of management (discipline) or designee to maintain discipline in the classroom.
- 12.13.1 Any educator who has knowledge that a learner has exhibited behaviour which violates the learner code of conduct and repeatedly or substantially interferes with the educator's ability to communicate effectively with the learners in the class or with the ability of such learner's co-learner's ability to learn or receive education /instruction may file a report of such behaviour with the principal or his/her designate or act in terms of the Code.

### **12.14 Obligatory Learner Reporting of Violations of the Code**

- 12.14.1 Each learner is reasonably expected to be responsible for his/her own behaviour.
- 12.14.2 All learners are expected to promptly report violations of the code of conduct by any learner to an educator, counsellor/social worker, the principal/deputy principal, head of management (discipline) or his or her designate.
- 12.14.3 Any learner observing a learner possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to an educator, the principal, the principal's designee or any other adult they can trust on the school premises.

### **12.15 School Notices, Circulars and any Other Written Communication**

- 12.15.1 Every learner shall hand over to his/her parents any notice to parents/legal guardian issued to them for that purpose by the Governing Body, the Principal, the Administrative staff or any educator. Likewise, every learner shall promptly return to his/her register educator any return slip or acknowledgement of receipt, required to be completed by his/her parent/legal guardian.

## **12.16 School Documents/Other Documents**

- 12.16.1 No learner may in any way alter any document belonging to and/or issued by the school. This includes, but is not restricted to, school reports, receipts for monies paid to the school, substitution lists, letters on the school's letterhead etc. This will be viewed as fraud/forgery.
- 12.16.2 Parents will be notified via electronic means by the school that an important document letter has been issued to the learner for his/her attention.
- 12.16.3 No learner may forge the signature of parents, guardians, educators, school officials, any medical doctor or any other person and/or alter any document or commit any other fraudulent acts.

## **12.18 School Learner Academic Reports**

- 12.18.1 Each learner will be issued with an academic report after each term.

## **12.19 Expected Behaviour of Learners**

- 12.19.1 Learners are expected at all times to behave in a courteous, respectful and considerate manner towards each other, learner leaders, all members of staff and visitors to the School.
- 12.19.2 Learners are required to communicate in the languages of learning and teaching in the classroom or when addressing any staff member. They may use another language provided it does not affect the dignity of any person and is not any type of profanity or any other offensive, immoral or indecent phrases which may be any form of bullying, intimidation, hate speech, any form of harassment, racism, sexism, misogyny or xenophobic or discriminatory.
- 12.19.3 All learners will have the responsibility of showing respect for the authority and knowledge of school staff.
- 12.19.4 Learners must obey lawful instructions and directions and use only acceptable and courteous language and to avoid any actions that show or exhibit contempt, insolence and talking back. Assaults or any threat of assault on school staff will not be tolerated under any circumstances. Bullying, harassment, threats, intimidation and/or cyberbullying towards school staff are equally prohibited.
- 12.19.5 Learners are expected to abide by the Code, school rules and related policies with regard to their dress and 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.
- 12.19.6 Any learner refusing to open a book, write an assignment, work with another learner, work in a group, take a test, or do any other class or school-related activity not listed herein, refusing to leave any place on the school premises or any school activity or any other location when instructed by any school staff member, or running away from school staff when told to stop constitutes unruly conduct and a violation of this code.
- 12.19.7 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. Class pranks have become a serious problem and will not be tolerated. Such pranks cause disruptions of the educational process and reflect a negative image on the class and the school in general.
- 12.19.8 Only those learners with an official pass/written authorisation/pass to a specified location are permitted outside the classroom during educational time during the school day. While on-route, any educator may request the learner's pass/diary and name and class. Learners will be held accountable to the reason stated on the pass.
- 12.19.9 The School will contact parents/guardians when a learner's behaviour becomes a cause of concern and will endeavour, in a spirit of constructive partnership, to resolve the problem.

- 12.19.10 The throwing of objects at any person by any learner on the school premises in class/during any lesson or during any school activity is prohibited.
- 12.19.11 Learners may not enter school premises before or after school hours, or use any of the school's facilities and equipment, including those for sport or any other school activity, before or after school hours without permission.
- 12.19.12 Learners are both encouraged and expected to display behaviour in accordance with the school values i.e. respect, integrity, service and excellence.
- 12.19.13 Appropriate action will be taken in the case of conduct that discredits the School in any way in the eyes of the community and the greater community. Learners may not say or do anything that will discredit themselves or the school.
- 12.19.14 Failure to follow directives or lawful instructions and commands is a violation of the code.
- 12.19.15 Every learner of the school has the right to a reasonably quiet environment in which to study and write tests and exams and to receive and participate in educational activities in class and on the school premises. The school expects all learners to respect this right and to be aware of the impact of their activities on other learners when moving around the school during any time. The school has several areas designated as quiet zones which includes the office admin block and other areas which will be indicated with the appropriate signs. Learners will not bring to school any Wi-Fi or Bluetooth loudspeakers and equipment and will not play loud music through these devices or even through cell phones. This is also applicable to the use of all cell phones, smartphones and other digital devices.
- 12.19.16 Learners may not disrupt education, instruction or other school activities or operations in any way.
- 12.19.17 Learners will arrive on time for all school activities and instruction.
- 12.19.18 Learners will not make false statements or false accusations about any other person or about their identity or any other school matter or their work.
- 12.19.19 Learners may not solicit or attempt to solicit any other learner to violate the Code, School policies and rules, or the law.
- 12.19.20 It is expected that all learners in the School will attend the classes to which they are assigned and write tests in the rooms as per their rosters and not interfere or enter or be in a class in which they should not be.
- 12.19.21 A learner shall not refuse to give his/her correct name when requested to do so by authorised school personnel. A learner shall not use another person's identification or give false identification to any school personnel to falsely obtain information, money, any property or a cell phone/smartphone and/or any other confiscated object.
- 12.19.22 Disrespect towards the national symbols (national flag, anthem, etc.) of the Republic of South Africa as well as the school flag and anthem will not be tolerated.
- 12.19.23 Learners must not disregard/undermine the authority of the Principal or staff of the school.
- 12.19.24 Learners may not and will not harass others or misbehave in any manner that causes disruption or obstruction to any educational or instructional process. Disruption caused by talking, making noises or any other sound, gestures, body movements, clapping, knocking, clicking fingers and/or tongues, throwing any object anywhere on the school premises or otherwise distracting behaviour of any manner or kind constitutes disorderly conduct and disruption of classes/activities and frustration of teaching and learning. Behaviour is considered disorderly conduct if an educator, member of staff, coach, therapist and instructor is prevented for starting teaching a lesson or activity or it takes place during a lesson or activity, or has to stop instruction/supervision to deal and address the disruption or the learner or learners who caused the disruption.

- 12.19.25 Learners may not post or distribute literature or materials without written school authorisation or engage in sexting of any kind or insult the dignity of another person on social media and may not place any notice or drawing or any other form of document anywhere on the school premises without permission of the principal/ deputy principal.
- 12.19.26 No pets, insects, reptiles or any arachnids are to be brought to school without the permission of the Principal or his/her delegate. Cruelty to animals is not allowed and will not be tolerated.
- 12.19.27 No learner may use the address of the school premises to receive deliveries of any kind from any courier, delivery company or any other delivery service. The security guard and staff have been instructed to accept no parcel or other foodstuff or any other object from any delivery service on behalf or for any learner and to send the delivery person away.
- 12.19.28 No form of Satanism/occult/blasphemy or the practice or promotion there-of or the wearing of any symbols associated with it or graffiti or any post on social media or any notices are allowed.

## **12.20 Behaviour during Assembly and Announcements during the School Day/School Activities**

- 12.20.1 When school is in session, announcements related to school concerns will be made at designated times on the school intercom address system or during assembly or at other times during any school activities. Learners will be quiet and attentive during all announcements and assemblies and adhere to instructions that may be given where applicable.
- 12.20.2 No learner may pass any comment on what transpires in assembly, whistle, jeer or laugh in a manner designed to attract attention to himself/herself during the assembly or any announcements or prayer. Learners are to follow instructions and show respect at all times. Interfering with other learners or making noise or causing disruptions during announcements/ assembly will be an offence and will be viewed as disruption of the educational process of the school and counts as a transgression of the Code.
- 12.20.3 The use of cell phones and electronic music players and any other digital/electronic device (hearing aids and essential medical devices excluded) is prohibited during announcements/ assembly or at any stage during formal school hours, no learner may play games, access any app, social media platform, internet or are allowed to even use earphones, iPods or any other form of Bluetooth or Wi-Fi enabled apps or equipment during the time of assemblies or announcements. This is a transgression of the school's social media policy and the cell phone and related paraphernalia and will be confiscated by the educator in charge and locked away as per the search and seizure policy of the school and may only be returned after a period as decided upon by the principal. (Refer to cell phone policy)

## **12.21 Searches Involving Outside Legal Agencies, Dogs, and/or Detection Devices**

- 12.21.1 Searches and seizures which involve outside (non-school) personnel, dogs, and/or detection devices are permitted and will be conducted when appropriate.

## **12.22 Obligatory Learner Identification**

- 12.22.1 All learners must identify themselves upon request of school staff or any school appointed security guard. To refuse to do so or supplying a false name is a transgression of the CoC and school rules, including classroom rules. Supplying a false name or another learner's name as your own, is fraud.

## **12.23 Learner Insubordination and Gross Insubordination**

- 12.23.1 A learner will not ignore or refuse to comply with lawful directions or instructions given by any educator or the school authority.

- 12.23.2 Any wilful and unjust refusal to submit to or comply with authority and or exhibiting open contempt or open resistance to a legal direct order from any educator or member of the SMT, including (but not restricted there-to):
- a. any form of refusal (verbal and physically) to stop disruption of any education and/or frustrates teaching or learning during any class or school activity;
  - b. refusing to open a book, write an assignment, PAT, work with another learner, work in a group, take a test or perform other any other class or school- related activity;
  - c. refusing to/not attending any detention class and/or community service or any other intervention, obligation or an internal or external disciplinary hearing without just cause
  - d. refusing to leave a hallway, entrance to a door or any other school area or any other place, or running away from school staff when told to stop and other offences as directed by the principal all constitute insubordination; or jumping the fence of the school, climbing through a window and/or leaving a class/assembly without permission or trespassing and/or being in a classroom prohibited location on the school premises or during any school activity or climbing over the school fence.

#### **12.24 Legal Excused Absences for Non-attendance of School or Legal Reasons for Late Coming of a Learner**

- 12.24.1 Illness or injury of the learner. (Documentary proof must be provided if absent).
- 12.24.2 Illness or injury of the learner's immediate family necessitating the learner's absence – immediate family includes, but is not limited to parent, brother, sister, grandparent, aunt, uncle, legal guardian or person in loco parentis, or member of the household. (Documentary proof must be provided).
- 12.24.3 Death of a member of the learner's immediate family. (Documentary proof in the form of a letter from the parent must be provided if absent afterward or before leave of absence is granted).
- 12.24.4 Urgent doctor or dental appointments which cannot be scheduled outside of school hours (School to be informed by the parent before the appointment or as early as possible in the school day and documentary evidence to be provided for such appointment).
- 12.24.5 Pre-arranged absences of educational value/representing the province country at a sporting/cultural event and with the principal's prior approval - The request for pre-arranged absence must be at least five days in advance to be excused unless there are extenuating circumstances.
- 12.24.6 Recognised religious holidays with the prior approval of the principal/SGB.
- 12.24.7 Judicial actions – subpoena/summons to appear in court or warrant of arrest issued (documentary proof to be provided).
- 12.24.8 Hospitalisation for psychological evaluation/rehabilitation programmes. (Documentary proof to be provided).
- 12.24.9 **All other absences or late coming are considered unexcused and will be dealt with in terms of the Code and school rules by the school.** Learners with unexcused absences are responsible for making arrangements with the educator to catch up all work and assignments within five school days after their return to school. Arrangements to catch up work are to be made with the educators and are the responsibility of the learner/parents of the learner in case of foundation phase learners.

#### **12.25 Participation in the School Programme/Activities by a Learner**

- 12.25.1 A learner shall participate in the educational curriculum as prescribed by the Gauteng Education Department, unless exemption has been granted.
- 12.25.2 The participation in any school activity is a privilege and not a right and this includes to be voted, nominated or appointed in any leadership position.

- 12.25.3 School activities provide additional opportunities for learners to pursue special interests that contribute to their physical, mental and emotional well-being. They are of secondary importance in relation to the formal instructional program; however, they complement the educational instructional programme in providing learners with additional opportunities for growth and development.
- 12.25.4 All rules and prescripts of the Code pertaining to learner conduct and learner discipline extend and are applicable to all school activities and is described in the term of what is misconduct.
- 12.25.5 When a learner has joined a co-curricular school activity, he/she shall fulfil his/her obligations and carry out his/her responsibilities in that connection, unless he/she is granted exemption by the principal/educator in charge of the activity for the duration of the season. As a learner of the school participating in a sport/extra-curricular activity offered by the school, the learner's first loyalty is always towards his/her school.
- 12.25.6 Participation in any school activity is a privilege and not a right and any learner who transgresses the Code, school rules or any other related policy may be barred from participation in any activity and any award or colours received can be forfeited or any leadership position in the school be revoked.
- 12.25.7 The school expects all learner participants and any learner spectators at school sponsored activities, to behave in an appropriate manner at those activities.
- 12.25.8 Learners may be subject to discipline and sanctions for engaging in misbehaviour or inappropriate, illegal or unsportsmanlike behaviour at these activities or events.

## **12.26 “In Loco Parentis” Responsibilities of Educators and Other School Staff**

- 12.26.1 “In loco parentis” responsibilities to all learners diminishes immediately upon exit of the school premises, unless in the care of an officially appointed person on behalf of the school. (Sports/cultural and other official School Representative events – unless a waiver/disclaim thereof is signed).
- 12.26.2 No learner may be on the school property unless he/she is involved in an official school activity or must report to a detention class, study class or the aftercare school centre. The school will only accept responsibility for any learner who is not involved in any activity for one hour after the school has been dismissed for the day.

## **12.27 Behaviour of Learners Outside of the School Premises**

- 12.27.1 No learner of this school shall bring discredit to the school by any unseemly behaviour in any public place or at any other school.
- 12.27.2 No learner of this school shall bring discredit to the school by any unseemly behaviour during in-school activity of the school premises in terms of the Code and school rules, whether in or out of school uniform.
- 12.27.3 Learners waiting for transport before or after school shall do so in an orderly manner.
- 12.27.4 Learners using buses/transport shall behave in accordance with the instructions of the driver, or the person officially in charge of the vehicle.
- 12.27.5 Learners are to observe the rules of the road when waiting outside the school.

## **12.28 Gang Activity or Association**

- 12.28.1 For the purpose of these policies, a gang is a group of three or more people who:
- interact together to the exclusion of others;
  - claims a “turf”, territory or area;
  - have a name;
  - have rivals/enemies; and

- e. exhibit antisocial behaviour often associated with crime or a threat to the community.
- 12.28.2 The type of dress, apparel, activities, acts, behaviour or manner, or grooming displayed, reflected or participated in by the learner shall not:
- a. lead school officials to believe that such behaviour, apparel, activities, acts or other attributes are gang related or would disrupt or interfere with the school environment or activity and/or educational objectives;
  - b. present a physical safety hazard to self, learners, staff members, or other employees;
  - c. create an atmosphere in which the well-being of a learner, staff member, or other person is hindered by undue pressure, behaviour, intimidation, overt gesture or threat of violence; or
  - d. imply gang membership or affiliation by written communication, marks, drawing, paint, design, or emblem upon any school or personal property or on one's person.
- 12.28.3 Additionally, inappropriate hand gestures of any type are not acceptable. If a learner's dress or behaviour is in violation of the Code of Conduct or any related policy or school rule, the principal or his/her designee may instruct the learner to make the appropriate correction. If the learner refuses, the parent/guardian will be notified and asked to make the necessary correction. The principal or designee will make the final decision and take appropriate corrective or disciplinary action.

## **12.29 School-Sponsored Learner Publications and Activities**

- 12.29.1 The school may exercise editorial control over the style and content of learner expression in school-sponsored publications and activities.
- 12.29.2 Expressions and representations made by learners in school-sponsored publications and activities are not expressions of the school and or SGB.
- 12.29.3 An appointed educator shall supervise learner writers to ensure compliance with the law and school policies.
- 12.29.4 Learners who believe their right to free expression has been unreasonably restricted in an official learner publication or activity may seek review of the decision by the principal whose decision will be final.
- 12.29.5 No one shall induce or coerce any learner or staff member to accept a learner publication.
- 12.29.6 Official learner school publications and activities shall be subject to the guidelines set forth below.
- 12.29.7 Expression in an official school publication or school-sponsored activity is prohibited when the material/content:
- a. Is deemed to be prejudicial to any person or obscene.
  - b. Is libellous or slanderous or insults the dignity of another or the school.
  - c. Advertises or promotes any product or service not permitted for minors/any learner by law or is in contravention of the code, school rules or any related policy.
  - d. Encourages learners to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
  - e. Expresses or advocates sexual, racial, or religious harassment or violence or prejudice.
- 12.29.8 Expression in an official school publication or school-sponsored activity is subject to editorial control by the school over the style and content so long as the school's actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:
- a. Assuring that participants learn whatever lessons the activity is designed to teach.
  - b. Assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity.
  - c. Assuring that the views of the individual speaker are not erroneously attributed to the school.

- d. Assuring that the school is not associated with any position other than neutrality on matters of political controversy.
- e. Assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

### **12.30 School Uniforms, Wear and General Appearance of a Learner (Refer to school attire policy)**

- 12.30.1 Learners' general appearance directly influences the way in which a school is perceived in terms of the norms and standards advocated and upheld by that institution. It creates an undeniable sense of entity within the School context and contributes positively towards issues such as discipline, orderliness and goal-orientated academic and sport and cultural achievement.
- 12.30.2 The policy of the school is to encourage learners to be dressed appropriately in terms of the school's dress and appearance code and in keeping with its standards. Learners are expected to wear the official school uniform and appear neat and tidy at all times.
- 12.30.3 The school uniform is intended to give each learner of the school an identification with the school and is important to the school tone.
- 12.30.4 The wearing of the uniform is a mark of loyalty to all the School stands for Learners are required to wear the School uniform on all school occasions unless special instructions have been given by the principal or they have to wear dress for a school activity. This is a joint responsibility of the learner and the learner's parent(s) or guardian(s).
- 12.30.5 Learners shall at all times during school hours, or while involved in school activities, be dressed in the complete appropriate school uniform. No learner may wear a combination of uniform items and non-uniform items.
- 12.30.6 Parents have the responsibility to ensure their children leave home each school day correctly attired and that their grooming is of an acceptable standard. In all matters pertaining to the learners' appearance it must be borne in mind that learners' appearance must be suitable to the school environment/activity, which is not necessarily the same as a social or work environment. Learners may not change from school uniform into other clothes (besides sports clothes) before leaving the school premises, without permission from the Principal or his/her designate.
- 12.30.7 No learner may wear any regalia/school colours he/she has not earned.
- 12.30.8 All learners are expected to wear the uniform with pride. Uniforms should be kept neat and tidy, clean and in good condition at all times. Learners are not permitted to write on uniforms or get their uniform wet in any type of water fight.
- 12.30.9 Girls' skirts should be knee length neat and clean.
- 12.30.10 Learners should be neatly and correctly dressed in their school uniforms daily, unless otherwise determined by the Principal.
- 12.30.11 Learners' hair - Hair is a part of the school uniform and appearance rules and must be clean, well-groomed and neat at all times.
  - a. Girls' hair must have a neat appearance. If long, the hair must be neatly tied with the approved accessories. No hair extensions allowed.
  - b. No wigs are allowed unless for medical purposes.
  - c. Boys' hair must be short and evenly cut without any designs on the side or on the crown of the head.
  - d. No frayed ends are allowed for boys and girls.
  - e. Highlights and coloured hair are not allowed.
  - f. No combs in hair are allowed.

- 12.30.12 Jewellery
- a. All learners are allowed to wear a wristwatch.
  - b. Necklaces and bangles are prohibited for boys and girls. Only one set of small studs or sleeper earrings may be worn only by girls.
  - c. The above notwithstanding, no liability whatsoever can be accepted for the loss of, or damage to any confiscated jewellery or article regardless of the cause of such loss or damage by the school under any circumstances.
- 12.30.13 Learners' nails
- a. Nails of both boys and girls must be clean, cut short and well cared for.
  - b. Polished nails are not allowed.
  - c. Fake nails of any kind are not allowed.
  - d. Nail polish and make-up are not appropriate for school.
- 12.30.14 No makeup - no form of eye or facial make-up is permitted, unless for medical reasons in which case a doctor's note has to be provided. No lip gloss or lipstick are to be worn.
- 12.30.15 Learners may not wear or display, any objectionable emblems, badges, symbols, signs, words, patches, objects or pictures on clothing or jewellery communicating a message that is racist, sexist, or otherwise derogatory to any group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined.
- 12.30.16 When, in the judgment of the principal or his/her designate, a learner's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or is not allowed in terms of the Code, or poses a threat to the health or safety of the learner or others, the learner will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- 12.30.17 All boys must be clean shaven. No facial hair is allowed (e.g. beards, moustaches, and goatees). Sideburns may not be longer than the bottom of the ears and not extend to the face or onto the cheeks.
- 12.30.18 Commercial sunglasses/shades/dark glasses will not be worn on top of the head, on the school premises or in the school building or anywhere else on the school premises or during any school activity, unless prescribed by a physician or another person who is professionally qualified to make such recommendations.
- 12.30.19 No coloured contact lenses are allowed to be worn if contact lenses are worn they must be clear. It must be stated on the learner's medical questionnaire if he /she wears contact lenses in case of any medical emergency.
- 12.30.20 Shirts must be tucked in. Only prescribed trousers are allowed. Belts must be tucked into the belt loops; belts may not hang.
- 12.30.21 Trousers should fit in a manner that they do not touch the floor, or sag and reveal underwear at any time. Shoes cannot be completely covered by pants and must be visible at all times.
- 12.30.22 No facial piercings of any kind are allowed at school, during any school activity or school function on or off the school premises in or outside of school hours during such activities. Only one earring per earlobe may be worn. Earrings may not contain cut or coloured glass, cubic zirconia or any other gemstone. Any other piercings on the body must be covered at all times. No tongue rings are allowed. "Spacers" will not be allowed for facial piercings since the piercing is an obvious violation of school policy. Facial earrings (eyebrow, lip, nose, etc.) may not be worn by learners at school or at school activities
- 12.30.23 The School dress and grooming policy will, after permission has been obtained in writing from the SGB, accommodate learners whose religious beliefs are substantially burdened by the rules

- 12.30.24 The Principal/deputy principal or any designated educator will be the final judge about whether a learner's clothing is appropriate for school or whether it will create any circumstances or incidents that are distracting to learning or the ethos of the school.
- 12.30.25 The Principal and staff members will enforce the dress code and will have the final word on uniform. Failure to comply with the dress code will be handled similarly to other disciplinary infractions. Non-compliance may result in consequences including but not limited to detention, in-school suspension and loss of eligibility to participate or be barred from participation in extra-curricular school activities.

### **12.31 Dealing with Uniform/Appearance Offenders of a Learner by the School Authorities**

- 12.31.1 There will be no system of warnings. The child will be asked to remove the item/jewellery - it will be then placed in the learner's school bag at their own risk. Additionally, a demerit will be awarded every time the item is worn.
- 12.31.2 Incorrect items of clothing or clothing worn incorrectly needs to be placed in the child school bag. The school or a member of staff will not be held responsible if an item is lost or stolen.
- 12.31.3 Makeup will be removed when worn during a school day/activity/function and hair fixed.
- 12.31.4 Learners with unacceptable hairstyles will be dealt with in a similar manner as stated above. If hair is however cut / shaven / coloured in an incorrect manner the parents will be phoned in order to fetch the learner and have his / her hair fixed before they return.
- 12.31.5 Boys who come to school with stubble beards will be requested to be shaven the next school day and a demerit will be awarded.

### **12.32 School Bags of Learners**

- 12.32.1 All school bags must be made of a material strong enough to protect all school books. Bags should not attract attention by their design or colour. They should be neat, presentable and in line with the ethos of the school. No graffiti of any sort is permitted on school bags.

### **12.33 General Appearance and Grooming of Learners Wearing of Civilian Clothes on "Civvies Days"**

- 12.33.1 Learners shall not dress, groom, wear or use emblems, insignias, badges, or other symbols where the effect thereof is to distract unreasonably the attention of other learners or otherwise to cause disruption or interference with the operation of the school. Apparel/dress that disrupts educational activities and processes of the school will result in the removal of the learner from the regular school environment until acceptable apparel can be secured for the learner.
- 12.33.2 Clothing containing any objectionable logos and/or depicting any obscene, profane, lewd, or vulgar statements, clothing that promotes drugs or any illicit use of any substance in any form, clothing discourteous of school officials or authority, clothing that is disrespectful or distortive of religion is not allowed.
- 12.33.3 The Principal or other duly authorised educator shall determine whether any particular mode of dress, apparel, grooming, or use of emblems, insignias, badges, or other symbols result in such interference or disruption, as to violate this rule. Learners shall at all times ensure that their dress and appearance adhere to the rules with regard to body cleanliness, hygiene, modesty, and neatness of appearance and good grooming. Revealing clothing, which in any way exposes any undergarments, the torso, a naked back, front of body or cleavage of any kind, are not appropriate. Correctly sized clothing must be worn.
- 12.33.4 Hair colour and/or styles, any makeup, body piercing, or style of dress that may cause a disruption to the learning environment or school programme will not be allowed.

- 12.33.5 Coats and jackets shall be the appropriate size for the wearer, shall not be overly baggy so as to distract or otherwise cause disruption or interference with the operation or safe conduct of the school.
- 12.33.6 Shirts or blouses - unacceptable attire includes clothing that exposes the torso such as see through garments, halters, spaghetti straps, backless dresses, tube tops, tank tops, or muscle shirts, bare midriff outfits, or shirts or blouses that are tied at, or may rise above the waist. All shirts and blouses must cover midriff, back, sides, and all undergarments including bra straps at all times. All shirts, tops, and dresses shall have sleeves and cover the shoulders.
- 12.33.7 Skirts, shorts, and pants of all kinds must be fitted at the waist and must be at a length at least equal to the longest part of the fingertip when hanging down by the side of the learner, which should be at least the mid-thigh area. The SGB deems miniskirts and short-shorts to be disruptive and they are not allowed. This includes skirts and dresses and includes any opening, such as a slit, that exposes the thigh above the fingertip/mid-thigh area previously described herein. Where appropriate, belts must be worn.
- 12.33.8 All pants, trousers, slacks, including jeans, must be without cut-outs or holes that expose the skin above the fingertip/mid-thigh area previously described herein. They must be fitted at the waist and must not be baggy or oversized or undersized and not sagging. Pants must not drag on the floor. All trousers, pants, or shorts must totally cover undergarments, including boxer shorts. Where appropriate belts must be worn.
- 12.33.9 Leggings are considered an accessory and are to be covered by the appropriate length skirt, dress or other garment. Unacceptable shorts include, but are not limited to, spandex-style "bicycle" shorts, short-shorts, running shorts, and boxer-type shorts or any see-through garment.
- 12.33.10 See through or mesh fabric clothing may only be worn over clothing meeting requirements. Clothing must be appropriate size, with the waist of the garment worn at the learner's waist. Clothing not properly buttoned, zipped, fastened, or with inappropriate holes or tears shall not be worn.
- 12.33.11 Clothing and footwear traditionally designed as undergarments or sleepwear shall not be worn as outer garments.
- 12.33.12 Shoes/footwear- shoelaces should be tied. No house slippers, or altered shoes, such as shoes with wheels, are allowed. At all times learner safety should be considered in shoe selection. Footwear that is deemed a safety hazard will not be allowed. No hang ten sandals or flip flops allowed.
- 12.33.13 Belts, if worn, must be secured at the waist and buckled. All straps must be fastened, and sashes must be tied. Excessively large belt buckles are prohibited.
- 12.33.14 No hats, balaclavas, scarves, sweatbands, bandannas, beanies, caps or other head covers may be worn in the building except for medical or religious purposes as approved by the SGB.
- 12.33.15 Sunshades and/or any dark glasses/sunglasses will not be worn inside the school building unless prescribed by a physician or another person who is professionally qualified to make such recommendations.
- 12.33.16 Learners shall not wear clothing (shirts, caps, etc.) that will in any way promote or advertise the use of narcotics, alcoholic beverages, tobacco or stimulant drugs which are illegal for any such learner to use.
- 12.33.17 Suggestive, vulgar, or obscene pictures, showing any inappropriate or indecent obscene gesture or picture and/or language on any clothing are forbidden.
- 12.33.18 Any symbol or article of clothing that is gang related or can be surmised is gang related, is prohibited and will be confiscated and destroyed by the school.

### **12.34 School Attendance and Truancy (Bunking) by any Learner**

- a. All learners are expected to attend school punctually every school day.
- b. Access to the school is through the gates only, and then only when the school is open. No learner may climb over or through any fence or over a gate!
- c. Learners may not stand/sit/loiter around school gates during school hours.
- d. All learners are required to assemble in designated areas by 07:20 (time) each school day.
- e. Should a learner be absent from school, his/her parent is required to notify the school in writing and supply the reason for the absence.
- f. Learner truancy/absence/slip from class and/or bunking will not be tolerated. A learner is truant if no valid explanation is provided for absences or the learner is absent for reasons other than those recognised as excusable.
- g. No learner may in the course of a lesson be outside the classroom without permission of the educator. Any learner leaving a class/school activity without a valid reason or permission from the educator in charge is guilty of a misdemeanour. No learner may leave the school premises without being dismissed or being given permission to do so.

### **12.35 Prohibition of Food Sales and Sale/Bartering of Any Goods by Any Learner**

- a. In keeping with the school's fundraising policy, no food, drinks, candy, sweets, cakes, cupcakes, muffins, cookies, cool drinks or any other form of liquid etc., may be sold/bartered during school hours by any learner without the written permission of the principal.
- b. No learner may therefore sell, distribute, or take orders for any items (even any item deemed to be contraband or other illegal products/substances) for the purpose of raising money for personal gain or for non-school related activities at school or during school hours.
- c. Soliciting, selling, or collecting money from school personnel by learners without the permission of the principal is forbidden.
- d. Soliciting, selling, or collecting money from other learners without permission from the principal by learners is forbidden.
- e. Learners may also not go from door to door throughout the community selling items to raise money for school projects without the permission of the SGB.
- f. All sales must be school sponsored: no sales for outside agents, personal gain, parents or anybody else are allowed.
- g. There shall be no advertising/marketing of any goods/services etc. by any learner in any manner, on any social media platform or otherwise at the school, sale, distribution and/or storage of any goods not approved by the principal, of any nature within the school premises.
- h. All fundraising ventures shall be authorised by the SGB, the School Principal or his/her delegate.
- i. These rules serve to protect the rights, wellbeing and best interest (health, safety and security) of learners, educators and all persons of the school, within the school environment and/or on the school premises.

### **12.36 Dismissal of Classes and School Activities**

- a. The bell schedule for school periods and activities will be strictly adhered to regarding the dismissal of classes.
- b. Classes will not be dismissed before the sound of the bell ending each particular class period. In the event of a bell malfunction, learners should wait for verbal dismissal.
- c. Any learner leaving a class without permission during any class/activity, will be in breach of the code of conduct and it will be viewed as truancy.
- d. During breaks all learners must leave their classrooms and move either to the tuck shop or to their designated relaxation areas. Should a change in weather conditions necessitate that learners be inside, they should proceed to their designated areas.

### **12.37 Health and Safety: General Duties of Learners**

Every learner shall:

- a. Take reasonable care of the health and safety of themselves and of other persons who may be affected by their acts or omissions;
- b. Not obstruct any staff member in the carrying out of their duties;
- c. Not obstruct any doorway or entrance to prevent any learner from entering or passing unless instructed by an educator to do so.

- d. Carry out any lawful order given to them, and obey the health and safety rules and procedures laid down by the Principal or by anyone authorised thereto by the Principal, in the interest of health or safety;
- e. If any situation which is unsafe or unhealthy comes to their attention, as soon as possible report such situation to the Principal or to a member of staff, as the case may be, who shall report it within twenty-four hours;
- f. If the learner is involved in any incident which may affect their health or which has caused an injury to themselves or any other learner, report such incident to the Principal or to a member of staff as soon as possible, but not later than the end of the particular school day during which the incident occurred, unless the circumstances were such that the reporting of the incident was not possible, in which case the incident shall be reported within twenty-four hours or if it happens on a Friday the Monday (provided that it is a school day) first thing in the morning;
- g. Not intentionally or recklessly interfere with or misuse anything that is provided in the interest of health or safety e.g. fire extinguishers;
- h. All learners need to be aware of all uneven surfaces, drain coverings and wet floors;
- i. If learners encounter a stranger on the school premises during the school hours, they must notify the reception/staff member immediately.
- j. Being in possession of or discharging any type of fireworks on the school premises is prohibited

### **12.38 Out of Bounds Areas for any Learner on the School Premises**

- a. Different areas may be considered out of bounds in different by the School. Learners will be notified of these where they are applicable.
- b. These areas are out of bounds to all School Learners:
  - i. all access points to the School and exits from the School that are not designated as official entrances or exits;
  - ii. all areas outside the school property during the course of the school day, unless permission has been received to leave the school premises;
  - iii. all building sites or areas where renovations are taking place, unless permission has been received from an educator;
  - iv. Admin office during school time unless permission has been received from an educator or during break time or before or directly after school;
  - v. staff room and offices, unless with the permission of a member of staff;
  - vi. the turf cricket pitches and the cricket nets, unless permission has been received from an educator,
  - vii. all jungle gyms, unless under adult supervision;
  - viii. all classrooms, halls, the pavilion and music practice rooms, unless a member of staff is present;
  - ix. the tuck shop during tuition periods unless permission has been received;
  - x. all change rooms, unless for the express purpose of changing for a sports activity; and
  - xi. all toilets and change rooms designated for adult use.
  - xii. all electrical mains distribution boxes, fire extinguishers and hoses.
  - xiii. no learner is allowed in the vault.
- c. Learners may not loiter at the school entrances, passages/corridors in driveways or along pathways. Learners shall not flock together in the corridors.
- d. Staff quarters, School workshops, storage areas, garages and other premises used by staff are out of bounds to any learner.

### **12.39 Use of Toilets / Cloakrooms by a Learner**

- a. Unhygienic personal habits and improper use of school facilities and ablutions by learners are not allowed. Toilets/cloakrooms must be kept neat and clean. Toilets must be flushed after use.
- b. Nothing may be carried into the cloakroom/toilets, especially food/drink or other contraband.
- c. No cell phones may be used in the cloakrooms/toilets.
- d. No playing around is allowed in the cloakrooms/toilets.
- e. Learners may not congregate inside or outside the cloakrooms/toilets.
- f. Only one learner at a time from the same class may visit the cloakrooms/toilets during class time and then only with the permission of the educator.

- g. Smoking and the use of any illicit substances are prohibited in the cloakrooms/toilets.
- h. Only one learner at a time in a cubicle.
- i. No loitering allowed in the cloakrooms/toilets.
- j. Learners may not hide in the cloakrooms/toilets or play truant.
- k. Tampering with equipment or property of others is not allowed.
- l. No indecent, untoward or immoral behaviour, sexual harassment or sexually explicit behaviour by any learner or group of learners are allowed in the cloakrooms/toilets.
- m. No intimidating of others or other forms of invasive behaviour are allowed.

#### **12.40 Attendance of Learner Social Events**

- a. Social events are created for the learners of the school only. Therefore, all social occasions are attended only by the school's learners.
- b. Dress is casual, but neat and decent in terms of the Code. All school rules still apply, also in terms of appearance.
- c. No misconduct of any kind will be tolerated.
- d. No alcohol or use of any other illicit substances as described in the Code will be allowed.
- e. No smoking will be allowed of any tobacco or any other illicit substances.
- f. No vaping will be allowed.
- g. Learners may only consume foodstuffs/cold drinks sold or provided and may not bring any foodstuffs or any other liquids on to the property unless directed otherwise in writing.
- h. Learners may not move around in the school building during a disco/social event.
- i. The venue may not be dirtied and everyone is responsible for cleaning up after functions.
- j. Each social event held will determine whether there will be another one.

#### **12.41 Telephone Calls by and on Behalf of Learners to Parents or Other Persons**

- a. Learners may not phone or communicate with parents or any other persons during school hours whatsoever with their cell phones or any other electronic device. In urgent cases, the receptionist/educator/deputy principal may be asked to contact the parent. Depending on the circumstances the learner/parent must pay for the call.
- b. Messages for learners will only be conveyed to them when it is appropriate and no learner will be called from class to answer any telephone call.

#### **12.42 Behaviour of Learners in Public Places/Spaces**

- a. The School is a place of safety where laws pertaining to public spaces are also applicable.
- b. No dangerous objects/weapons or illegal drugs as defined in the SA Schools Act or the Safety Regulations or in the Code will be brought onto and/or used on the School property unless authorised by the Principal for educational purposes. Dangerous objects are any item that could harm or cause harm to a person in any way.
- c. The carrying and/or smoking of cigarettes and any lighters, lighter fluid, matches and other incendiary devices is prohibited.
- d. Alcohol use and the possession there-of is not permitted during any activity.
- e. The procurement, buying, dealing, provision and carrying of and/or consumption/ use of illegal chemical substances and drugs is prohibited in any public places/spaces

#### **12.43 Unauthorised Persons on the School Premises or at School Activities at the Urging of Learners or Entry to any school activity and/or function**

- a. No learner may urge, incite, bring, or encourage any unauthorised persons to visit school premises/activities. The principal and the SGB is empowered to take appropriate action against non-learners who invade the building, premises, or other school property. Such action shall include the right to request assistance from police authorities and to take further legal action against such unauthorised persons and take any disciplinary action against any learner for soliciting and inducing such persons to do so.
- b. The School is and within its rights to refuse entry to anyone if they are of the view that such an action is warranted. Visual assessment at entry of learners' condition and behaviour may occur, and entry can be refused based on a judgement about a learner's condition. A search does not need to take place before arriving at that decision. Continued supervision of learners may be based on the same criteria.

#### **12.44 Unsupervised Learners/Loitering on School Property at the end of the School Day**

- a. Learners are not to remain after school unless supervised by an educator or coach or attending the after-school centre.

- b. A learner shall not remain or linger/loiter on school property without a legitimate purpose and/or without proper authority in any way that may cause disruption of any regular school activity or function.
- c. A learner who has been suspended is not permitted on school grounds and if he/she does so, it is considered to be trespassing without the authorisation of the principal.
- d. A learner shall not enter a location that is not accessible to learners before, during or after the school day.
- e. Learners are not permitted to wander the school building unsupervised or without permission after the end of a school day.
- f. Learners participating in after-school tutoring or other activities should remain in their assigned classroom or at the place they should be for an activity.
- g. Unsupervised learners will be asked to leave the building/school premises.
- h. Continued loitering may result in disciplinary measures.
- i. Parents must ensure they collect learners after an activity.

#### **12.45 Occupation/Admission/Assembly of Any Person at School**

- a. No learner or a group of learners may under any circumstances without lawful permission from the principal or his/her delegate:
  - i. Occupy or attempt to occupy any school building, gymnasium, school grounds, hallway, gate, entrance to school property or any other school premises, sports field or any part of the aforementioned with intent to deprive others of its use, or where the effect thereof is to deprive others of its use.
  - ii. Block or attempt to block the entrance or exit of any school building or property or corridor or room thereof so as to deprive others access thereto.
  - iii. Prevent or attempt to prevent the convening or continued functioning of any school, class, activity, or lawful meeting or assembly on the school premises/grounds.
  - iv. Prevent any learner from attending a class or school activity.
  - v. Block or attempt to block normal pedestrian or vehicular traffic to the school premises, except under the direct instruction of the principal or his/her delegate.
  - vi. Take part in any industrial action or initiate any protest action or participate in any such action involving any employee of the school or protests against any action by any employee.

#### **12.46 Electrical Installations/Laboratory Equipment at School/ICT Equipment**

- a. Learners may not tamper with plugs, switchboards or any other ICT equipment, electrical or CCTV installations. They may not open electrical boxes on the school premises and operate or tamper with the switches or any electrical connections.
- b. A learner may not tamper with light switches, any other electrical equipment or fans or the gas-cocks and other laboratory equipment or any products stored or used in the laboratories. If this rule is violated, the school will not be held responsible for damage or injury.

#### **12.47 The Sick-Room and Illnesses**

- a. Learners who are ill are expected to stay at home to aid their recovery and to avoid infecting other learners in the classroom/school.
- b. Any learner who becomes ill during school or classroom activities, are to report to their Class educator or the supervisory person. The learner's parent/guardian will then be notified and will be expected to make the necessary arrangements for the learner to leave the School premises. It is therefore vital for all parents/guardians to update contact details with the administration office / Class Teacher as well as on the yearly re-registration forms. No learner is permitted to contact their parents/guardians without the permission of the relevant school authority.
- c. The sickroom is a temporary waiting area for a learner who falls seriously ill during the school day. Learners are not entitled to use this room *for any* other purpose.
- d. The procedure for learners who fall sick is as follows:
  - i. The slip must be given to the administration office who will allow the learner to lie down for **ONE** period and/ or phone parents to fetch the learner from school.
- e. The school does not provide any medical service and in case of serious injury or sickness/medical emergency will call the emergency services for assistance and render first aid as far as possible.
- f. The school accepts no responsibility for any learner who falls ill or needs medical attention apart from making them comfortable and ensuring that they are safe.
- g. All costs will be for the account of the parent/guardian.

#### **12.48 Fire Equipment**

Fire equipment is off limits and is considered a serious offence if it is tampered with unless it is used for the extinguishing of fires.

#### **12.49 Satanism and Witchcraft**

The practice of the above by any learner is strictly prohibited at any time on the school premises or during any school activity on or off the school premises or in or out of school hours. Possession or distribution of any paraphernalia, literature, electronic communication in any form or format on the topic, as well as extortion, intimidation, victimisation, assault or threats of assault and any acts of recruitment of other learners and or any other person, will not be tolerated under any circumstances and will lead to a SGB disciplinary hearing and the involvement of other external legal agencies.

#### **12.50 Practice of Traditional Medicine and Related Activities**

- a. The practice of the above by any learner at any time on the school premises or during any school activity in or out of school hours on or off the school premises during any school activity without the explicit written permission of the SGB is not allowed, this includes providing any substance to any learner to inhale, eat, consume, ingest, sniff or use in any way in or on any part of their bodies.
- b. Parents of any learner who wish to go undergo any training with regard to any cultural practice which does not fall in a school holiday, must apply in writing to the principal as this entails being absent from the school. The principal will direct the request to the Circuit Manager for a decision.

#### **12.51 Disruption of Classes/School Activities and the Educational Process by Any Learner**

- a. The basic rule is that no learner may disrupt school life in any manner (violence, force of any kind, noise, insolence, rudeness, being discourteous, shouting, banging on a desk, coercion, threat, intimidation, fear, passive resistance, singing, making remarks out of context etc.) and/or intentionally cause the disruption or obstruction of any action or function of the school nor shall he/she engage in such conduct if such disruption or obstruction is reasonably likely to result. For purposes of the code of conduct, a disruptive learner is a learner who is substantially disruptive of the educational process or substantially interferes with any educator's authority over the classroom. A substantial disruption of the educational process or substantial interference with an educator's authority occurs when a learner demonstrates a persistent unwillingness to comply with the educator's instructions or repeatedly violates the educator's classroom behaviour rules. Behaviour is also considered disorderly/disruptive if an educator is prevented from starting an activity or lesson or has to stop instruction to address the disruption.
- b. A learner shall not and may not and will not actively or passively aid, abet and/or otherwise encourage or coerce another learner or group of learners to violate and/or disobey the rules contained in this Code of Conduct.
- c. Neither shall he/she urge other learners/persons/any member of staff to engage in such conduct for the purpose of causing such disruption or obstruction if such disruption or obstruction is reasonably likely to result from his/her urging.
- d. No learner may continuously or cause to make noises, sing, utter threats, utter phrases in any language or act in any other manner so as to interfere with the educator's ability and/or disrupt his/her ability to conduct the class in a lawful manner.
- e. No learner may cause or attempt to cause the disruption of any lawful mission, process, or function of the school in any manner, by the use of violence, intimidation, force, noise, coercion, threat, harassment, fear, passive resistance, technology, cell phones, smart phones, digital devices, internet or any other conduct, or engage in any such conduct causing the disruption or obstruction of any such lawful mission, process or function or obstruct or hinder any school employee from performing his or her assigned duty.
- f. No learner may engage in any verbal or physical assault during any school activity or educational activity in or out of class / on or off school premises.
- g. No learner may defame or impugn the dignity of another person, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.

- h. No learner may incite or attempt to incite or produce imminent violence or be involved in any group violence directed against another person or group of persons, because of his or her race, religion, ancestry, disability, gender or sexual orientation in any manner or use any social media platform to do so.
- i. No learner may engage in any type of threatening/assaulting behaviour which is defined as any pattern of behaviour or isolated action, whether or not it is directed at another person, or a group of persons that can be construed as group violence that a reasonable person would believe indicates potential for future harm to learners, school personnel, or school property.
- j. No learner may prevent or attempt to prevent by physical act the convening or continued functioning of the school, class or any school activity or of any lawful meeting or assembly of the school.
- k. No learner may be engaged in any conduct occurring outside of the normal school day or off school property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, or impact on the performance or discipline of any learner. Such behaviour will result in disciplinary action being taken against such learner. The principal or the SGB may refer such matters to law enforcement for investigation and prosecution and in certain cases may pursue criminal complaints and/or charges when a learner's actions are of a criminal nature.
- l. No learner may intentionally and/or premeditate, cause or behave in such a way as to cause a false fire alarm, false emergency or a fire alarm and/or bomb threat.
- m. No learner or group of learners may conspire, to incite, advise, urge, encourage, inform or counsel other learners or persons to violate any of the preceding paragraphs of this rule or any other rule of this Code of Conduct using any medium and mode of communication in any manner whatsoever.
- n. Get involved or participate or attempt to influence any strike/labour issue of any employee or group of employees of the school and disrupt the functioning of the school.

## 12.52 School and Classroom Rules and Expected Behaviour of Learners

12.52.1 Apart from each educator's classroom rules, the following rules are applicable to all classes and school activities:

- a. Every educator is responsible for discipline at all times at the school and at school related activities. Educators have full authority and responsibility to correct the behaviour of learners whenever such correction is necessary at the school / any school activity. Serious misconduct will be referred to the Principal or his/her designate/the head of management (discipline).
- b. Chewing gum is not allowed on the school premises. A learner may not chew gum while he/she is in his/her school uniform, including when he/she is in public.
- c. No learner may engage in any acts disruptive of the educational process, conspire with other learners to disrupt the educational process, including, but not limited to, disobedience, disruptive or disrespectful behaviour, defiance of authority, cheating, insolence, rudeness, discourteousness, insubordination and/or failure to identify oneself.
- d. Playing with water (i.e. hoses, taps, water bombs, squirting with water bottles or any other liquid, etc.) is prohibited.
- e. The moving between classes must proceed quickly, efficiently and in an orderly fashion.
- f. Learners must commit themselves to do their school work during classes, complete assigned homework and catch up on work missed because of absence. Homework must be completed by the **due date**.
- g. An educator's instruction must be followed at all times. Under no circumstances will the undermining/disregard of an educator's authority be tolerated or allowed.
- h. Classrooms may only be left with the explicit permission of an educator.
- i. Learners must have their own stationery. Borrowing and lending stationery and books create disruptions in classes.
- j. Learners must turn off cell phones or other electronic media/digital devices during instructional time, put it away and otherwise will follow policies related to use of any digital technology, including the use of earphones and/or earbuds or any other Bluetooth and or Wi-Fi and internet technology. (Refer to Cell Phone policy)
- k. Learners will ensure they have the correct textbooks, scripts and notes for a particular subject before a class commences.

- l. Learners will be on time for class and not play truant.
- m. Cooperate with School personnel in maintaining safety, order and discipline.
- n. The desk and any document, object, electronic device, projector, stationery on it or in any drawer of educators are out of bounds for all learners, unless the permission of the educator has been given that a learner may access such property. No learner may be in the possession of any key, access code, card or any other device which allows the learner access to any premises of the school.
- o. No learner may steal and/or commit any act of theft, use, damage, break or take another learner's or any other person's property without permission of the other learner or person.
- p. No learner may disrupt or upset any assessment process or test or examination in any way.
- q. No learner may access a classroom or other premises of the school without valid permission to do so.
- r. No learner may insult, assault or attempt to do so to affect the dignity and/or defame any other person in class including any educator or any other person present.
- s. No learner may verbally assault or verbally abuse or use vulgar or profane or threatening language or gestures or exhibit disrespectful, boorish, rude and insolent conduct toward any other learner, educator, the principal, deputy principal, any other member of the school management, any staff member, school bus driver, any other school personnel, or any other persons attending school related functions.
- t. No learner may switch on or use any mechanical/electronic equipment in the centres without supervision or permission.
- u. No learner may be involved in any form of lying, cheating, fraud, theft of test/examination material/documents/memorandums or copying the work of another without authorisation (plagiarism).
- v. No learner may engage in any opposition to any school authority using physical force, unacceptable language and/or gestures or violence at any time or place.
- w. Curtains, electrical equipment, electrical installations, electronic devices, computers and the projection screen are not to be touched or adjusted by learners, unless authorised to do so by the educator in charge.
- x. Learners may not remain unsupervised in classrooms before school commences, during breaks or after school.
- y. Climbing on or over walls, gates and fences is not allowed.
- z. Littering is prohibited. It is everyone's duty to dispose of litter in the bins provided. This rule also applies when learners visit other schools.

## **12.52.2 School Discipline system**

12.52.2.1 Tygerpoort Primary School's disciplinary system strives to establish a healthy balance between admissions and violations.

### **12.52.2.2 Procedure:**

- a. Teachers are responsible for reading entries on the d6 system.
- b. The disciplinary status (report) will be emailed to parents at the end of each term.
- c. Parents receive an SMS/d6 notice notifying them of violations with each debit and credit entry.
- d. Entries are available throughout the year on the d6 system for parents to view.
- e. Parents should take note that it is a privilege and not a right to participate in any school activities that may be forfeited due to a poor behaviour record.

### **12.52.2.3 Frequency of reports to parents:**

To make parents aware that reports have been issued, an announcement will be made in this regard every time in the newsletter.

### **12.52.2.4 Demerit measures for violations:**

- a. After -5 points: Letter to parents.
- b. After -10 points: 1st detention
- c. After -15 points: 2nd detention
- d. After -20 points: 3rd detention
- e. After -30 points: An internal Disciplinary hearing/discussion is taking place.  
(The Internal Disciplinary Committee decides whether an official disciplinary hearing will be the designated act.) (*Refer to Internal Disciplinary Procedure p. 68*)

- 12.52.2.5 Detention will only be postponed for a valid reason. Detention takes precedence over any extracurricular activities or social events. The disciplinary committee will consider a request for an extension and decide whether or not it is valid.
- 12.52.2.6 **Acknowledgements and procedure for qualifying for a badge and/or fun day/outing:**
- a. After 15 points: Bronze certificate
  - b. After 24 points: Silver certificate
  - c. After 33 points: Gold badge
  - d. After 48 points: Platinum badge
- 12.52.2.7 To qualify for a platinum badge, the violations are deducted from the acknowledgments.
- 12.52.2.8 Learners who qualify for badges can collect them from the head of management (discipline) during breaks or after school. Learners hand back their previous badges upon obtaining the next one. At the end of the year the learner retains the current badge. If a badge is lost, another can be purchased at cost price from the Finance office.
- 12.52.2.9 **Dealing with Disputes regarding Demerits or Merits**
- a. If a parent or learner declares a dispute in respect of a merit and demerit entry, the entry must be discussed personally with the teacher concerned (who gave the entry). The class teacher concerned is handling the dispute together with the grade head.
  - b. If the matter could not be resolved to the satisfaction of both the parties, the parent or learner is free to refer the matter to the head of management (discipline). Foundation Phase then also refers to the head of management (discipline).
  - c. If a consensus still could not be reached, the deputy principal and then the principal would be implicated. The principal's decision is final and irrevocable.
- 12.52.2.10 **General Order**
- a. **Start and Closing Times** - School starts at 7:20 a.m. and closes at 13:15 p.m. (FP) and 13:45 p.m. (ISP). Friday's school adjourn at 13:15.
  - b. **Daily lapse** - To ensure that learners enter the building in an orderly manner and move into their classes or other venues, the following arrangements apply:
    - i. When the bell rings in the morning, learners join their register classes.
    - ii. Learners are not allowed to leave the school premises during school hours without permission from the principal. In the absence of the head, permission can be obtained from the deputy chief.
    - iii. If a learner becomes ill during school hours or has a doctor's appointment, he/she reports to the office after permission has been granted by the teacher. A leave book is filled out by the parents when the learners are collected by the parents at the office.
    - iv. Serious action will be taken against learners who fail to report to a class or school activity where his/her presence is compulsory, class slippers, dryers and truancy spinners.
    - v. There should be no running on porches, concrete walkways and inside classes or the hall.
  - c. **Breaktime:**
    - i. Breaktimes are used for going to the toilet, washing hands, eating and relaxing.
    - ii. Learners must not be in classrooms or run in corridors during breaks.
    - iii. Learners are not allowed between the cars.
    - iv. Learners are present in the respective areas indicated for them.
    - v. No cell phones / smart devices are to be used.
    - vi. After breaks, learners arrive promptly at the classes where they must be as indicated on the timetable.
  - d. **Hall visits:**
    - i. Learners move quickly and quietly to and into the hall.
    - ii. Learners are not allowed to talk or eat in the hall while activities are taking place.
    - iii. No learner should be in the hall without a teacher or coach.

- e. Class change (Class change takes place quietly, quickly and orderly):
  - i. When the bell rings at the end of a period, learners leave in an orderly manner at the instruction of the teacher. The teacher moves out first and sees if there isn't already a group of children moving past the class. The class moves out on the instruction of the teacher.
  - ii. Walking up or down the corridors, learners must always keep to the left. They must walk against the left-hand side of the wall or flight of stairs. No running, shouting and playing is allowed on the corridors and stairs. Learners move in orderly rows to the next class.
  - iii. Girls walk with the girl class leader first and are then followed by the boys with the boy class leader walking last, in the back of the line.
  - iv. Learners silently enter each subsequent class.
  - v. Before school, learners place their bags in front of their register class. Before breaks, they place their bags in front of or in class where they will be after break.
  - vi. Learners must evacuate the corridors and verandas as soon as possible before school, during breaks and after school.
- f. Absences
  - i. If a learner was absent, a letter must be written by the parent/guardian stating the reason for absence. The learner brings the letter, addressed to the register teacher, to school on the first day after absence. Unnecessary, repeated absences without a reason can lead to an investigation by the school.
  - ii. If a learner is absent during a register period, the parent will be notified via SMS.
  - iii. A doctor's letter or funeral letter is compulsory, if an assessment, test, examination/oral is missed. Without it, a mark of zero will be awarded.
  - iv. The principal/ teacher reserves the right to inquire about the reason for absence, especially after an absence of three consecutive days, if the school has not been notified of the reason for the absence. If the school is not notified, the register teacher or the school will make contact with the parent telephonically.
  - v. If a learner cannot take part in an extracurricular activity or does not attend, he/she is expected to excuse himself/herself with the teacher concerned early so that a replacement can be appointed in his/her place.
  - vi. Learners are expected to fulfil their sport, culture and other extracurricular responsibilities.
  - vii. It is the duty of every learner to catch up on any overdue work, which he/she missed during absence.
  - viii. Absence of a learner the day before or on the day of a school activity, disqualifies a learner from participating in the contest/function.
- g. Dealing with absences and latecomers:
  - i. The attendance register is completed daily by the register teacher.
  - ii. If a learner is absent, it is indicated with an "a".
  - iii. If a learner comes late, it is indicated with an "L". The learner must first report to the administration office.
  - iv. If a learner is legally absent, e.g. he/she represents the school in a sporting event, it is indicated with an "A" for Academy, an "S" for Sport or a "K" for Culture.
- h. For monitoring frequent absences or latecomers, the following procedure is followed:
  - i. If there is a pattern of absences, without written apology by the parent, the SBST- Chairperson, register teacher and grade head are notified, who sends an official letter in this regard to the parent. Parents acknowledge receipt of such writing by signing and returning it. The letter to the parents is placed on the learner's profile and notes are placed on the d6.
- i. Academic progress
  - i. Parents will be regularly requested to browse his/her child's books each week to ensure that work is completed. The teacher will indicate in the book if work is incomplete or not done, and parents are requested to respond to it and sign at the teacher's comment.
  - ii. Homework may include task assignments, completion of outstanding work, revision, including summarizing assignments and memorizing them for purposes of tests and maintaining workbooks.

- j. The maximum effort is expected from learners and especially learners in the intermediate and senior phase at all times. Behaviour as noted below is unacceptable. (The list is not limited to the behaviour mentioned):
- i. Sloppy, careless work
  - iii. Work at home unfinished or not done
  - iv. Not learning for tests
  - v. Forgetting books at home
  - vi. Lost book.
  - vii. Workbooks/scripts repeatedly not at school.
  - viii. Damaged books/scripts.
  - ix. Late handing in of work.
  - x. Coping/ writing off another learners' work
  - xi. Not paying attention in class.
  - xii. Disrupting learning and teaching in class.
  - xiii. Disturbing other learners in the class.
  - xiv. Not in possession of the necessary stationery.
  - xv. Vagrancy in class without permission.
  - xvi. Leaving the class without permission.
  - xvii. Speaking in class without permission.
  - xviii. Contempt, talkback, rebelliousness of and/or cheekiness towards a teacher.

#### 12.52.2.11 **Bullying behaviour (Procedure that applies from gr. 1 to 7)**

12.52.2.11.1 Bullying occurs when someone, or a group, uses physical, emotional, or psychological aggression to repeatedly dominate/taunt/intimidate an individual over a period of time. Aggression between a "stronger" person or group towards a "weaker or more sensitive" person or group is not always necessarily bullying and does not necessarily cause harm. However, when the negative action becomes a persistent act with the aim of making the other person feel inferior, it can be classified as bullying behaviour.

12.52.2.11.2 Bullying is serious misconduct that can lead to a governing body trial.

12.52.2.11.3 If a learner is guilty of bullying in terms of the school's anti-bullying policy, the code of conduct, any school rules and/or any other policy or regulation e. physical harm/assault, threats of assault, (beaten, kicked, stomped around), verbal degradation (teased, cursed, threatened), psychological manipulation (emotionally harassed, gossiped, sexual harassment, sex chats) or cyber bullying that also includes sex chats (WhatsApp, Facebook, Twitter, Tiktok or any other social platform), the following procedure is followed:

- a. The teacher immediately refers the incident to the head of management (discipline), as soon as it is brought to his/her attention.
- b. An entry is made in the general bullying register of the incident.
- c. Bullying must be reported to the District if emotional and/or physical assault has occurred.
- d. The victim, as well as the perpetrator (depending on his/her age) completes a written incident form separately, as provided by the head of management (discipline), in his/her presence. If requested by the parent(s), the incident form of his/her child can be viewed at the school. but no other learner's report or identity may be disclosed.
- e. If the complaint has merit on a balance of probabilities, the matter will be investigated by the head of management (discipline) and will result in an internal or SGB hearing following the recommendation to the principal.
- f. When an offender is proven guilty on a balance of probabilities of any form of bullying, the offender receives a Code 51 entry.
- g. If the offender is found guilty of any bullying offence for a second time, a code 59 entry is given and the parents are interacted with. During the internal disciplinary hearing/discussion, the offender as well as the parent/s sign a written warning that may contain sanctions that the learner must comply with.
- h. Counselling should be received by the victim and the bully.
- i. Depending on the seriousness of the bullying incident, or if it recurs, it will be directly moved, after approval by the principal, to temporarily suspend the learner from school in terms of section 9 (1) and charge the learner with bullying and contravening Schedule 2 (c)(ix) of General Notice 6903 of 2000, as amended without any further entry.

#### 12.52.2.12 **Aftercare facility (on the school premises)**

All directions in the code of conduct and any other school policy, rule and regulation, in addition to the rules of the after-school care centre, apply to all learners who are under the supervision of the staff of the after-school centre (permanently and temporarily) while the after-school centre is open.

#### 12.52.2.13 **Bicycles**

- a. Learners who come to school with bicycles will obey all traffic signs and laws and the scholar patrol.
- b. Bicycles will not be ridden on the school grounds. Learner(s) will get off the bike as soon as they enter the school grounds.
- c. As soon as bicycles are parked and locked, this area must be abandoned immediately.
- d. No bicycles are allowed to ride on the sports fields or immediate surroundings.
- e. Locks must be closed at all times.
- f. All learners who come to school by bicycle will have to wear safety helmets as prescribed by the traffic regulations.

#### 12.52.2.14 **Lockers**

- a. Lockboxes are provided to learners at a minimal rent for the storage of personal property, clothing and books.
- b. The lockers are and remain school property and may be inspected/searched from time to time by the principal or his authorised person without prior notice and without the consent of any parent/guardian for the benefit of the school. Learners must not refuse to open lockers for the authorised teachers for inspection.
- c. During such inspection, the learner's privacy will be respected in respect of any items that may be stored there that are inconsistent with the school's code of conduct or any other policy of the school and may not be removed. A learner will unpack the locker in the presence of an authorised/delegated person.
- d. If any prohibited/dangerous item is noticed during such inspection/search as defined in the code of conduct or any other policy of the school, the principal or his authorised person may remove the dangerous and/or prohibited/food/product/object/ item/ drawing/ publication/equipment/liquid/stolen property/ drug/ flammable item/ electronic device and take it into custody as evidence until a proper investigation has been conducted as to why and how the item/object in question in the lock box was placed.
- e. The principal or his/her authorised person is under no obligation, but may enlist the assistance of any member of the SAPS during such an inspection/search.
- f. Lockers may be monitored by CCTV through the school.
- g. Any defects in any lockbox must be reported to the Administrative office. Learners are not allowed to exchange lockboxes without permission.
- h. Each learner will be held responsible for any defects in lockers.

#### 12.52.2.15 **Library**

- a. Media books should be handed back in time.
- b. Media books need to be looked after and handed back within two weeks.
- c. The media centre is used as a place of study.
- d. All media is taken out in the prescribed manner.
- e. The rules that apply in the media centre must be adhered to by all learners and media leaders must be obeyed.

### 12.53 **Unexcused Absence from Detention Class**

Unexcused absence from detention class will warrant further disciplinary action by the school.

#### **12.54 Learner Conduct during Breaks**

- a. No learner may be in the corridors or in a classroom or school hall or any other prohibited area without supervision.
- b. No one may leave the school grounds without the permission of the deputy principal/the principal.
- c. No one may conduct any conversations with any person outside the fence/gate or purchase any objects/substances through the fence or at the gate.
- d. No rough games may be played. Older learners may not interfere unnecessarily in the games of the younger learners or bother them.
- e. Learners may only be in the areas assigned to their specific grades, ages or groups.
- f. No fighting, bullying, intimidation, sexual harassment, unwanted touching, violence, arguments and profane or inflammatory statements are allowed.
- g. No smoking and use of other illicit activities as described in the code are allowed.
- h. Playing or being near any vehicle is prohibited.
- i. No gambling or any games of chance may take place, nor any money lending schemes.
- j. No learner may loiter, beg for any money or any other goods or cause any disruption at the tuckshop or anywhere else on the premises.
- k. Learners will stay in the queue at the tuck shop until it is their turn to be served. Cutting in line is not permitted. Appropriate manners and language must be used at all times.
- l. No stones or other objects may be thrown anywhere at school or during any school activity.
- m. Hanging around toilets is prohibited.

#### **12.55 Care of School Property**

- a. Every learner is expected to protect and use all school equipment and facilities with care and respect. Vandalism, graffiti, defacing property and damage and malicious damage of any school property will not be tolerated. The parents, guardian, or other person having control of any enrolled learner, with whom the learner is living and who have custody of the learner (in case of a minor), shall be liable for the actual damages sustained to school property, plus the court costs (if applicable), caused by any intentional, wilful, or malicious act of the learner.
- b. Any learner who intentionally and wilfully misuses, damages or defaces any school property should replace it or pay for the damage to property incurred.
- c. Learners who damage school property (e.g. breaking a window) will be expected to pay for the repairs and must report such damage to Reception or to one of the Deputy Principals/Grade Educators.
- d. No learner may set or attempt to set light to any object or start a fire of any kind anywhere on the school premises. If damage occurs, the learner and his/her parents will be held liable for costs to restore/repair the room/place/equipment to its original condition. Criminal charges may be brought by the school.

#### **12.56 Property of Learners**

The school will NOT be held responsible for any item of any learner's personal property, electronic equipment, cell phones or school property entrusted to the care of the learner that may be damaged, or may go missing anywhere. Lost items must be claimed on parents' own insurance policy. Valuable items should rather not be brought to school.

#### **12.57 Early Departure from School**

- a. No learner may leave the school premises without permission from the office during school hours.
- b. The school prefers that appointments to e.g. doctors, dentists, etc. be made after school hours or over the holidays.
- c. Should a learner need to leave during school hours, his/her parents/guardians must request permission 24-hours in advance via email from the Class Teacher and Grade Head. See policy regarding Sign-out procedure.
- d. A learner who falls sick during school hours must report to the class educator or the administration office, who will contact the parent.

**12.58 Burning and Possession of any Candles/Flammable Liquid/Incense/Other Flammable Herbal Products/Other Flammable Products and any other Acts of Arson or attempted Arson**

- a. A learner shall not intentionally, by means of starting a fire, cause harm to any property or person, or participate in the burning of any property or person. A learner shall not attempt to act or act in the burning or attempted burning of any item on school property or in any class or set fire to another learner and/or his/her possessions in any manner.
- b. There is a total ban on the use of candles/incense/flammable products and liquid of any kind on all school premises.
- c. The school only has to prove the use there-of based on the principle of a balance of probabilities of such products and they might not be brought on to the premises in the manufacturer's wrapping or any other wrapping or without any wrapping.
- d. All such products will be confiscated and immediately disposed of.
- e. If damage occurs to a room/property owing to the use there-of, the learner and his/her parents will be held liable for charges to restore the room/place to its original condition.
- f. In case of power outages only battery torches and only other non-flammable sources of light may be used.
- g. A transgression of this rule may lead to a disciplinary hearing of the SGB or even criminal charges.

**12.59 Gambling/Games of Chance/Lotteries**

- a. No learner may gamble or participate in gambling activity or any game of chance of any kind, or solicit others to gamble or participate in gambling activity on or off school premises, in or out of school hours, in or out of school uniform and/or where the learner can be identified as a learner of the school without permission.
- b. Gambling includes, but is not limited to, betting on any game or event, shooting dice, games of chance involving any gaming cards, matching or other games of chance for money, other rewards and/or other items and/or things of value/lists with numbers and/or purchasing of tickets etc.
- c. Learners who are found gambling may be suspended prior to a disciplinary hearing.

**12.60 The School is a Violence, Drug, Alcohol, Gambling, Smoking (including e-cigarettes), Dangerous Object and Dangerous Weapon Free Zone**

The School is a Drug, Alcohol, Smoke and a Dangerous Object and Weapon Free Zone as determined within the national Departmental policy:

- a. Smoking, vaping, use or possession of any alcohol, tobacco, drugs, opioids, medicines and the use of any synthetic drug or substance is not permissible at the school.
- b. No cigarettes and any other tobacco products or related paraphernalia such as cigarette lighters and matches are allowed on school property.
- c. No dangerous weapons/objects are allowed onto the school property or may be in the possession or any bag/container of any learner. This includes firearms (real or simulated/replica), any knives or a self-fashioned shank/knife/sharp object, pocket knives, blades and other dangerous weapons, oriental weapons, traditional sticks, knobkieries or similar objects, razors, slingshots, brass knuckles, and any other inherently dangerous object. It also includes any object used to endanger the life/assault another person or threaten to assault another person with such an object.
- d. No electronic cigarettes, hubbly bubbly pipes or vapers or any similar devices are allowed at school or may be used on school property at any time.
- e. Learners are prohibited from using, transmitting, storing, concealing on their bodies in any way, have in their belongings in any way, bartering, dealing, providing to other learners, and/or being in possession have in their possession, any drug/tobacco or any other related paraphernalia at school and or possess, transmit, store, buy, sell, barter or otherwise distribute or possess with intent to sell, or otherwise distribute or provide to any person any drug-related or tobacco paraphernalia, which may include vapers and hubbly bubbly pipes, bongs, and other types of smoking devices or for personal use.
- f. No learner may falsely present or identify a substance to be alcohol or an illegal drug or use/consume/buy/sell/distribute/possess/transmit compounds or any substances meant to mimic/imitate the effects of drugs or alcohol or represent a substance as an illegal or controlled substance.

- g. No learner may possess or sell seeds, herbal products, plant products or pieces of marijuana or any other illicit substance even in small unusable amounts.
- h. The school may test any learner for the use of illicit substances at any time and learners may not refuse or try and delay such testing.
- i. Learners are prohibited from using, transmitting, storing, concealing on their bodies in any way, have in their belongings in any way, bartering, dealing, providing to other learners, and/or being in possession of alcohol, drugs, any other narcotic drug, any type of substance containing any drug, stimulant, barbiturate, synthetic cathinone drugs, depressant, hallucinogenic, opiate, inhalant, counterfeit drug, or other controlled dangerous substance or tobacco product including any substance which is capable of being eaten, ingested, inhaled, injected or absorbed into the body and/or affecting the central nervous system, vision, hearing, or other sensory or motor function, any brain function on the school premises and/or whilst in school uniform or any place where they can be identified as a learner of the school or any other substance believed by the learner and/or the school to be alcohol or any illegal drug at any school activity in or out of school hours. No learner may abuse his/her own prescription drug, over the counter medicine, give, provide, transmit a prescription drug to another learner or possess or be under the influence of another person's prescription drug at school or at any school-related activity in or out of school hours or where he/she can be identified as a learner of the school.
- j. No person/learner may use, transmit, deal, barter, provide to others, be in possession of any drug, habit-forming narcotic, alcohol, tobacco on the School property or at any School function or excursion on tour, or whilst representing the school in any manner or where he/she can be identified as a learner of the school.
- k. The school may undertake random searches of any learner's property and confiscate any contraband. If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal authorities for ultimate disposition. This search may include specially trained dogs and the use of metal detectors.
- l. No learner may have in his/her possession any article/object and/or caustic substance/liquid and/or any chemical substance which may be employed to cause bodily harm to a person or to render a person temporarily paralysed or unconscious or to cause damage to any property.
- m. Learners are encouraged to report any dangerous weapon/drug related issues to the Deputy Principal / Head of management (discipline).
- n. No learner may refuse to be tested or use delaying tactics to be tested by the school. Such refusal is a transgression of the Code.
- o. Should a learner be found in possession of drugs or alcohol and/or be suspected of drug or alcohol abuse or test positive, the parents will be contacted and summoned to the school. A disciplinary hearing of the SGB may also follow.
- p. If no cooperation is given by the learner and/or parents the matter will be handed over to the SAPS immediately. (Refusal to do so is a criminal matter that has to be reported to SAPS).
- q. Where there are indications that a learner is involved or in any way connected with an offence in terms of the Drug and Drug Trafficking Act, the learner will be temporarily suspended and the school will move for immediate expulsion by the HoD after an external disciplinary hearing.

#### **12.61 Use and Possession of Over-The-Counter (OTC) Medication and Prescription Drugs and Medication**

See the School's Policy on Medication of Learners

## 12.62 Sexual Harassment

- a. Section 12(1)(c) of the Constitution of South Africa provides that all persons have the right to freedom and security of the person, which includes the right to be free from all forms of violence invasion of privacy of his/her body from either public or private sources.
- b. The rights to bodily and psychological integrity, privacy and equality enshrined in the Bill of Rights further protects learners from any actions or comments which threaten their sense of safety and wellbeing.
- c. Sexual harassment is defined as any unwelcomed physical, verbal or non-verbal conduct that makes one feel uncomfortable, threatened or afraid.
- d. If a learner feels that he/she is the target of any form of sexual harassment/bullying, they must please contact one of the Deputy Principals.
- e. All matters will be treated in the strictest of confidence.
- f. Recording, sharing or disseminating recordings, or threatening to share or disseminate recordings, of sexual activity or nudity.

## 12.63 Assault, Threaten to Assault, Threatening Gestures, Violence, Group Violence, Bullying, Grievous Bodily Harm and Foul/Unacceptable Language

The school is a declared violence free zone:

- a. Bullying happens when a learner or group of learners set out deliberately to upset another learner repeatedly in any manner.
- b. Any learner alleged to have committed an act of physical violence assault or to have threatened or conspired or planned to assault any other person in any manner, shall be suspended in terms of SASA, pending a disciplinary hearing by an external DC of the school.
- c. Apparent permission or consent by a learner or a group of learners being bullied does not lessen the prohibitions contained in the Code.
- d. The prohibition of bullying and assault or threat of assault, includes but is not limited to physical (e.g. hitting, kicking, spitting, pinching, shoving, pushing, pulling, poking, slapping, pulling/rubbing of hair or any limb of the body or other part, taking and/or damaging personal belongings or extorting money, blocking or impeding learner movement, unwelcome physical contact, any type of intimidatory behaviour), verbal (oral or written) (e.g. taunting, malicious teasing, insulting, name calling, sexual, religious, disability, or racial harassment, making threats), electronically transmitted (cyber or high-tech) (e.g. posting slurs or rumours or other disparaging remarks about a learner on a web site or on a web blog, sending e-mail or instant messages that are mean or threatening, or so numerous as to drive up the victim's cell phone bill/air time, using a camera and/or cell phone/digital device to take and send embarrassing photographs of learners; posting misleading or fake photographs of learners on web sites), and/or psychological abuse (e.g. spreading rumours, sex texting, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation, dehumanising gestures or public humiliation). The school will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation.
- e. Cyberstalking in all its forms are prohibited and is the action of engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to the person and serving no legitimate purpose.
- f. False accusations or reports of bullying against another learner are prohibited.
- g. Any learner who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with school's Code, policies and procedures.
- h. The school may take into account the following factors:
  - i. The developmental and maturity levels of the parties involved;
  - ii. The levels of harm, surrounding circumstances, and nature of the behaviour;
  - iii. Past incidences or past or continuing patterns of behaviour;
  - iv. The relationship between the parties involved; and
  - v. The context in which the alleged incidents occurred.
- i. Consequences for any learner(s) who commit prohibited acts of bullying may range from positive behavioural interventions up to and including suspension and/or expulsion.
- j. Consequences for other learners engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school activities and events and other sanctions.

- k. Educators teach the learners about bullying in Life skills / Life Orientation lessons.
- l. Learners will learn how to identify bullying, how to respond when made a victim of bullying and how to handle bullying incidents they may observe.
- m. Learners are encouraged to report any incident or suspected incident of bullying.
- n. They will also learn how to identify and correct bullying behaviours that they themselves may exhibit. Staff will ensure adequate supervision of the learners around the school, and will take special note of any identified bullying “hotspots” in the school.
- o. The reporting of bullying should be encouraged as the right thing to do. Learners or parents can report bullying to the learner’s class educator. Staff members will take these reports seriously, investigate them thoroughly, provide feedback and appropriate action will be taken.
- p. No violence, bullying, assault of any kind or intimidation or threatening behaviour of any kind is allowed at the school towards any other person at any time.
- q. Learners are not allowed to swear or use foul language at any time in any language, or any such language directed to any other person including to engage in name calling, ethnic, racial or gender slurs, other derogatory statements, or yelling or throwing temper tantrums.
- r. No learner may assault or threaten to assault any other person and/or committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment.
- s. No learner may defame or affect the dignity of any other person.
- t. No learner may direct any cyberbullying, threaten any other person with assault of any kind or intimidate or defame any other person with threatening behaviour or any kind of offensive language, pictures, videos, sound, links, and/or any images by using any electronic device or cell phone to do so.
- u. No learner may harass and or intimidate any other learner in any way including sexual harassment and indecent/immoral behaviour or be involved in physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist.
- v. No learner may cause or be involved in any retaliation of any form against other learners or School personnel. Retaliation against any victim, good faith reporter, or a witness of bullying is prohibited.
- w. The school will discipline or take appropriate action against any learner who retaliates against any person who makes a good faith report of any act prohibited by this Code or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or a disciplinary hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, violence, [physical] assault or [verbal or gestures of] threat of assault, any form of harassment, or intentional disparate treatment or group violence.

*Note: For purposes of the Code, the term Bullying will also apply to acts which occur in school, on school premises, on school vehicles, at school bus stops, at school related functions or activities, on route to and from school or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of the School System. The term also applies to acts of cyberbullying which occur through the use of any electronic communication, whether or not electronic act originated on school property or with school equipment, if the electronic communication:*

- i. is directed specifically at any learner, parent or school personnel,*
  - ii. is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and creates a reasonable fear of harm to the learners’ or school personnel’s person or property or has a high likelihood of succeeding in that purpose. Ignorance of the relevant policy is no excuse by any learner or parent.*
- x. Learners or adults who knowingly fabricate allegations and falsely accuse a learner or member of staff of being a bully, will be subject to disciplinary action up to and adults may be banned from the school premises including the laying of criminal charges by the said learner or member of staff.

**12.64 Displays of Inappropriate Affection, Indecent Exposure of Any Body Parts and/or Other Forms of Inappropriate Contact and/or Inappropriate Indecent/ Immoral/Sexual Behaviour of any kind**

- a. Close physical contact is not appropriate for learners in an educational setting, including inappropriate public sexual contact of any nature.
- b. Learners should keep their hands to themselves. Learners may not engage in displays of affection such as kissing, embracing, hugging, arms around waists, holding hands, touching any body part or other indiscreet/immoral/indecent behaviour that violates the norms of good taste or of behaviours that are deemed by the school authorities that are not acceptable.
- c. No learner, a group of learners or any two learners may commit or engage in or attempt to commit or engage in any immoral, indecent, inappropriate or illicit acts or displays of affection in any form or kind, on the school premises, or off the school premises during any school activity or school sponsored activity, in or out of school hours, in or out of school uniform, or where the learner(s) can be identified as learners of the school, or where any other school group or persons are present, this includes any form of sexual harassment or any other form of sexual conduct either by himself/herself or in consent with others.
- d. A learner shall not knowingly make any open or indecent exposure of his or her person or of the person of another. No learner may cause any inappropriate or indecent exposure of body parts of his her/own or any other person in any manner whatsoever or be involved, engaged, exhibit and/or participate in any form of sexual exhibitionism.
- e. No learner may participate or cause any "dating" violence/argument thereby causing any form of immoral or indecent exposure or any such language or behaviour.
- f. No learner may be involved in any other inappropriate physical or sexual behaviour, including jokes, comments, gestures or unwelcome physical conduct or inappropriate touching or physical bodily contact of any form.
- g. Learners shall not engage in any kind of sexual activity or an act that can be construed of a sexual nature on school premises or at or during any school-sponsored activity, before, during and/or after school hours.
- h. No learner may expose themselves or any intimate body parts or cause it to any other learner by removing their clothing or pulling clothing up or down or holding them in any manner to cause such indecent exposure or engage in inappropriate or indecent exposure of their own or another person's private body parts.
- i. Learners shall not engage in any consensual sexual activity/act on school premises or at or during any school activity on or off the school premises. "Consensual" means all parties are willing participants in the activity.
- j. No learner may urinate/defecate anywhere on the school premises or in public apart from using the toilet facilities provided.
- k. Public nudity/half nudity (being undressed or dressed in any form of underwear in public) by any learner is not allowed anywhere on the school premises or off the school premises or on any social media, where a learner can be identified as a learner of the school.
- l. No learner or a group of learners shall commit any act of sexual molestation, violence, intimidation or the attempts thereof on school property, school transport, or at school-sponsored events, on or off school premises, in or out of school hours, in or out of school uniform or anywhere where the learner can be identified as a learner of the school.
- m. Other sexual misconduct may take the form of any of the following offenses:
  - i. Non-consensual sexual contact, which is any form of sexual touching with any part of the body or other object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.
  - ii. Stalking, which is knowingly or intentionally engaging in a course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the individual to feel terrorized, frightened, intimidated, or threatened.
  - iii. Sex-based cyber-harassment in any form and/or format.
- n. Learners who create or distribute information via cell phone, e-mail, or through a web site that results in or is likely to result in the disruption of the educational process, advocates a violation of the Learner Code of Conduct (i.e. videotaping a fight), or is sexually explicit (commonly called sexting) may face additional disciplinary actions as deemed appropriate by the Principal or the SGB Disciplinary Committee.

## **12.65 Use of Social Media/Electronic Communication (Also see the School's Social Media Policy)**

- a. Learners are not to socialise or communicate with any staff member/ sports coach via electronic/social media. The formation of any social media group using any app/social media platform that may bring the name of the school into disrepute, or be used for unauthorised activities/communication affecting the school in any manner is also expressly forbidden.
- b. Cell phones and/or any other electronic communications devices, headphones, earbuds, Wi-Fi speakers, Bluetooth speakers and devices etc. that are in view, are heard, or are in use without permission on school grounds/premises, during school hours and any school activity and especially in class during assembly or when announcements are made by authorised persons and/or during any assessment of any kind, will be confiscated.
- c. A learner may not use his/her cell phone as a radio or music player while at school or during any school activity or during the school day. The device will be confiscated.
- d. Permission to leave class in response to any electronic device shall not be granted.
- e. Sexting in any form or manner is prohibited.
- f. Threatening or harassing learners or school personnel over the phone, or any electronic medium and using message boards to convey threats, derogatory comments or post pornographic pictures of learners or school personnel is a violation of the Code.
- g. Learners are strictly forbidden to either use, operate or display cellular phones or other personal electronic devices in change rooms, cloak rooms and/or toilets.
- h. Learners are expected to comply with the school's technology, cell phone and social electronic media use policies and procedures.
- i. Learners are expected to demonstrate the same behaviour online or while using electronic media as is expected in the classroom, on school property, or at school-related events.
- j. Sending, posting, or possessing electronic messages that are disrespectful, disruptive, abusive, obscene, illegal, threatening, harassing or damaging to another person disrupts the learning environment and will not be tolerated. This provision also applies to those learners that originate the transmission as well as those learners who distribute or post it in any manner. The school will provide all such material to appropriate law enforcement authorities
- k. Learners may not take photographs or make video(s) or audio recordings of learners, employees, or other persons without the consent of the other person or record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- l. No learner may make inappropriate or unauthorised use of School property, including posting or distributing literature or materials without School authorisation.
- m. No learner may deliberately, and without School authorisation, access, damage, or alter any School data and records, including but not limited to confidential records, electronic data, networks or systems.
- n. No learner may post anonymously or forge electronic email messages or alter, delete or copy another user's email.
- o. No learner may use the School System's computer hardware or network for any illegal activity, which includes but is not limited to, copying or downloading copyrighted software, music or images, or violation of copyright laws.
- p. No learner may download, install, or play any unauthorised programme or content (including those created or downloaded at home) on any school's computer or network.
- q. No learner may bring any hardware on the premises or load any software that is designed to damage, alter, destroy or provide access to unauthorised data.
- r. No learner may attempt to vandalise or disassemble any network or computer component, including but not limited to, any attempt to alter network or computer configuration.
- s. No learner may use the school system/cell phones/smartphones/digital devices to access, review, upload, download, store, print, post, receive, transmit and/or distribute:
  - i. Any pornographic, obscene or sexually explicit material, sound recordings, links, depictions in any format or other visual depictions that are harmful to minors;
  - ii. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - iii. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - iv. information or materials that could cause damage or danger of disruption to the educational process;

- v. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination;
  - vi. Transmitting/posting any such material in violation of any national or provincial law and/or regulation.
  - vii. The use of chat rooms or the like in any form is prohibited.
  - viii. To gain access or attempt to access unauthorised or restricted network resources or the data and documents/information of another person.
  - ix. Send spam through email
- m) The school and SGB will not accept liability or allow disruption for any lost/stolen cell phones/or tablets or any other digital device. Although the school will make a reasonable effort to investigate reports of lost or stolen electronic communication devices, the school is not responsible for the return to the owner. These items are to be used and brought to school at learners', parents' and the person in whose name the phone has been registered in terms of RICA, own risk.
- n) No learner may use the school system to vandalise, damage or disable the property of another person or organization, will not make deliberate attempts to vandalise, degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school system software, hardware or wiring or take any action to violate the school system's security, and will not use the school system or tamper with any school computers or any other equipment in such a way as to disrupt the use of the system by other users.
- o) If a learner inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school educator.
- p) Violation of this provision may result in the loss of the learner's privilege to possess a cell phone on school premises or during any school activity in addition to any other prescribed disciplinary intervention of the Code.
- q) Refusal to surrender a device will result in disciplinary action consistent with the code of conduct.
- r) In some circumstances, it may be possible to dispose of an electronic item (such as a photo or text message) by deleting it. Note that an electronic device cannot be disposed of and may be returned to the parents or handed the police depending on the circumstances.

#### **12.66 Recording without Permission**

- a. A learner or a parent shall not record by any means (i.e. audio, video, or digital, etc. with any device) a communication from or with any staff member, administrator, member of the SMT, any member of the SGB, educator, or other School District employee without the expressed permission of the person recorded for the particular communication recorded anywhere on the school premises or any school activity in or out of school hours.
- b. Learners shall not photograph, record, or videotape other individuals at school or at school sponsored activities without their knowledge and consent, except for activities considered to be in the public arena such as sporting events or public performances.
- a. A learner shall not take, disseminate, transfer, upload, or share obscene, lewd (crude and offensive in a sexual way), harmful, violent or illegal images, (including fights, bullying activities and assault), photographs, or video footage of learners or staff in the School.
- b. Learners shall neither e-mail, post to the Internet, nor electronically transmit images of other individuals taken at school without their expressed written consent.
- c. Any video footage, photographs, or images, sound recordings, links, text on any social media platform and/or any app that fuel school conflicts, disrupt learning or the operation of the school, spur bullying, and inflict harm as a result of the content is prohibited and subject to disciplinary consequences, including applicable criminal charges and/or referral to law enforcement agencies if deemed appropriate by the principal/SGB.

### **12.67 Learner Who Is an Accomplice**

- a. Should a learner violate this code, discipline can be imposed if a learner is an accomplice to another learner/person in the commission of an offense. A learner is an accomplice to another learner/person if, with knowledge that it will promote or facilitate the misbehaviour, he/she:
  - i. Solicits, commands, encourages, or requests such person to engage in the misbehaviour, or
  - ii. Aids or agrees to aid such other person in planning or committing the misbehaviour.
- b. A learner is not an accomplice if he/she is the victim or participation is terminated prior to the misbehaviour and timely warning is given to school officials that the misbehaviour may occur.
- c. If a learner engages in accomplice activity, he/she may be charged with the same offense that the principal actor committed and receive the same consequence, with a notation that the learner committed the offense as an accomplice.

### **12.68 Serious Misconduct and the Law**

Serious misconduct which may include offences according to the law must be investigated by the police and referred to the Court if necessary.

## **13. PROMOTION OF THE SCHOOL'S CODE OF CONDUCT**

- a. This policy will be available on the school's website and a link will be placed in the learners' diaries.
- b. This policy shall clarify in positive terms what the expectations of the school are.
- c. The following actions shall be taken to clarify the expectation of the school to learners:
- d. Each learner to be given a copy of the code of conduct or a summary published in the school diary at the beginning of each year, younger learners at primary to be informed verbally or published for information the school diary every year,
- e. Classroom rules and the consequences for breaking these rules must be displayed in the class.
- f. The Code of Conduct is enforced by the Governing Body of Laerskool Tygerpoort, however any disciplinary case that occurs outside of the school grounds can be investigated by the School Disciplinary committee if so sanctioned by the Principal but there lies no obligation to do so because the transgression was outside the school grounds.

## **14. AMENDMENTS TO THE CODE OF CONDUCT**

- a. This Code of Conduct must be reviewed by the School's Governing Body in consultation with parents and educators, annually, or whenever necessary.
- b. Amendments will take effect upon adoption and ratification thereof by the School Governing Body and the publication thereof to the educators, parents and learners of the school by written notice, a copy whereof will be posted on the school notice board and will be made available on the website and through any other electronic messaging.

## **15. DISPUTES**

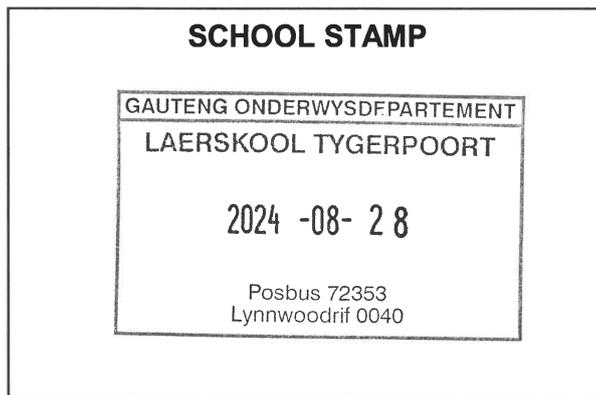
- a. Any dispute concerning the interpretation of this Code shall be finally settled by a ruling of the Governing Body assisted by the principal.
- b. The Code of Rights and Responsibilities of the School attached and referred to in this Code, must be read together with the Code of Conduct. The Code of Rights and Responsibilities sets out the respective rights and responsibilities of the learners of the school and aims at the creation of a climate of mutual respect, understanding and tolerance between them in the interests of harmonious relations in a progressive and dynamic School.

## **16. SHORT TITLE**

This policy shall be called **Code of Conduct for Learners of Pro-Practicum School**.

17. APPROVAL

<b>Approved by: SGB Chairperson</b>	Mr. I.C. Schutte	<b>Signature:</b>	
<b>Date:</b>	28 Aug 2024		
<b>Verification by GDE: District Director</b>	Mr. Z. Kosi	<b>Signature:</b>	
<b>Date of Verification</b>	7/2/2025		



# APPENDIX A

## 1. INTERNAL DISCIPLINARY PROCEDURE

### 1.1 Procedure followed against learners who committed less serious offences:

- 1.1.1 Staff engage with learners in an equitable, fair and humane manner. This conversation will take place immediately, following a situation or incident that has been brought to the attention of the staff member or where a staff member deems necessary. The conversation may be recorded for reporting purposes.
- 1.1.2 An entry is made by the teacher directly on the d6 system and the parent receives an SMS/d6 Connect App notification. If a learner has five (5) debit points or more, a letter in this regard is sent to the parents by the head of management (discipline). The learner receives a yellow warning letter to be signed by the parents and the tear-off slip must be sent back to the school.
- 1.1.3 If a learner reaches ten (10) debit points, he/she is scheduled for detention on a Friday (13:30 to 15:00) by the head of management (discipline).
- 1.1.4 If a learner reaches fifteen (15) debit points, he/she is scheduled for detention on a Friday (13:30 to 15:30) by the head of management (discipline). The disciplinary chief executive contacts the parents.
- 1.1.5 If a learner has reached twenty (20) debit points, he/she is scheduled for detention on a Friday (13:30 to 16:00) by the head of management (discipline). The learner's parents are contacted by a deputy principal.
- 1.1.6 If a learner has thirty (30) debit points, he/she is referred to the Internal Disciplinary Committee of the school. The committee consists of: a deputy head, one DH (Foundation Phase) or one DH (Intermediate and Senior Phase) – depending on the grade of the child, head of management (discipline) as well as a post level 1 teacher. An internal disciplinary hearing/discussion is held with the parent(s) as well as the learner. Sanctions will be issued and recommendations will be proposed by the committee. Written feedback will be given to the parents.
- 1.1.7 If the learner/parents fail to comply with the sanctions/ recommendations as set out by the Disciplinary Committee, the learner/parents will be referred to the Disciplinary Committee of the Governing Body for further steps.

### 1.2 Procedure followed against learners who commit more serious level 2 and 3 offences:

- 1.2.1 Learners are, if necessary, referred to the disciplinary committee of the school by the head of management (discipline).
- 1.2.2 The disciplinary committee consists of a deputy head, head of management (discipline), head of department (Foundation Phase), head of department (Intermediate and Senior Phase and a post level 1 teacher.
- 1.2.3 The disciplinary committee holds an advance hearing to determine whether an official disciplinary hearing by the SGB will be the designated act. If the committee decides that the offences do not warrant an official hearing by the SGB, they may issue a binding sanction to which the learner must submit. The sanction will be communicated to the parents in writing or telephonically by the disciplinary chief executive. If the parents refuse the sanction, an internal disciplinary hearing will take place, after which the outcome may be an official disciplinary hearing by the SGB.
- 1.2.4 If the contravention is of a serious nature, the learner is referred in writing, on the recommendation of the school's disciplinary committee, to the disciplinary committee of the SGB.
- 1.2.5 The SGB notifies the parents in writing if an official disciplinary hearing is to be held.
- 1.2.6 The parents are notified by such letter of the offence and the date on which the learner is to appear before the committee.
- 1.2.7 During the trial:
  - The perpetrator and his/her representative appear before the committee.
  - The perpetrator is given the opportunity to state their/his/her case.
  - Aggravating and extenuating circumstances are taken into account.
  - The committee decides on action/appropriate punishment that may include temporary suspension (maximum of 7 school days).
  - Witnesses may testify in camera if they so choose.

- 1.2.8** After hearing the defence of all those involved and providing sufficient and satisfactory evidence, the committee will give its verdict. The judgment will be communicated in writing to the learner and his/her parents.
- 1.2.9** Possible outcomes of the conversation, but not limited to the following:
- Corrective actions that may include punishment.
  - Written warning.
  - Evaluation and therapy by an approved list of therapists as determined by the governing body.
  - Temporary suspension of a maximum of 7 school days.
  - Academic isolation (Terms determined by the committee)
  - Lifting participation in any extracurricular and social activity. Minimum period of one quarter.
- 1.2.10** The total course of events will appear in the committee's report and be filed in the learner's profile, should the committee so decide.
- 1.2.11** If the learner is found guilty of an extremely serious offence and where the image of the school and the GDE is damaged, the committee will send the report to the GDE.
- 1.2.12** The GDE gives final approval for the act with the learner.
- 1.2.13** If a learner is guilty of such a serious offence that it is lodged directly with the GDE through the Governing Body's Disciplinary Committee, and the learner is found guilty, the learner can be evicted from school by the GDE.

## 2. CODES: VIOLATIONS & ACKNOWLEDGEMENTS

Code	Violations	Points
001	Warning by staff member	0
1	Homework not done	-1
2	Documentation not signed	-1
3	Script/assignment/notes/stationery at home	-1
4	Classwork not completed	-1
5	Unacceptable written work	-1
6	School uniform not according to school rules	-1
7	Copying someone's homework	-1
8	Write/send letters in class	-1
9	Breaking personal property	-1
10	Chewing gum	-1
11	Late for class	-1
12	Late for school	-1
13	Eat/drink in classroom/room	-1
14	Littering	-1
15	Climb in trees/on walls	-1
16	Play with sticks/throw stones or other objects on the school grounds or in class or other venue	-1
17	Play in areas that are out of bounds	-1
18	Play on corridors /in classrooms	-1
19	Hairstyle/appearance not according to school rules	-1
20	Inappropriate dress code	-1
21	Makeup/nails/earrings not according to school rules	-1
22	Tampering with teacher's/another learner's property	-1
23	Absent from sports/culture practice without permission	-1
24	Failure to return documentation	-1
25	Failure to return warning or detention tear slip	-1

<b>Code</b>	<b>Violations</b>	<b>Points</b>
26	Leader Council / Tygie Council / Scholar Patrol: Fail/ neglect to perform allocated task(s)	-1
27	Classwork: corrections not done/incomplete	-1
28	Late for school	-1
29	Disrupt class discipline	-2
30	Disobey teacher	-2
31	Misconduct during assembly	-2
32	Unacceptable signs/comments	-2
33	Disrespectful to teacher or another person	-2
34	Breaking/damaging/vandalising property of fellow learners	-2
35	Dishonesty/telling lies	-2
36	Act irresponsibly	-2
37	Leaving class/school grounds without permission	-2
38	Use of cell phone/smart-watch on school grounds/in class	-2
39	Sent out of class due to misconduct/interrupting instructional time	-2
40	Misbehaviour while moving between classes	-2
41	Misconduct during sporting event/activities	-2
42	Writing/scratching on school property	-2
43	Absent from sports match/cultural performance without permission	-2
44	Remove or hide the possessions of fellow learners	-2
45	Make racist/homophobic comments/defamatory comments	-2
46	Verbal degradation of another learner	-3
47	Use crude or vulgar language (oral or written)	-3
48	Hit/kick other learners (includes any physical harm)	-3
49	Fight/victimise fellow learners	-3
50	Bad behaviour in bathrooms	-3
51	Bullying: First entry - Bully register	-3
52	Vandalism	-3
53	Absent from detention (without valid excuse)	-3
54	Truancy	-3
55	Sign own test	-3
56	Abuse social media to the detriment of others/school	-3
57	Smoking/vaping on site/in school uniform (Spectator and not reporting the incident)	-3
58	Possession of cigarettes/vape	-3
59	Bullying: Second Offense - Conversation with Parents	0
60	Bullying: Third offence: External/SGB disciplinary hearing	0
61	Theft/taking/eating/using another's property without permission – SGB trial	0
62	Smoking/vaping on site/in school uniform – SGB trial	0
63	Inappropriate touching – SGB trial	0
64	In possession of pornography – SGB trial	0
65	Sending and distributing inappropriate material – SGB trial	0
66	Dishonest during test or continuous assessment – SGB trial	0
67	Must attend detention – Red letter received – Please send tear slip back to school	0

Code	Violations	Points
68	In possession of any dangerous weapon – SGB trial	0
69	Warning issued (Yellow letter - 5 debits) - Please send tear slip back to school.	0
70	Please send warning/detention letter tear slip back to school	0
71	Unacceptable behaviour	-2
72	Uncovering by Indecent exposure	-3

Code	Acknowledgements	Points
1	Responsible Tygie	3
2	Respectful Tygie	3
3	Proud Tygie	3
4	Honest Tygie	3
5	Helpful Tygie	3
6	Compassionate Tygie	3

### 2.1 Guideline for debit or credit entries

The Head of Management (sport, culture) / Head of Department (Foundation Phase, Intermediate and Senior Phase) can be consulted to ensure that the correct code for entries is made.

# APPENDIX B

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Tel: 012 809 0029  
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# Laerskool Tygerpoort

'n Skool vir ware wenners

## PARENT COMMITMENT

I, the parent/guardian of..... understand the rules and their implications and hereby commit to supporting and assisting my child who is an enrolled learner of the school to adhere to the following:

1. Abide by the Code of Conduct and Disciplinary System and to explain it to my child. If I do not understand or have a query, I will contact the Grade Head to explain it to me.
2. That my child will behave in a courteous and considerate manner and respect other learners, the RCL/leaders, all members of staff and visitors to the School.
3. That my child and I will treat everyone with respect, regardless of differences in culture, religion, ability, race, gender, age, sexual orientation or social class.
4. To take responsibility for his/her learning by attending school regularly and punctually and completing all his/her assessment tasks on time and learning for all exams and tests.
5. To co-operate with his/her educators and other school staff.
6. To assist in making the school a safe place for all.
7. To seek help if he/she needs it.
8. To inform Grade Head if I feel he/she feels that his/her rights have been infringed, or if he/she experiences any other difficulty.

**NAME, EMAIL AND CELL NO OF PARENT/GUARDIAN:**

**SIGNATURE OF PARENT/GUARDIAN:**

**DATE:**

# APPENDIX C

## EXAMPLE LEARNER LEVELS OF MISCONDUCT FOR CONSIDERATION BY SGB

The following only serves as a guide when considering an appropriate sanction in respect of certain specified conduct and is not exhaustive or definite. The principal or delegated authority in dealing with matters which are not referred for hearing and the committee conducting a disciplinary hearing, may have regard to these guidelines, but shall at all times be entitled to impose a sanction / sanction, which they have regard to all the circumstances deem fit.

Although it is practice to have a disciplinary hearing after more serious infractions, the Principal shall however, be entitled, in her or his discretion not to follow such procedures in appropriate circumstances and shall further be entitled to also refer minor infractions, particularly, but not limited to, when they are repeated infractions for a disciplinary hearing.

### Level 1 (Minor Misconduct)

#### Consequences

The relevant person in authority will deal with Level 1 Misconduct immediately. Discipline will be administered by the person in authority and could typically be a verbal reprimand and/or the allocation of an appropriate task e.g. meaningful written work, tidying up the classroom, litter clean up, etc.

#### Misconduct

Level 1 Misconduct includes, but is not limited to:

1. **General misbehaviour on the School premises (Assembly, Classroom, Playground, etc.).**
2. **Honour Code Violation(s).**
3. Late-coming, lack of punctuality: being late for school, class, meetings, assembly, extra-mural activity etc.; the taking of longer breaks than allowed.
4. Uniform / Dress Code Violation
5. Grooming (hair; shaving; jewellery; make-up; nails etc.)
6. Playing music on cell phone at any time and the wearing of earphones/earbuds at school when it is not allowed
7. Defiance – failure to carry out an instruction.
8. Diary not at school/Diary not replaced within two weeks
9. Discrimination – racial/gender/religious (minor)
10. Disrespect for authority, adult, RCL or peer/inappropriate gestures
11. Distraction of other learners or behaviour anywhere in the school or its environs that obstruct others from learning.
12. Verbal intimidation of a learner.
13. Unauthorised organisations.
14. Loitering/learner presence in any prohibited school area.
15. Being late for school, class or any other school activity.
16. Non-conformity to dress code and/or display of visible tattoos.
17. Disruption on a school bus or any other mode of transport of the school or to or from school on public transport
18. Inappropriate public display of affection.
19. Unauthorised absence from class or school for part of a day (Truancy)
20. Refusal to complete class assignments/homework/work in class/not prepared for presentation of oral work
21. Unauthorised use of school or personal property
22. Littering on school premises
23. Poor Sportsmanship
24. Cheating or dishonesty in school work (depending on seriousness of the level)
25. Any other violation which the principal and/or designees may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances
26. Crude language / behaviour
27. Misconduct on transport to and from school or to and from extra-mural activities; misconduct during, before or after extra-mural activities; misconduct in public/social media when in school uniform/insignia or when identifiable as a learner of the school, in or out of uniform on or off the school premises.

28. Throwing objects (spit balls, paper aeroplanes) where no injuries are involved.
29. Refusal to participate in classroom activities.
30. Failure to bring appropriate material to the classroom.
31. Failure to bring required school documentation.
32. Talking without educator's permission.
33. Sleeping in class.
34. "Bakkie jumping" and/or hitchhiking while in school uniform.
35. Neglect of textbooks.
36. Mass violations – talking, eating, disrespect, etc.
37. Eating and drinking in the classroom.
38. Homework incomplete.
39. Over-exuberant horseplay and/or playing ball games or any other game in areas that are not designated for these games or at times when such games are not permitted.
40. Trespassing in those parts of the School that are declared out of bounds.
41. Chewing bubble-gum or chewing gum while at school, at a school event or in school uniform.
42. Leaving bags unattended outside of the classrooms or in areas of the School where bags are not allowed.
43. Failure to present a note from the parent or guardian on the day following an absence from school or a co-curricular activity, including a doctor's note where applicable.
44. Bus violations.
45. Other non-stipulated misdemeanours at this level.

### **Disciplinary Sanctions**

1. Conference with the learner by the educator and the Head of management (discipline)/Deputy Principal
2. Verbal reprimand/Written warning
3. Break detention.
4. Letter to Parents
5. Withdrawal of privilege(s)
6. Parent conference(s)
7. Educator/learner/Principal/Head of management (discipline) conference
8. Demerit(s)
9. Temporary removal from class (academic isolation)
10. Classroom interventions (assigned seats, etc.)
11. Social Worker intervention (for all levels of transgressions)
12. Referral to Appropriate Substance Abuse Counselling Services
13. Referral to school Mentoring Programme
14. Counselling with School Police Officer and/or other staff (for all levels of Misconduct)
15. Detention/ Friday afternoon detention.
16. Restitution
17. Other sanction(s) as approved by the SGB/SMT
18. Direct referral for a DC hearing (internal or external)

### **Level 2 (Serious Misconduct)**

#### **Consequences**

Level 2 Misconduct will be dealt with formally by the person in authority. Corrective action could typically involve counselling (where appropriate) and/or appropriate disciplinary action such as detention, etc.

#### **Misconduct:**

Level 2 Misconduct includes, but is not limited to:

1. Repeated Level 1 transgressions including serious disruption of any class, school activity, sporting event/activity.
2. Objections, impudence, brash, defiant, arrogant or inappropriate behaviour towards RCL, educators and members of staff.
3. Unauthorised absence (including the faking of illness or absence from a class, meeting, assembly or extra-mural activity that should be attended); leaving the school early without permission.
4. Unauthorised entry into a school building or vehicle, and/or trespassing on school property school/class/school activity.
5. Disruption and/or misconduct during detention and/or any behaviour deemed by an educator to be serious interruption of teaching and learning at school.
6. Dropping objects over balcony

7. Failure to submit valid absentee notes.
8. Inappropriate physical contact between learners of a non-invasive nature.
9. Writing on school property, equipment or books.
10. Serious grooming / uniform default.
11. Misconduct in the form of shouting any remark out the windows, throwing litter out of transport, indecent exposure on school transport, damaging property etc. that puts the school's reputation and good name in a negative light.
12. Truancy - bunking periods or detention, bunking assembly or other legitimate school activities.
13. Refusal to identify oneself to appropriate authority
14. Non-stipulated misdemeanours at this level
15. Being an accomplice to colluding, conspiring, assisting, abetting or instigating dishonesty, fraud or theft.
16. Defiance, insubordination, insolence rudeness, discourteous behaviour or refusal to follow appropriate directive from any educator or member of the school authority
17. Vandalism/property damage/theft of property use/taking of property of another without permission. Being in possession of another's property without their knowledge or consent or attempting to remove another's property without their knowledge or consent and/or theft or attempted theft and/or sale of another person's stolen property. Gambling/games of chance/money lending scheme/ placing bets and wagering money are not allowed under any circumstances.
18. Possession of stolen property with the knowledge that it is stolen. Passed along stolen property.
19. Threats/extortion
20. Trespassing
21. Direct use of profane language, inappropriate gestures or obscene manifestation (verbal, written, gesture directed toward another person)
22. Repeated direct or non-direct use of profane language or obscene manifestations
23. Anti-authority or gang related behaviour.
24. Robbery
25. Unauthorized absence from school for a day or more
26. Written or verbal proposition to engage in sexual acts/immoral acts/Indecent and obscene behaviour
27. Inappropriate touching of another person
28. Possession of and/or use of matches or lighters and/or any other incendiary device
29. Unauthorised possession and/or use of cell phones, camera, electronic/digital device or any other electronic communication device or entertainment devices during school hours as stipulated in the cell phone policy.
30. Dishonesty and cheating.
31. Providing false information to any school employee or any false information about a school employee.
32. Possession and/or use of prescription, non-prescription medication, inhalants, aerosol sprays, or other over-the-counter products without permission from school authorities.
33. The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. These prohibitions also apply to electronic cigarettes, vape pens, hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavour, and other chemicals via inhalation.
34. Harassment of any type or kind.
35. Verbal confrontation with another person on purpose through trying to provoke the other person or as a result of an incident and/or involving/attempting to involve outsiders in disputes between learners and/or educators.
36. Spitting at others.
37. Bullying.
38. Cyberbullying and or recordings of fighting or acts of bullying, assault, or battery, whether staged or real; posting or disseminating or posting to the internet or any social media platform.
39. Violation of Technology Acceptable Use Policy
40. Any other violation which the principal may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances
41. Prohibited Sales - items brought to school for the purpose of a sale unrelated to an approved school activity.
42. Obscene Language
43. Obscene materials – possession or distribution
44. Repetitively flouts the rules of physical appearance, hair and uniform.

45. Any action which is carried out with the intention of enabling a learner, or any other person, to gain an unfair advantage (even cheating or unfair sportsmanship in any school activity).
46. Possession of offensive material, excluding pornographic material
47. Any action which brings the School's name into disrepute.

### **Disciplinary Sanctions**

1. Direct suspension and referral for an external DC hearing
2. Temporary removal from class (Academic Isolation)
3. Suspension from school activities or a selection thereof but not including academic activities.
4. Demerit points
5. Restitution
6. Confiscation of the cell phone or electronic device.
7. Detention
8. Written warning plus detention.
9. Alternative education programme (Rehab etc.)
10. Out-of-school suspension
11. Referral to Appropriate Substance Abuse Counselling Services
12. Referral to school Mentoring Programme
13. Referral to outside agency
14. Recommendation for Expulsion after SGB external DC hearing.
15. Any sanction(s) included in Level 1 and other sanction(s) as approved by the SGB after a DC hearing

### **Level 3 (More Serious Misconduct)**

#### **Consequences:**

Level 3 Misconduct will be escalated to and dealt with by the Grade Head/Deputy Principal or could involve a Governing Body hearing. The misconduct will be recorded in writing in the discipline control room. Corrective action could include parent(s)/guardian(s) involvement, counselling (where appropriate) and/or appropriate formal discipline such as extended detention, community service, etc.

#### **Misconduct:**

Level 3 Misconduct includes, but is not limited to:

1. **Repeated Level 2 transgressions and other non-stipulated misdemeanours at this level and any conduct that violates the rights or safety of others.**
2. **Tampering with safety and other equipment/installations on School premises.**
3. Fighting
4. Extortion.
5. Technology/computer misuse (inappropriate internet use, disabling, etc.) /computer/tampering /trespass/hacking/altering hard drives and/or refusal to comply with school rules or reasonable directions or commands of school staff regarding use of technology and/or visual recording devices without permission.
6. Possession or use of any fireworks,
7. Repeated absence from activities at which a learner should have been present, or truancy for a period of a full day or longer.
8. Smoking and/or possession of and/or holding of a cigarette and or cigarettes/tobacco/ product/matches/lighter/ association with smoker(s) at school or in uniform or at a school function.
9. Selling and or supplying cigarettes on/off School premises/at school.
10. Supporting smoking 'by association'/derivative misconduct.
11. Leaving school without permission (repeated offence)
12. Physical intimidation
13. Making false reports or statements (i.e. false emergency calls, false name, forgery, committing fraud, falsely accusing others of wrong actions, falsifying school records, letters, doctor's reports, alteration or unauthorised possession of school, government forms/records, etc.)
13. Initiation practices.
14. Sticking a sharp object e.g. pin, pen, nib etc. into a fellow learner.
15. Reckless or negligent driving whether in school uniform or not, and whether on the school property or not.
16. Defacing school property
17. Vandalism/ damage to transport; serious misconduct or any transport and/or during, before or after extra-mural activities; serious; misconduct in public/social media when in school uniform or when identifiable as a learner of the school.

18. Accommodating unauthorised persons on the school grounds
19. Petty theft
20. Misrepresentation of the facts
21. Serious discrimination – racial/gender/religious.
22. Robbery and/or theft of property – valued at R250.00 or more.
23. Burglary of school property and/or vandalism or malicious damage to property/forceful entry.
24. Poisoning, or attempting to poison another person
25. Arson – *Zero Tolerance* – (intentionally setting a fire on school property) to damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents.
26. Fraud.
27. Bomb threat.
28. Cloak room violations of a serious kind.
29. Any sexual offense/indecent immoral behaviour, sexual activity, sexual abuse.
30. False Accusations
31. Ignoring/ wilfully and without just cause not abiding by sanctions imposed and terms of written warning.
32. Fighting, assault or threatening to assault another person/ group of persons. Provoking a fight and or encouraging violations of the code of conduct by other learners. Disturbance of the peace.
33. Inciting or participating in major learner disorder (mass bunking etc.).
34. Unjustified activation of fire alarm system or fire extinguisher
35. Assault on another person (learner, educator, staff member, visitor, etc.)
36. Possession of any weapon/dangerous object/contraband.
37. Preparing, possessing and/or igniting explosive devices/fireworks of any kind.
38. Unlawful use, sale, purchase, furnishing or giving, or possession of illegal drug, drug paraphernalia or alcoholic beverage, or being under the influence of illegal drug or alcoholic beverage or testing positive for the use of an illicit substance. Refusal to be tested for an illicit substance or using subterfuge or any delaying tactics to be tested
39. Accessing or changing information in school computers to benefit one's self, or to endanger or cause harm to another individual.
40. Harming the image of the school by placing any material, photograph or negative comments on social media and/or filming or photographing other learners or school activities and distributing this material via cell phone or any other electronic or social media for malicious reasons.
41. Seriously unruly behaviour: any act of bullying or assault or violence towards learners or staff: perpetration of an act that may endanger the safety of others or threatens fellow learners or educators or other staff members or members of the school community or the general public. Repeated incidents of bullying. Verbal and/or physical abuse in a game or any other school activity.
42. Driving and/or parking a vehicle on the school property without a valid drivers' licence; endangering the lives of any learner, parent, any person or member of staff by the way the learner drives (recklessness, negligence or speeding) and/or transporting other learners from the school when the driver does not have a valid driver's licence.
43. Any other offense which the principal and/or designee may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances.
44. Transgressions as defined under the bylaws of the municipality, province, education department or the country.

### **Level 3 Disciplinary Sanctions**

1. Any sanctions as defined for level 1 and 2 Misconduct other sanction(s) as approved by the Principal/SMT/SGB
2. Out-of-school suspension
3. Restitution
4. External DC hearing
5. Referral to Appropriate Substance Abuse Counselling Services
6. Referral to school Mentoring Programme
7. Referral to outside agency, including the criminal justice system
8. Recommendation for expulsion
9. Restitution of property and damages where appropriate

## **Level 4 (Very Serious Misconduct)**

### **Consequences:**

Level 4 Misconduct will be dealt with at the highest level within the School i.e. Deputy Principal, Principal and/or SGB. Corrective action could involve counselling (where appropriate) and discipline could involve a formal disciplinary hearing with consequent suspension or expulsion.

### **Misconduct:**

Level 4 Misconduct includes, but is not limited to:

1. **Level 1, 2 and 3 transgressions that are repeated and unreasonable repetition of such offences.**
2. **Striking/physical contact with a staff member who is intervening in a fight or other disruptive activity and/or attack against school personnel by physically attacking an employee or other adult, including intentionally striking a staff member who is intervening in a fight or other disruptive activity.**
3. Intentionally provoking and/or making physical contact of an insulting or provoking nature with a school employee and/or intentionally making physical contact which causes physical harm to a school employee, unless such physical harm was in defence of himself or herself.
4. Group Fight.
5. Arriving at school under the influence of drugs or alcohol
6. Possession/distribution/selling/trading of test or examination material prior to test or examination being written.
7. Premeditated fighting, assault and battery.
8. Gangs – promoting formation of/associating with/furthering activities of school gangs/ 'social groups'
9. Mutually participate in a physical altercation and or fight.
10. Committing an act of gross insubordination which will be regarded as such by the deputy principal or principal.
11. Extortion of another person's property/theft/money.
12. Repeated use or possession or sharing/distribution of pornographic /offensive material.
13. Physically or fatally injures a learner, parent or staff member, owing to negligence, recklessness or speeding while driving a vehicle on school premises.
14. Engagement in any act of public indecency or gross immorality in any form, on social media on or off the school premises that impugns the school's good name and honour.
15. Boycotts/Riots/Sit-ins/Walkouts/ sedition or inciting any form of illegal strike action/meeting/campaign at school even on behalf or in sympathy with others and even employees of the school.
16. Forcefully abduct, transport and/or detain a person against his/her will
17. Vandalism resulting in serious damage
18. Cheating in an examination/test
19. Should a boy be caught in the girls' bathroom or a girl be caught in the boys' bathroom or a learner be in the wrong bathroom. Should a girl allow a boy into the girls' bathroom or a boy allow a girl into the boys' bathroom or any learner in the Staff bathrooms unauthorized.
20. Forging signatures / writing own letter / impersonation
21. Possession of a dangerous weapon/object and /or use there-of
22. Swearing at an educator/affecting the dignity of another person
23. Sexual harassment of educators, adults, peers
24. Inappropriate behaviour of a sexual nature including any sexual act at school.
25. Substance abuse and/or possession of drugs, alcohol, etc.
26. Satanic practices/witchcraft/cultural practices that damage property, emotional stress or cause harm to people or any other living creatures in any way.
27. Trespassing on school grounds while a suspension is still in effect; ignoring sanctions imposed and terms of a final written warning.
28. Other serious misconduct which will lead to disciplinary consequences include but are not limited to the afore-mentioned misconduct.

### **Level 4 Disciplinary Sanctions**

1. Any sanctions as defined for level 1,2 and 3 Misconduct other sanction(s) as approved by the Principal/SMT/SGB
2. Out-of-school suspension
3. Mentoring Programme Participation
4. Counselling/Life Skills Programme

5. External DC hearing
6. Referral to Appropriate Substance Abuse Counselling Services
7. Referral to outside agency, including the criminal justice system
8. Recommendation for expulsion
9. Restitution of property and damages where appropriate

#### **Level 5 (Criminal Acts – Violates School Code + Law)**

Level 5 Misconduct relates to criminal acts and repeated serious violations of the School Code. Any breach of the Law of the Republic of South Africa could lead to the South African Police Services being called in. All level 5 misconduct may be escalated to the appropriate authorities. In addition, the School would reserve the right to implement Level 4 consequences. The procedures that may be applicable in accordance with criminal law have no direct bearing upon the school/learner relationship. The School is not obliged to wait until criminal/court proceedings have run their course before initiating any disciplinary steps against any offending learner. The imposition of disciplinary measures against a learner after investigation by the School, such as expulsion for serious misconduct, will not be nullified or viewed as “double sanction” should the learner also be sentenced, if found guilty, by a court of law.

The following behaviours are grounds for corrective strategies by the school and may also result in criminal penalties:

1. Any offence punishable under common law
2. Illegal use, possession, or sale of controlled substances while on school grounds or attending a school function and use or possession of, dealing in, making available to anyone, handling or in any way procuring or being involved in the circulation or provision of any banned substance or material (including, but not limited to, drugs, alcohol or tobacco products or pornography.)
3. Off-site criminal misconduct that disrupts or substantially damages the school/learner relationship and the educational process.
4. Use of a wireless communication device in the commission of a crime.
5. Possession of a firearm or weapon while on school grounds, school bus or at a school function or using it to commit a crime;
6. Violence against any School personnel or any other person;
7. Violation of the School’s sexual harassment policy;
8. Making a threat or false report involving destructive devices or explosives directed against the school, school personnel property, school transportation, or school-sponsored activity; and;
9. Sexting of any kind.
10. Repeated theft of any items belonging to learners, staff members, the Hostel, the School, visitors, guests or any other person involved in any way with the School or Hostel, regardless of the value of the item(s) stolen.
11. Any act which may endanger the safety of the staff, other learners, guests, any other person or any part of the property or the contents thereof.
12. Any act or words directed at management, learners, guests or learners which, in the opinion of the Principal or the Governing Body, are insulting, derogatory or demeaning.
13. Assisting, aiding or abetting any learner to break the law, or school rules or regulations.
14. Involvement in any way whatsoever in any illegal/criminal activities.

# APPENDIX D

**EXTRACT FROM GENERAL NOTICE 6903 OF 2000 (PG 144 OF 4 OCTOBER 2000)  
AS AMENDED BY GENERAL NOTICE 2591 OF 2001 (PG 72 OF 9 MAY 2001)**

## **SCHEDULE 1**

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

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

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

## **SCHEDULE 2**

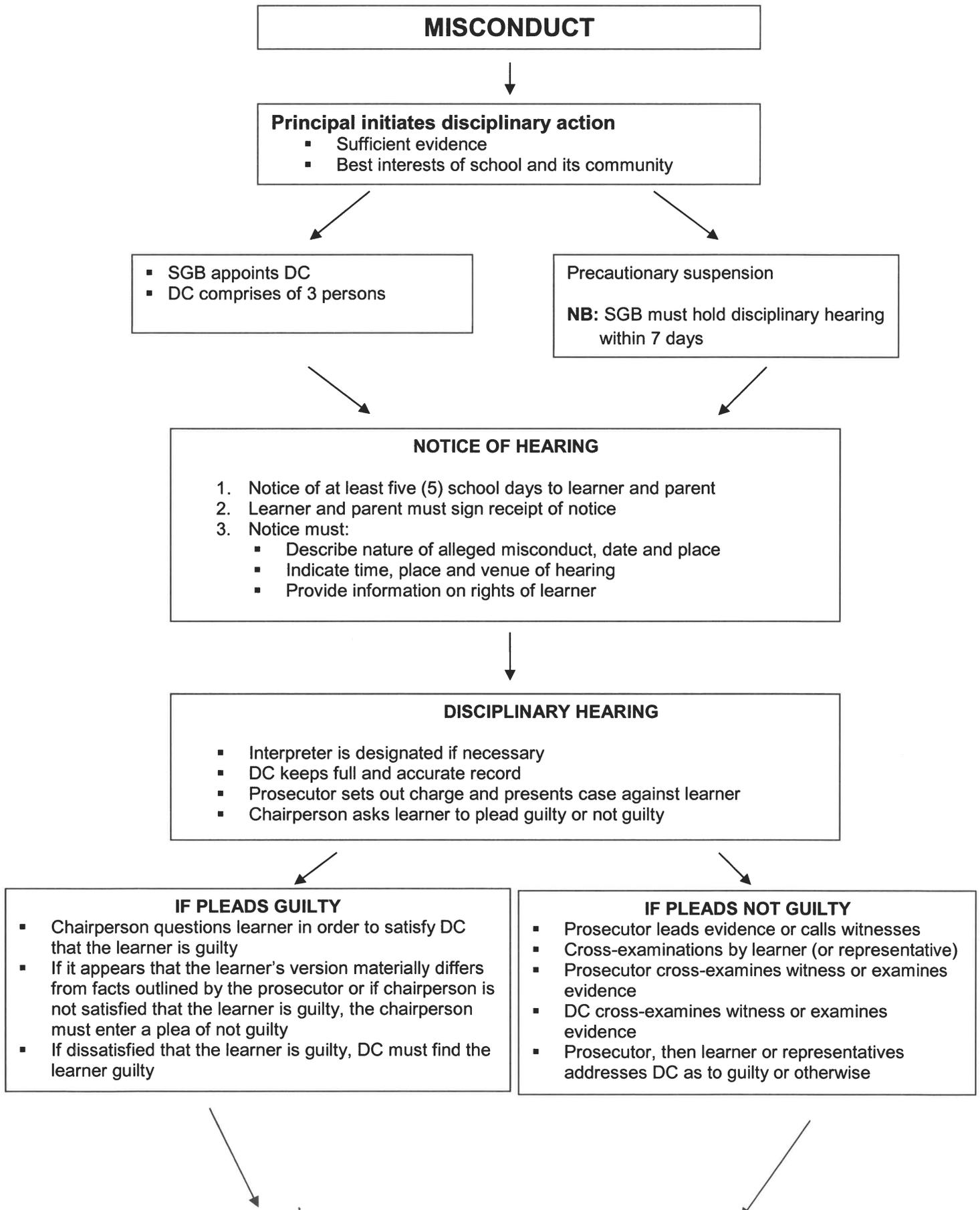
### **(SERIOUS MISCONDUCT THAT MAY LEAD TO EXPULSION)**

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

- (a) is found guilty of misconduct as contemplated in Schedule 1 after having been found guilty of the same or similar misconduct on two previous occasions;
- (b) fails to comply with a sanction of suspension as a correctional measure; or
- (c) intentionally and without just excuse-
  - i. forges any document or signature to the potential or actual prejudice of the school;
  - ii. trades in any test or examination question paper or in any test or examination material;
  - iii. attempts to bribe or bribes any person in respect of any test or examination to enable himself or herself or another person to gain an unfair advantage therein;
  - iv. engages in fraud;
  - v. engages in theft, or otherwise acts dishonestly to the prejudice of another person;
  - vi. is in possession, of, consumes or deals in any illegal substance or other harmful substance;
  - vii. Is in possession of, uses or transmits narcotic or unauthorised drugs or on visible evidence of such possession, use or transmission;
  - viii. is in possession of any dangerous weapon;
  - ix. assaults or threatens to assault another person;
  - x. holds any person hostage;
  - xi. murders any person;
  - xii. rapes any person, or engages in any sexual activity which amounts to an offence in law; or
  - xiii. maliciously damages property.

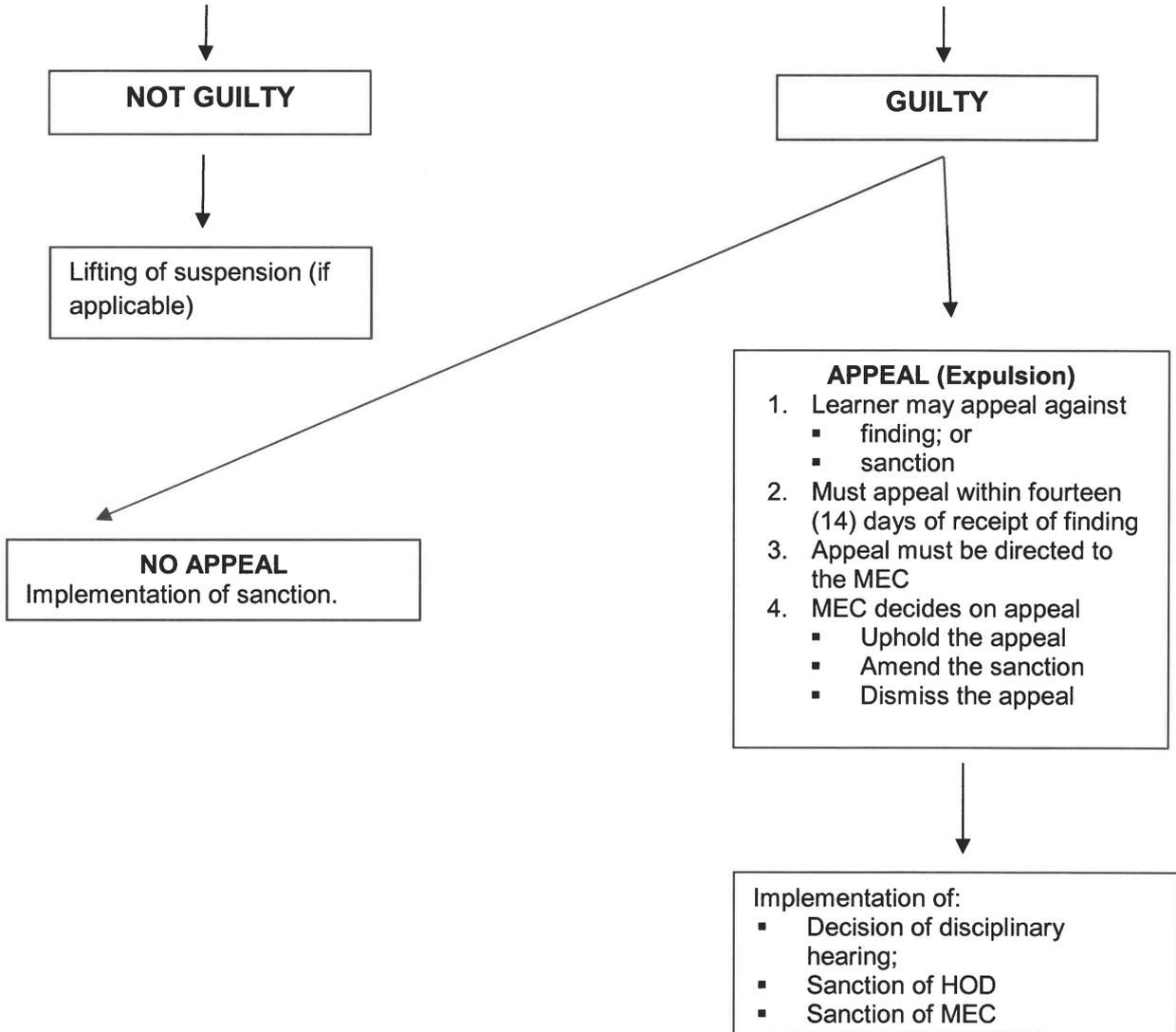
# APPENDIX E

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



**FINDING**

1. DC decides if learner is guilty or not guilty of misconduct
2. DC informs learner of finding and reasons
3. DC hears mitigating and aggravating circumstances
4. DC decides on suitable sanction (suspension may be imposed for no longer than seven days)
5. If DC decides learner should be expelled, a recommendation to that effect to HOD
6. SGB may suspend learner, pending decision of HOD.
7. HOD proclaims decision within fourteen days
8. SGB sends Reminder to HOD to proclaim finding if not done within 14 days and may extend period of suspension of learner.



# APPENDIX F

## MISCONDUCT TO BE REPORTED TO THE DISTRICT AND/OR ANY OTHER GOVERNMENT DEPARTMENT/ AGENCY (see Reporting Form - Appendix G)

1. The following incidents **WILL BE** reported to the District and or any other Government Department/Agency:
  - i. **Armed Robbery** - The taking of money or other property from a person or custody of another, with the intent to either permanently or temporarily deprive the person of the money or other property, when in the course of the taking there is the use of any weapon.
  - ii. **Arson** - Any wilful or malicious igniting of a fire that causes damage or is intended to cause damage to school property or the property of another of any person.
  - iii. **Assault** - Intentional verbal or physical threat to do violence to someone by a learner who possesses an apparent ability to do so and in doing so, creates a well-founded fear that such violence is imminent or an actual act of assault in any form directed or injurious to any person.
  - iv. **Aggravated Assault** - Assault with a weapon/dangerous object or threaten to do so.
  - v. **Battery** - An actual and intentional touching or striking of another person against his/her will or intentionally causing harm to an individual.
  - vi. **Aggravated Battery** - Intentionally or knowingly causing great bodily harm, permanent disability, or permanent disfigurement or using a weapon while committing a battery.
  - vii. **Battery or Aggravated Battery or Assault or threat of Assault on an Educator or Other School Personnel/Learner** - A battery or aggravated battery, as defined above, on any staff member official or school district employee whether it is committed on school property, on school-sponsored transportation, during a school-sponsored activity or while the elected official or employee is on official school business.
  - viii. **Bullying** - Repeatedly using hostile, intimidating, domineering, or threatening behaviour with the aim or purpose of physically or mentally hurting another individual.
  - ix. **Bomb Threat** - To threaten to throw, project, place, or discharge any destructive device with intent to do bodily harm to any person or with the intent to do damage to any property of any person.
  - x. **Breaking and Entering** - Entering or remaining in a structure or a conveyance vehicle with the intent to commit a criminal offense.
  - xi. **Sextexting/Cyberbullying** – In any form.
  - xii. **False Report** - Making a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite or other deadly explosive.
  - xiii. **Homicide (Murder)** -the unlawful killing of a human being; and **manslaughter** – the killing of a human being by culpable negligence of another without lawful justification.
  - xiv. **Inciting Individuals to disrupt any School Function or Class** - Advising, counselling, or instructing any learner or school employee with the intent to disrupt substantially any school function or classroom and the actual occurrence of such disruption with any threats of any kind/intimidation/victimisation involved.
  - xv. **Kidnapping or Abduction** - Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against that person's will and without lawful authority, with the intent to:
    - a) Hold for ransom or reward or as a shield or hostage.
    - b) Commit or facilitate commission of any felony.
    - c) Inflict bodily harm upon or to torture the victim or another person
    - d) Interfere with the performance of any governmental or political function
  - xvi. **Possession of Explosives** -The carrying or the concealing of a bomb, dynamite, or other deadly explosives.
  - xvii. **Property Damage** - Any wilful damage or attempted damage to the property of learners, school personnel, or school.
  - xviii. **Possession, Use or Sale of Any Explosive Device** - An explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation to create an explosion, blasting caps, and detonators.

- xix. **Possession, Use or Sale of Any Firearm or Destructive Device** - Possession, use, or sale of any firearm or destructive device on school property, school-sponsored transportation, or during a school-sponsored activity. A firearm is any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such a weapon; any firearm muffler or firearm silencer; any destructive device, or any machine gun. A "destructive device" means any bomb, grenade, mine, rocket, missile, pipe bomb, bullet, or similar device containing an explosive, incendiary, or poison gas and includes any frangible container filled with an explosive, incendiary, explosive gas, or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage.
- xx. **Robbery** - The taking of money or other property from the person or custody of another by force, violence, assault, or placing in fear.
- xxi. **Sexual Battery** - Oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object.
- xxii. **Sex Violation/Sexting** - An offense against common decency.
- xxiii. **Theft of School Property**-Taking property belonging to another, from another's possession, or from the possession of some person holding the property for another, without consent, with intent to deprive the owner of the value of the property and to appropriate it to the use or benefit of the person taking the property.
- xxiv. **Threat** - It is unlawful to say you are going to throw, place, or explode any destructive device so that it will hurt someone or damage their belongings.
- xxv. **Trespassing on School Property** – Entering the school premises/facility without authorisation or invitation and without lawful purpose for entry, including entry by learners under suspension or expulsion.
- xxvi. **Weapon/Dangerous Object** -Any blade, knife, dagger, metallic knuckles, slingshot, billy, tear gas gun, electronic weapon or device, any stun device, chemical weapon or device, mace, or any other deadly weapon except a firearm.

# APPENDIX G

## DISTRICT INCIDENT REPORTING FORM TO THE CIRCUIT MANAGER

Posbus 72353 Lynnwoodrif 0040  
Tel: 012 809 0029  
Faks: 086 484 5310  
E-pos: admin@tygies.co.za  
www.tygies.co.za



# Laerskool Tygerpoort

'n Skool vir ware wenners

To:

E-mail:

District Director

\_\_\_\_\_ District

\*\*Station Commander: \_\_\_\_\_ Station

South African Police Service

(\*\* If necessary)

REPORTING OF INCIDENT: \_\_\_\_\_ SCHOOL

1. Date of Incident:

2. Place where incident occurred:

3. Name(s) of transgressor(s)

4. Name(s) of victim(s)

5. Name(s) of eyewitness(es)

6. Description/nature of incident and any injuries


7. Immediate step(s) taken:


8. Other steps/action taken:


9. Name(s) of Staff during the incident or who it was reported to:


10. Reported by:


11. How it was reported (orally/in writing)


12. To whom reported:


Signed \_\_\_\_\_

Date \_\_\_\_\_

**ACTION(S) TAKEN BY PRINCIPAL**

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Report to HOD and copy to District Office

Reported to SAPS \_\_\_\_\_ (Station)

Disciplinary Process initiated

**NOTES/COMMENTS**


**PRINCIPAL** \_\_\_\_\_

**DATE** \_\_\_\_\_

<p style="text-align: center;"><b>SCHOOL STAMP</b></p>
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# APPENDIX H

Posbus 72353 Lynnwoodrif 0040  
Tel: 012 809 0029  
Faks: 086 484 5310  
E-pos: admin@tygies.co.za  
www.tygies.co.za



# Laerskool Tygerpoort

'n Skool vir ware wenners

PROTOCOL/PROCEDURE TO FOLLOWED TO TEST A LEARNER FOR THE USE OF AN ILLICIT SUBSTANCE IN TERMS OF SECTION 8A OF THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO 84 OF 1996) AND RELATED REGULATIONS AND PROVINCIAL LEGISLATION AND THE SCHOOL'S CODE OF CONDUCT, RULES AND RELATED POLICIES

DATE AND TIME TEST IS UNDERTAKEN: \_\_\_\_\_

NAME OF LEARNER BEING TESTED: \_\_\_\_\_

GRADE: \_\_\_\_\_

AGE: \_\_\_\_\_

PERSON'S NAME CONDUCTING THE TEST: \_\_\_\_\_  
(MUST BE THE SAME GENDER AS THE LEARNER)

NAME OF ADULT WITNESS: \_\_\_\_\_ (MUST BE THE SAME GENDER AS THE LEARNER)

NAME OF TEST DEVICE USED: \_\_\_\_\_

The device must be kept at the school under lock and key.

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | The device has not expired.  |
| <input type="checkbox"/> | The testing kit opened in the presence of both the learner who is about to be tested and the witness. Tester is wearing latex gloves |
| <input type="checkbox"/> | The learner who is about to be tested, was asked whether he or she has taken any medicine/ medication of any kind.                   |

Learner's answer: \_\_\_\_\_

Learner's and Tester and Witness's signature to confirm the above answer:

\_\_\_\_\_

Testing Educator and witness Sign to confirm that it is the answer of the learner to the above-mentioned question:

\_\_\_\_\_

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | It is confirmed that the test is conducted<br>(a) By a person of the same gender as the learner<br>(b) In the presence of an adult witness of the same gender as the learner; and<br>(c) out of sight of any other person.<br>(d) The person conducting the test is wearing latex gloves which will be kept with the test. |
|--------------------------|--|

Learner's signature to confirm the above: \_\_\_\_\_

Testing Educator and witness Sign to confirm the above: \_\_\_\_\_


The person conducting the test is wearing latex gloves (which must be kept as evidence for a possible disciplinary hearing).

The person undertaking the test must, in the presence of both the learner and the witness, read the information contained in the package insert before the test is conducted and the test conducted as prescribed in the packaging insert. The tester must order the learner to provide a sample of urine.

The package insert of each device is read how the result of that test is to be interpreted.

Learner's and Tester and Witness's signature to confirm the above:

\_\_\_\_\_

**OUTCOME OF THE TEST IN TERMS OF THE PACKAGE INSERT INSTRUCTIONS ON THE DEVICE**

\_\_\_\_\_

Learner's and Tester and Witness's signature to confirm the above:

\_\_\_\_\_

--

The urine sample that has been tested must be clearly and correctly labelled with full particulars of the learner who was tested and sealed in full sight of the learner that was tested.

Learner's signature to confirm the above: \_\_\_\_\_

Testing Educator and witness Sign to confirm the above: \_\_\_\_\_

**Notes:**

A new device should be used for each urine test to avoid cross contamination of urine.  
Test to be stored in a fridge to who no other persons have access to until the disciplinary hearing takes place to be provided as evidence.  
Gloves and instructions of test on which the learner and tester and witness have signed to be stored safely in a sealed envelope in the vault until the disciplinary hearing takes place to be provide as evidence.

**CONFIRMATION THAT THE PARENTS WERE INFORMED OF THE OUTCOME OF THE TEST**

The principal or his or her delegate must, within one working day after testing or searching the learner, inform the parent about the test or search that was conducted.

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**NAME AND SIGNATURE OF PERSON INFORMING THE PARENT OF THE OUTCOME OF THE TEST:**

\_\_\_\_\_

**Notes:**

If the learner has tested positive for illegal drugs, a discussion must be held with the parent so that he or she may understand the consequences of the use of illegal drugs.

The principal or his/her delegate may, if the parent so requests, refer the learner to a rehabilitation institution for drug counselling but he/she may still be subjected to a disciplinary hearing by the school by the principal or his or her delegate against the learner who has tested positive for illegal drug

In a case where the learner refused to be tested for drugs, the principal or his or her delegate must inform the police, who would take the relevant steps in terms of the Criminal Procedure Act, 1977.

Only the learner and his or her parent must be informed about the outcome of the drug test and by the evidence leader should a disciplinary hearing be held.

After the test the identity of the learner may not be revealed, except to his or her parent or during the disciplinary hearing.

If the result of a test conducted at school is disputed, a secondary test by means of gas chromatography coupled with mass spectrometry (GC/MS) must be done to confirm the result at the cost of the parent.

The document on the Guidelines of the DBE is just that a guideline.

The only document that is of use during a disciplinary hearing is

**Notice 1140 of 2008 of the Department of Education issued in terms of the South African Schools Act 84 of 1996 - Devices to Be Used for Drug Testing and the Procedure to Be Followed**

# APPENDIX I



**GAUTENG PROVINCE**  
EDUCATION  
REPUBLIC OF SOUTH AFRICA

## APPEAL TO THE MEMBER OF THE EXECUTIVE COUNCIL AFTER THE OUTCOME OF THE HOD

A learner or representative may appeal against the following:

- 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 requires that such learner attends counselling and procures regular progress reports in respect of such counselling.

Please note 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.

### I. 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 TO 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), BELOW THE REASONS FOR THE APPEAL ARE (PLEASE TICK IN THE APPROPRIATE 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 LEARNER WAS NOT GIVEN AT LEAST FIVE SCHOOL DAYS WRITTEN NOTICE OF THE DISCIPLINARY HEARING.




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.

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**V. ADDITIONAL INFORMATION**

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

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**VI. DOCUMENTATION TO BE SUBMITTED**

CERTIFIED COPIES OF ALL THE RELEVANT DOCUMENTATION AND CORRESPONDENCE MUST BE SUBMITTED WITH THIS APPEAL.

**VII. DECLARATION**

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

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**