



# SPES BONA HIGH SCHOOL

## CODE OF CONDUCT FOR LEARNERS

### SECTION A: INTRODUCTION

1. Extract from the preamble of the South African Schools Act - Act No. 84, 1996

"WHEREAS this country requires a new national system for schools which will redress past injustices in educational provision, provide an education of progressively high quality for all learners and in so doing lay a strong foundation for the development of all our people's talents and capabilities, advance the democratic transformation of society, combat racism and sexism and all other forms of unfair discrimination and intolerance, contribute to the eradication of poverty and the economic well-being of society, protect and advance our diverse cultures and languages, uphold the rights of all learners, parents and educators, and promote their acceptance of responsibility for the organization, governance and funding of schools in partnership with the state;"

2. The Constitution of South Africa: Act 108 of 1996

*Some Extracts:*

#### 3.1 FOUNDING PROVISIONS

The Republic of South Africa is one, sovereign, democratic state founded on the following values: - Human dignity, the achievement of equality and the advancement of human rights and freedoms;

- Non-racialism and non-sexism;
- Supremacy of the constitution and the rule of law ...

#### 3.2. BILL OF RIGHTS

**Rights** - This Bill of Rights is the cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.

**Application** - A juristic person is entitled to the rights in the Bill of Rights to the extent required by the nature of that juristic person.

**Equality** - Everyone is equal before the law and has the right to equal protection and benefit of the law.

**Human Dignity** - Everyone has inherent dignity and the right to have their dignity respected and protected.

**Freedom and Security of the person** - Everyone has the right to freedom and security of the person.

**Freedom of Religion, Belief and Opinion** - Everyone has the right to freedom of conscience, religion, thought, belief and opinion.

**Limitation of Rights** - The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open

and democratic society based on human dignity, equality and freedom, taking into account all relevant factors, including - the nature of the right; the importance of the purpose of the limitation; the nature and extent of the limitation; the relation between the limitation and its purpose; and less restrictive means to achieve the purpose.

### 4. The Spes Bona High School Mission Statement

"The mission of Spes Bona High School is to provide a broad and balanced education which will produce young adults who have skills and confidence to meet the challenge of life in South African society. Our aim is to promote a sensitivity towards the needs and mores of the greater community in which we live and a commitment to serve and improve our society. Above all, we aim to develop young people with self-discipline, independent thinking and a sound set of values, so that they will be able to realise their own potential. In this way, learners of Spes Bona High School will be able to enrich others in their future working and social environment."

#### 4.1. Terms of legislation

The Code of Conduct for Learners at Spes Bona High School has been drawn up in terms of the following legislation:

- 4.1.1 The Constitution of the Republic of South Africa 1996, Act No. 108 and the Bill of Rights included in the constitution
- 4.1.2 South African Schools Act, 1996 (Act No. 84 of 1996) as amended
- 4.1.3 Guideline for the consideration of Governing Bodies in adopting a code of conduct for learners, in Government Gazette No 18900
- 4.1.4 General manual for the suspension and expulsion of learners from public schools (excluding public schools for learners who were referred or transferred to such schools in terms of the child care act, 1983 (act 74 of 1983), and/or the criminal procedure act, 1977 (act 51 of 1977)), in circular 0030/99 - Provincial Administration Western Cape - Education Department.

### Forward

The Spes Bona High School Code of Conduct has been expanded and embellished to create a comprehensive set of policies and procedures which are compliant with the South African Constitution and The South African Schools Act.

This is to make our school a safer place and to protect our pupils and teachers in a wonderful place of learning.

However, at Spes Bona High School we consider every child as an individual with unique skills, talents and abilities. These unique skills, attributes and talents are indeed encouraged and supported by the school, as it creates the diverse and vibrant school which is Spes Bona High School.

This Code of Conduct will be used as guiding principles when dealing with each individual child, in each incident and taking into consideration the circumstances.

This approach has been agreed to by the School Governing Body, Principal and the School Management Team.  
Spes Bona High School is committed to providing an environment for the delivery of quality teaching and learning by:

- ☐ Promoting the rights and safety of all learners, teachers and parents
- ☐ Ensuring learners' responsibility for their own actions and behaviour
- ☐ Promoting fairness and tolerance of diversity
- ☐ Modelling correct behaviour and correcting disruptive and rude behaviour

The code of conduct spells out the rules regarding learner behaviour at the school and describes the disciplinary system to be implemented by the school. It is compiled in the interests of fairness and consistency.

The code of conduct applies to all learners while they are on the school premises or when they are away from the school, acting as a representative of Spes Bona High School at a school function, or in any way associated with or connected to the school.

The SA Schools Act states that all learners are bound by the Code Of Conduct of their school. All learners attending the school are expected to sign a statement of commitment to the Code Of Conduct. The administration of the Code Of Conduct is the responsibility of all teachers, mediators and the Governing Body.

## 5. General Principles

### 5.1 Behaviour:

Learners are expected, at all times, to behave in a courteous and considerate manner towards each other, all members of staff, prefects, the Learner Representative Council (RLC), and visitors to the school.

Order and quiet are to prevail in the school buildings.

### 5.2 School rules:

Learners are expected to abide by the school's rules when representing the school both during school hours and after school hours, at school and away from school. Learners are, at all times, to be „proudly Spes Bona“ and not say or do anything that will discredit themselves or the school. Learners may not meet visitors at school without permission. Visitors are to report to the secretary's office and obtain permission and a visitor's card.

### 5.3 Teaching and learning:

No learner has the right, at any time, to behave in a manner that will disrupt the learning activity of other learners, or to cause another learner physical or emotional harm.  
Intervention and consequences:

The school will contact parents/guardians when a learner's behaviour becomes a cause for concern and will endeavour, in a spirit of constructive partnership, to resolve the problem. Inappropriate behaviour will have consequences as outlined in this Code Of Conduct.

## 6. School and class attendance

Parents and guardians, learners, teachers and School Governing Body members are jointly responsible for ensuring that all learners attend school.

- 6.1 If a learner does not attend school regularly, the relevant register teacher will report the absence of the learner to the parent and the Principal in writing. The register teacher must keep an accurate register of the learners' attendance and must keep copies of all communication to parents when absence from the school classroom is reported.
- 6.2 All learners are to arrive in time for the official starting time. Learners who are late for school will be marked absent, as registers are completed at the beginning of each day.
- 6.3 Absence from a class, without the permission of the relevant register or subject teacher, is prohibited.
- 6.4 Any absence from school must be covered by a note from a parent/guardian.
- 6.5 Should a learner be absent from school for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical doctor.
- 6.6 Any absence from a formal examination, test or task must be supported by a letter from a medical doctor.

## 7. School uniform and appearance

Learners are expected to wear the official uniform and appear neat and tidy at all times.

7.1 No additions to the uniform or adjustments to the uniform, that are not in accordance with the regulations, will be allowed.

Learners found wearing partial or incorrect uniform, will be subject to disciplinary action. Failure to adhere to the school's dress code will result in the item of clothing, footwear or jewellery being confiscated. A fine of R250.00 will be paid for the release of the item.

### 7.2 Procedures when some fault in uniform or appearance is unavoidable:

E.g. Shoes being mended, suitable replacement shoes to be worn. The learners must carry an explanatory note from their parents at all times. The Head of Discipline must sign this note at the start of the day. The onus is upon the learner to approach each of his educators at the start of the lesson so as to apologize for his/her appearance, and to offer the note of explanation. Educators should not have to ask a learner why his/her appearance is faulty. In lieu of a note, the Head of Discipline will issue an exemption note indicating the reason as well as the expiry date for the exemption. Uniform exemption notes are available from the Head of Discipline before class educators period in the morning and during first break.

- 7.3 Only plain black lace-up or T-bar shoes may be worn. Boots, suede-type shoes and track shoes are unacceptable. Shoes must be in good repair and polished.
- 7.4 Full tracksuits may be worn for sport activities and in winter only. Tracksuit tops may be used in conjunction with the normal school uniform in place of a jersey or blazer. On extremely cold mornings Spes Bona Secondary Regulation Black Beanies, scarves and gloves may be worn.

- 7.5 No unauthorised earrings, jewellery, accessories or visible tattoos are allowed. *No chains or any other ornament to be worn around the wrist or ankle etc.*

**Earrings:** Girls who have pierced ears may wear gold or silver studs or plain sleepers. Studs - only and small round, no coloured studs allowed. Sleepers - no big or thick rings - only up to the *new R1.00* size. Only one earring per ear- if girls have more than one hole in the ear, the earring must be in the bottom hole. Only the lobe of the ear may be pierced.

**Neck Chains:** Only small, discreet, medical or religious medallions may be worn under the dress. No other form of necklace may be worn, even under the dress. Chains may not be visible at any time.

**Tongue and Nose rings** are not allowed. Learners will be asked to remove them immediately and the tongue ring will be confiscated

## 8 MAKE-UP

- 8.1 No make-up is allowed with school uniform. Henna and 'mendi' decorations is not allowed.
- 8.2 Nail polish - only clear, natural, colourless nail polish is allowed, not glossy or pearly. No French manicures are allowed. No henna is allowed without the permission of the head of discipline.
- 8.3 Nails to be kept at a reasonable length – 1mm over tips of fingers.

## 9 SPECTACLES/CONTACT LENSES

- 9.1 The frames of spectacles must be functional and not decorative.
- 9.2 No coloured contact lenses are allowed.
- 9.3 No colouring of hair or wearing of exotic hairstyles or styles that attract undue attention are allowed.
- 9.4 Fingernails must be kept trimmed short and clean at all times.
- 9.5 During events that allow the wearing of casual wear, learners should wear neat, presentable clothes. Beachwear, tight-fitting clothes and clothes that are too revealing are not allowed. Hair, shoes and accessories should be neat at all times.
- 9.6 Only learners who have applied and submitted relevant supporting documents and received the necessary permission from the School Governing Body may deviate from the official school uniform for religious and cultural reasons

## 10 Uniforms for girls.

### Prescribed uniform:

Only approved badges may be worn on blazers or dresses – no little ornaments

- 10.1 Yellow Check Tunic and white shirt/ Black School Jersey/ School Track Jacket/ School Blazer
- 10.2 The length of the tunic must be knee-length or below the knee.

- 10.3 Black shoes and socks. Shoes should be buckled up and not be worn loose. If the buckle is broken it must be repaired and a uniform defaulter slip is needed until the shoes are repaired.

No tippex or graffiti is allowed on the shoes.

No takkies or fancy shoes.

- 10.4 No skirts or grey pants or tracksuit pants are allowed.

## 11 Winter Uniform for girls:

- 11.1 School Track Suit with White T-Shirt, School Tie and track jacket.
- 11.2 RAINCOATS: Only Navy Blue or Black-Macs are allowed to be worn to and from school and these must be removed inside the building. No other jacket/coat is allowed.
- 11.3 STOCKINGS/SOCKS
- 11.3.1 Only school regulation black stockings or thick wool stockings must be worn in the winter months. No socks to be worn under stockings.
- 11.3.2 No patterned stockings allowed.
- 11.3.3 Stockings may not be worn with summer uniform.
- 11.3.4 SCARVES: Only a Spes Bona or a plain black scarf is allowed.

## 12 Hair for girls:

The basic rule is that hair must be neat and tidy.

- 12.1 No coloured bands, slides, clips, bows etc. other than white, black or, in cases of slides, the colour of the individual's hair.
- 12.2 No butterfly clips or clamps. Banana clips may only be worn if hair is tied flat against the head.
- 12.3 No ponytails on top of the head.
- 12.4 Hair must be tied up if below the collar.
- 12.5 Fringes below the eyebrows must be clipped back.
- 12.6 No "mod" hair styles, e.g. punk or little curls or pigtails hanging down the back, sides, or on top of the head. No headgear. No dreadlocks.
- 12.7 Hair may not be tinted, washed with a colour rinse dyed or highlighted. Any girl who violates this rule will be required to restore her hair to its original natural colour.
- 12.8 No big bows or fancy hair ornaments allowed.
- 12.9 Braids are allowed on condition that they are not more than 0.5 cm thick plaits using three strands to a maximum of approximately 35 cm long and all braids must be the same length.

- 12.10. No weaves or any other form of hair extensions, sewn or glued are allowed natural dreadlocks are only allowed if it is already long enough to be tied up by the time the learner arrives at the school, are 0.5 cm thick, even and the same length.
- 12.11 Corn-rows allowed in a linear pattern only.
- 12.12 No gel, dying or perking of hair is permitted.
- 12.13 Braiding of hair is permitted and pupils may not have "spiky, bushy" styles.
- 12.14 ONLY BLACK Extensions are allowed
- 13 Uniforms for boys:

The school uniform must be worn to all school activities, unless stated otherwise.

#### 13.1 TROUSERS

- 13.1.1 Only trousers of the conventional width may be worn. Long pants tapered into drainpipe styles and pants that are widened into bootleg styles are unacceptable. When worn properly, the leg of the trousers should hang easily and naturally with no appearance of clinging.
- 13.1.2 Pants must be worn around the waist (not around the hips). No underwear should be visible above the pants. The length of the pants must correct and the pants must not drag on the ground or be frayed
- 13.1.3 If shorts are worn (summer uniform only), they must be of conventional shape and size. No cut-off longs or baggies are acceptable. Underwear must not show.
- 13.1.4 If shorts are worn, long grey school socks are to be worn. Socks must stay up or be held up with garters.
- 13.1.5 Trouser belts must be worn and must be grey or black. Belts must be leather or synthetic leather with no branding on them. Brown, other colour belts or belts displaying shiny badges/ornaments are not acceptable. The buckle of the belt must be no more than 0,5cm wider than the belt on either side.

#### NO ALTERATIONS TO THE SCHOOLPANTS OR UNIFORM WILL BE ALLOWED.

- 14 Prescribed uniform:
- 14.1 School Grey Pants/White Shirt/ School Tie/School Jersey/School track Jacket or School Blazer/ Black School Shoes/grey socks./ No Takkies and coloured laces are allowed.
- 14.2 No tippex or graffiti is allowed on the shoes.
- 14.3 No T-Shirts are allowed
- 14.4 No jewellery may be worn.

#### 14.5 Winter Uniform for boys:

- 14.5.1 Black Spes Bona Beanie and Black Spes Bona Scarf
- 14.5.2 Only approved badges may be worn on uniform . No little ornaments.
- 14.5.3 RAINCOATS: Only Navy Blue or Black-Macs are allowed to be worn to and from school and these must be removed inside the building. No other jacket/coat is allowed.
- 15 Hair for boys.
- 15.1. "Number 2" cut is acceptable. No steps, "Mohican style", no hair in eyes, spikes, over the eyes or over collar is permitted. Hair must be of an even- length over the entire surface of the head.
- 15.2 No gel or dying of hair is allowed. No dreadlocks are allowed.
- 15.3 No Tempering with Eyebrows is allowed
- 15.3 Only one week's grace will be given to remedy transgressions of the above.
- 15.4. More serious infringements will result in a pupil being asked to leave school immediately in order to ensure that his hair is returned to its natural colour.
- 15.5. Boys whose hair has been shaved/styled for cultural/religious reasons must submit a letter in this regard to the Principal.
- 15.6. Hair must be the natural colour. It may not be dyed or streaked.
- 15.7. No moustaches or facial hair. Sideburns in line with the middle of the ear.

#### 16 GENERAL: BOYS AND GIRLS

Procedures when some fault in uniform or appearance is unavoidable:  
E.g. Shoes being mended, suitable replacement shoes to be worn. The learners must carry an explanatory note from their parents at all times. The Head of Discipline must sign this note at the start of the day. The onus is upon the learner to approach each of his educators at the start of the lesson so as to apologize for his/her appearance, and to offer the note of explanation. Educators should not have to ask a learner why his/her appearance is faulty. In lieu of a note, the Head of Discipline will issue an exemption note indicating the reason as well as the expiry date for the exemption. Uniform exemption notes are available from the Head of Discipline before class educators period in the morning and during first break.

#### 17 Valuables and personal belongings

- 17.1 The school will not be held responsible for theft of, or damage to, personal belongings on school premises (e.g. cell phones, bags, books and clothing).
- 17.2 Learners should not bring Cell phones, Smart Watches, Mp3 Players, iPods or any electronical devices to school as it will be confiscated. A fine of R250,00 should be



paid for its release. Cell Phones should be handed in before the start of school to the secretary for safe keeping and collected after school.

- 17.3 If a parent requests a learner to pay school fees on his/her behalf, such school fees should be paid before the start of the school day or during the admin period.

#### SECTION : B Serious Misconduct

(Extracted from: General manual for the suspension and expulsion of learners from public schools (excluding public schools for learners who were referred or transferred to such schools in terms of the child care act, 1983 (act 74 of 1983), and/or the criminal procedure act, 1977 (act 51 of 1977)), in circular 0030/99 – Provincial Administration Western Cape – Education Department.)

The Governing Body may, after a fair hearing, suspend or recommend expulsion to the Head of Education, if a learner is found guilty of serious misconduct.

A learner may be found guilty of serious misconduct if he or she:

1. has been convicted by a court of a criminal offence;
2. used or had in his or her possession intoxicating liquor or drugs during a school activity or in school uniform;
3. is guilty of assault, theft, gross insubordination or immoral conduct; Display Gangster related behaviour or involvement with gangster groups
4. has been repeatedly absent without leave from school and/or classes;
5. **intentionally and without just excuse —**
  - 5.1 seriously threatens, disrupts or frustrates teaching or learning in a class;
  - 5.2 engages in a conspiracy to disrupt the proper functioning of the school;
  - 5.3 insults the dignity of a staff member;
  - 5.4 cheats in a test or examination;
  - 5.5 distributes any test or examination material that may enable another person or himself or herself to gain an unfair advantage or is in possession of any examination material prior to or during the writing of the said examination;
  - 5.6 sexually harasses another person;
  - 5.7 is found in possession of or distributes pornographic material;
  - 5.8 supplies false information or falsifies documentation to gain an unfair advantage at school;
  - 5.9 is in possession of a dangerous weapon or uses it to threaten any person;

- 5.10 engages in any act of public indecency;
- 5.11 endangers the safety and violates the rights of others;
6. fights, swears, or falsely identifies himself or herself;
7. threatens fellow learners or educators;
8. uses hate speech, makes himself or herself guilty of racism or applies harmful graffiti;
9. vandalizes, destroys or defaces school property or the property of any member of the school community;
10. repeatedly violates school rules or the code of conduct;
11. conducts himself or herself, in the opinion of the governing body, in a disgraceful, improper or unbecoming manner.
- 12 **Behaviour in the school grounds**
  - 12.1 Loitering and/or playing in and around the corridors, stairwells and toilets is forbidden.
  - 12.2 All litter must be placed in refuse bins or wastepaper baskets.
  - 12.3 No ball games may be played in any area except on the field, where it will be allowed.
  - 12.4 In the case of accidental breakages, these must be reported. If school
    - (i) property is damaged in defiance of the school rules, the repair thereof will be for the account of the responsible party.
  - 12.5 No pupil may enter the school hall without adult supervision. School equipment may not be used without permission.
  - 12.6 Wilful damage, vandalism or neglect of school property and the property of others is prohibited.
  - 12.7 Theft of school and private property is prohibited.
  - 12.8 No learner is to communicate with any person on the outside of the school. Learners should be 10 meters from the school fence.
- 13 **Class and exam rules**
  - 13.1 Any cheating in class work, homework, informal and formal tests or internal or external examinations is prohibited. Furthermore, copying of another's work or borrowing another learner's work is forbidden.
  - 13.2 Borrowing calculators or stationery during tests and exams is not allowed.

- 13.3. Disruptive, unruly, rude and/or offensive behaviour is not allowed.
- 13.4. It is the responsibility of each learner to hand in work on time.
- 13.5. If a learner misses a test through absenteeism, the first day that they return to school they will be expected to write the test. In the same way, if they miss a project/hand-in date due to absenteeism, they must hand in the work on the day that they return to school.
- 13.6. Learners who fail to produce a medical certificate after absenteeism from a formal examination / test/ assessment task can obtain a mark of "0" (nought) for the particular examination / test/ assessment task.

#### 14 Respecting diversity

- 14.1. Each learner will respect the beliefs, culture, dignity and rights of other learners, as well as their right to privacy and confidentiality.
- 14.2. Language which is deemed to be derogatory, discriminatory or racist is prohibited. Swearing is not allowed.
- 14.3. Any act that belittles, demeans or humiliates another learner's culture, race or religion is prohibited.

#### 15 Respecting each other

- 15.1. Gangsterism in all its forms is not allowed

Spes Bona High School desires to keep its school free from the threats or the harmful influence of gangs, which exhibit drug use, violence, or disruptive behavior. The purpose is to maintain the educational mission of the schools by eliminating substantial distractions and ensuring the security of students and staff.

The Principal or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. To discourage the influence of gangs, the Principal or designee shall take steps to ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently.

- 15.2. All learners have the right to an education free of interference, intimidation and/or physical abuse. Every learner must respect the safety of other learners. Fighting or threatening other learners is forbidden.
- 15.3. Learners should respect other learners in positions of authority. A learner who is in a position of authority will conduct himself/herself in a befitting manner. She/he will respect the rights of other learners and will not abuse such authority bestowed upon him/her through his/her position.
- 15.4. The carrying, copying and/or reading of offensive material is prohibited.
- 15.5. Bullying in any form is not allowed. This includes physical and psychological bullying, both verbally and in cyberspace.
- 15.6. The toilets must be kept clean and neat.

- 15.7. Stone-throwing, water-throwing, rough/rowdy games, fighting, assault, sexual harassment or dishonest behaviour of any kind will not be tolerated
- 15.8. No learner may be in possession of tobacco, cigarettes, dagga, alcohol, drugs or any other unacceptable habit-forming or intoxicating substance.
- 15.9. Committing extortion, coercion, or blackmail, i.e., obtaining money or other objects of value from an unwilling person, or forcing an individual to act through the use of force or threat of force.

#### 16 Behaviour in the classrooms.

- 16.1. Each learner has to do his/her utmost to maintain order in the classes.
- 16.2. Each learner must contribute towards an effective and efficient work pace and the completion of work.
- 16.3. Learners may not bring any toys to school, e.g. playing cards, water pistols, Mp3 players, walkmans, fireworks, electronic games, cellular phones, etc.
- 16.4. It is expected from learners to react upon orders and requirements from educators. Neatness and order are prerequisites in the class situation.
- 16.5. No learner may be outside the classroom during school hours without permission.
- 16.6. Furniture and other material or apparatus, e.g. computers, radios, TVs, may not be used by learners without permission and/or supervision.
- 16.7. No learner may leave the school premises during school hours.
- 16.8. The computer room (s) may only be used under supervision of an educator.
- 16.9. No learner/s may be inside a classroom, unless under supervision of an educator.
- 16.10. Only one learner at a time is allowed to leave the classroom to go to the toilet.

#### 17 Text Books

- 17.1. Learners must cover their books with plastic and look after books received. Learners have to replace/pay for books which have been lost.

#### 18 School bags.

- 18.1. Learners must carry bags that will protect their books. Bags with offensive words/slogans/ gangster signs or symbols are not allowed.

### SECTION : C Rules governing public spaces

The school is subject to laws pertaining to public spaces.

- 1. No dangerous objects or illegal drugs as designed in the SA Schools Act may be brought onto school property, unless authorised by the Principal for educational purposes. Dangerous objects include knives, firearms, sharpened objects or any item that could harm a person.
- 2. The carrying and/or smoking of cigarettes, e-smoking, matches and lighters is prohibited.

3. Alcohol is not permitted on school premises or during any school activity.
4. The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.

#### DETENTION CLASSES

Detention classes after school hours will be enforced. Transport problems cannot be an excuse for non attendance.

1. A learner will be made aware of the misconduct when the educator enters the misconduct in the defaulter's file.
2. Verbal warnings are given and occasionally an educator may write a note in to learner's parents/guardians. Due to the frequency and large numbers of misconduct, educators cannot possibly write notes or letters all the time.
3. The onus is on the learner to inform the parent of the daily misconduct.
4. Parents will be informed of serious misconduct through a letter or phone call and a meeting will be set up to discuss the issue.
5. Detention will be given regardless of the level of misconduct.
6. Learners will be detained for consecutive recordings of misconduct.
7. A detention letter will be sent to parents for misconducts. Parents need to accept that the letter indicates a problem with the learner and assist in solving the problem.
8. Details of the misconduct will be available on request.
9. Parents are required to sign the acknowledgement slip on the detention letter and arrange transport for their child.
10. Learners who fail to bring in return slips will still be detained.
11. Misconduct viewed as serious or learners who do not reform through the detention process will be requested to bring their parents in for a discussion.
12. Learners who fail to attend detention, will be made to do menial tasks the next detention after school hours e.g. picking up papers, cleaning windows, classrooms etc. In addition, they have to serve 3 more detentions.
13. Immediate suspension will be given in very serious cases as in level 3 violations, a disciplinary hearing will be held with parents, educators and the SGB. Decision taken at this meeting must adhere to.
14. Each educator keeps a list for each class.
15. The detention administrator has a composite record of all classes.
16. The detention administrator draws up a detention register.

17. Meaningful disciplinary activities will be carried out in the detention class.
18. The educator in charge will determine this activity.
19. Repeat offenders parents will be called in for a meeting. Serious cases will be referred to SGB.

The composite defaulters file will be kept with the detention administrator and will be made available to parents when requested.

#### 12. OFFENCES THAT MAY LEAD TO SUSPENSION:

Provincial regulations must be consulted in the compilation of a list of offences which may lead to suspension of a learner. Offences that may lead to such suspension include, but are not limited to the following:

- 12.1. Conduct that endangers the safety and violates the rights of others which includes Gang related Activities
- 12.2. Possession, threat or use of a dangerous weapon.
- 12.3. Possession, use, transmission or visible evidence of narcotic or unauthorized drugs, alcohol or intoxicants of any kind.
- 12.4. Fighting, assault or battery.
- 12.5. Immoral behaviour or profanity.
- 12.6. Falsely identifying one.
- 12.7. Harmful graffiti, hate speech, sexism, racism.
- 12.8. Theft or possession of stolen property including test or examination papers prior to the writing of tests or examinations.
- 12.9. Unlawful action, vandalism or destroying or defacing school property.
- 12.10. Disrespect, objectionable behaviour and verbal abuse directed at educators or other school employees or learners.
- 12.11. Repeated violations of school rules or the Code of Conduct.
- 12.12. Criminal and oppressive behaviour such as rape and gender based harassment.
- 12.13. Victimisation, bullying and intimidating of other learners.
- 12.14. Infringement of examination rules.
- 12.15. Knowingly and willfully supplying false information or falsifying documentation to gain unfair

advantage at school.

### 13. SUSPENSION AND EXPULSION:

A governing body may, after a fair hearing, suspend any learner who has been found guilty of contravening stipulations of the Code of Conduct:

- 13.1. For a period of one (1) week.
- 13.2. For a reasonable period not exceeding one week, pending a decision by the Head of Department on the recommendation of the governing body as to whether or not the learner is to be expelled from the school.
- 13.3. A learner who has been recommended for expulsion, or his/her parent, may appeal against the decision of the Head of Department to the Member of the Executive Council within seven days of the decision so to expel him/her.
- 13.4. In the case of disciplinary transfer, the Head of Department must find a school place for a learner until the learner is beyond compulsory school-going age, as the right of a learner to basic education cannot be violated.

### SCHEDULE OF OFFENCES and POSSIBLE CONSEQUENCES

The educator (or Governing Body) should use discretion in implementing one or more of the following measures, as appropriate.

A repeat offence of the same kind or of the same degree would deserve more severe treatment.

#### LEVEL 1 OFFENCES :

The Level 1 Offences are dealt with by the Educator.

#### LEVEL 2 OFFENCES :

The following offences must be referred to and must be dealt with by the Grade Controller.

IRA – Immediate Remedial Action

#### LEVEL 3 OFFENCES

The following offences are to be referred directly to the Grade Controller who, together with the Principal, should issue Official Warnings.

School community service or IRA could also be included as possible sanctions for levels 3 and 4 offences. (Community service involves physical labour e.g. cleaning, maintenance work and picking up litter.) School Management Team (SMT) or Internal Discipline Committee hearings could be held.

The Principal might refer the case either to the Internal Discipline Committee or to the Governing Body Discipline Committee.

### SCHEDULE OF LEVEL THREE OFFENCES

- Gangsterism
- Disruption/ misbehaviour during Assembly
- Selling tobacco, drugs, chips/sweats/cake; etc
- Possession of lighter, matches
- Graffiti (large scale)
- Theft
- Forgery; fraud
- Sexual harassment
- Vandalism (large scale)
- Weapon at school
- Assault, violence or intimidation
- Immoral conduct
- Provocation
- Tobacco, alcohol, drugs: possession or use at school, anywhere in uniform during school-related activity
- in presence of members of staff
- in proximity of school, including local sports clubs/restaurants/shops/streets
- Tobacco, alcohol, drugs: under the influence/smelling
- Tobacco, alcohol, drugs: making available to others anywhere
- Tobacco, alcohol, drugs: being in the company of a learner consuming E-cigarettes, - in possession thereof, using it while at school or in school uniform, at public places in the company of someone using one.
- Testing positive again after a contract has been issued for an initial positive test.
- Repetition of second degree offence
- Cheating in examination/test
- Tampering with and/or damaging car/motorcycle/bicycle
- Repeatedly disrupting the learning of others
- Disrespect
- Defiance of authority
- Reckless/unauthorised use of car/motorcycle/bicycle
- Repeatedly lying



**SCHEDULE OF LEVEL THREE CONSEQUENCES :**

- *Learners to sign a contract of good behaviour*
- *Suspension or Expulsion (Governing Body) Inform SAPS and parents*
- *Inform parents and GB;*
- *possible GB disciplinary hearing*
- *Official Warning. Refer to Internal Discipline Committee/ School Management Team Hearing. Inform Parents.*
- *Official Warning.*
- *Community service (usually 6 - 20 hrs)*
- *Suspension (for limited period as corrective measure)*
- *Warning: future expulsion possible*
- *Suspension, and expulsion process begins*
- *Enforced payment for replacement*
- *repair of damage*
- *Enforced payment for treatment of injury*
- *Confiscation*
- *Leadership position(s) suspended*
- *Police investigation*

**SCHEDULE OF SECOND DEGREE OFFENCES**

- Communicating with passers-by(FENCE)/unauthorized visitors
- Racial or sexual remarks. Insult to someone's dignity/defamation
- Tampering with car, motorcycle, bicycle
- Truancy/Bunking of lessons
- Spitting
- Graffiti (small scale)
- Public displays of affection
- Playing ball games in unauthorised areas
- Offensive language
- Bullying or intimidation
- Bunking school or a class/classes
- Leaving school grounds without permission
- Driving/parking a motorised vehicle on school grounds without permission
- Failing to attend defaulters' detention
- Kissing another learner Reckless/unauthorised use of car/motorcycle/bicycle
- Repetition of first degree offence, esp. misbehaviour in class

- Breach of examination/test rules
- Disrespect
- Disobeying a legitimate instruction
- Repeatedly disrupting the learning of others

**SCHEDULE OF SECOND LEVEL CONSEQUENCES**

- *Detention/Defaulters' detention/double Defaulters' DT*
- *Parents informed*
- *School Management Team Hearing. Inform Parents. Official Warning.*
- *Official Warning. Refer to Internal Discipline Committee.*
- *Enforced payment for replacement/repair/treatment*
- *Community service (usually 2 - 6 hrs)*
- *Suspended sentence + other measure(s)*
- *Suspension or Expulsion (Governing Body) Inform SAPS and parents*
- *Possible Expulsion*
- *Official Warning. Inform parents. Three/Four/ five detentions.*

**SCHEDULE OF FIRST LEVEL OFFENCES**

- Late arrival for school/school activity
- Littering
- Unruly behaviour in passages
- Offensive language
- Uniform offences, incl. jewellery
- Failing to attend detention
- Defaulters' detention
- Disrespectful attitude
- Misbehaviour in class
- Holding hands/embracing
- Using tuckshop between or during lessons
- Lying

**SCHEDULE OF FIRST DEGREE CONSEQUENCES**

- *Learner to apologise*
- *general Reprimand*
- *Writing out*
- *Community service (usually 1 - 2 hrs)*
- *Pick up litter*
- *Official Warning. Inform parents. Four detentions.*
- *Parents informed*
- *Suspended sentence plus other measure(s)*
- *Confiscation*

## Disciplinary System

### Section : Discipline

Every teacher is responsible for discipline and has the full authority and responsibility to correct behaviour of learners whenever such correction is necessary. Any corrective measure or disciplinary action will correspond with and be appropriate to the offence.  
All learners will abide by the disciplinary system that has been developed to assist and guide learner behaviour in the school.

#### Offences and level of seriousness

Offences are graded according to the nature and degree of seriousness of the offences, of which level 1 is the least serious and level 4 is the most serious. The level of an offence will determine the procedure to be followed.

1. **Level 1 offence** — a detention will follow, then an internal disciplinary hearing.
2. **Level 2 offence** — a detention, an internal disciplinary hearing or possibly a Governing Body hearing (depending on the severity of the particular offence).
3. **Level 3 offence** — an internal disciplinary hearing, most usually followed by a Governing Body hearing.  
— offence can be reported to the South African Police Services (SAPS) and a Governing Body will be held.

#### Level 1 Offences

After a level 1 offence has been issued by a staff member, the matter is referred to the Grade Head along with the record of the offence and the Grade Head will issue a detention.

Should the particular level 1 offence recur after disciplinary intervention has occurred and a detention has been issued, the staff member will, in consultation with the discipline head/s, arrange an interview with the learner. A final written warning will be issued. A signed copy of acknowledgment will be kept on record by the Discipline Head and communicated to the parent/guardian.

The Discipline Head records all relevant documentation and the disciplinary interventions imposed and this will be kept in the learner's file.

#### Level 2 offences

All level 2 offences will be referred directly to the Grade Head. The Grade Head will, in consultation with the Discipline Head, arrange an interview with the learner. A detention or Saturday detention will be issued. A signed copy of acknowledgement will be kept on record by the Discipline Head and communicated to the parent/guardian if a Saturday detention is issued.

When a second level 2 offence occurs after a Saturday detention has been issued for the first offence, the Discipline Head will refer the matter to the internal disciplinary committee for an internal disciplinary hearing.

Should the particular offence recur after the issuing of a Saturday detention and an internal disciplinary hearing has occurred, the disciplinary committee will refer the matter to a Governing Body hearing. The parent/guardian will be advised in writing within a minimum period of five (5) days before the designated date that a Governing Body hearing has been convened.

The discipline head records all relevant documentation and the disciplinary interventions imposed and this will be kept in the learner's file.

#### Level 3 offences

All Level 3 offences will be referred directly to the Discipline Head. The Discipline Head will refer the matter to the internal disciplinary committee who will, depending on the severity of the offence, determine whether to convene an internal disciplinary hearing or a Governing Body hearing.

The parent/guardian will be advised in writing within a minimum period of five (5) days before the designated date that a Governing Body hearing has been convened.

The Discipline Head records all relevant documentation and the disciplinary interventions imposed and this will be kept in the learner's file.

Depending on the seriousness of the offence the Discipline Head will refer the matter to the School Principal who may file a report with the SAPS and will convene a Governing Body hearing. The parent/guardian will be informed immediately (within 24 hours) of the offence and be advised in writing within a minimum period of five (5) days before the designated date a hearing has been convened.

The Discipline Head records all relevant documentation and the disciplinary measures imposed and this will be kept in the learner's file.

Failure to comply with interventions and corrective measures may lead to the offence being categorised at a higher level.

#### Suspension and expulsion

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

- Conduct that violates the rights or safety of others
- Criminal or Gang Related behaviour of any kind
- Defacing or destroying school property
- Disrespectful or objectionable conduct and verbal abuse directed at teachers, other school employees or fellow learners
- Outright defiance of lawful requests or instructions issued by persons in authority and Disruptions of Assembly
- Indulging in harmful graffiti, racism or hate speech
- Sexual harassment or sexual assault
- Immoral behaviour
- Swearing or profanity
- Possessing, using or displaying evidence of use of any narcotics or unauthorised drugs
- The use of alcohol or any other intoxicant
- Repeated infringement of the school rules or the code of conduct

- Possession of dangerous weapons
- Damage to private property on school grounds or during school activities
- Stealing
- Lying
- General assault
- Selling or distributing illegal substances

The Governing Body authorises the Principal or Deputy Principal to institute suspension as a precautionary measure with regard to a learner who is charged with serious misconduct.

- When a learner is suspended, the learner and his/her parents must be informed why the suspension is being applied.
- Disciplinary proceedings must commence within one (1) week after the suspension. If the proceedings do not commence within one (1) week, approval for the continuation of the suspension must be obtained from the provincial Department of Education.
- This suspension will be applicable until a finding of not guilty is made or, if guilty, until the appropriate sanction is announced.

Should a learner be found guilty after a fair hearing before the Governing Body, the school has the right to recommend expulsion to the provincial Department of Education. Where approval for expulsion is not granted, learners will attend counselling or a relevant life skills programme before they may return to class. Such learners will be accommodated in the isolation room in the interim to continue with schoolwork until they have completed the series of counselling sessions or the stipulated life skills programme.

### Internal Disciplinary Hearings and Governing Body Hearings

1. The following official forms will be used for disciplinary hearings:
  - Final written warning
  - Notice of disciplinary hearing
  - Record of disciplinary hearing
2. Written notice of a Governing Body hearing will be given at least five (5) school days before the hearing, which could include temporary suspension from classes, including formal scheduled tests and examinations which count towards the year mark.
3. When the notice is issued the learner must acknowledge receipt of the notice by signing it. This is not an admission of guilt.
4. If a learner does not appear at a hearing, the hearing will be conducted in his/her absence.
5. The written finding of the hearing will be issued to the learner concerned. The learner must acknowledge the contents by signing the document.
6. A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist. Failure to comply with the recommended disciplinary intervention will lead to temporary suspension, pending a hearing.

7. An internal disciplinary hearing committee will consist of the following members:

- ☐ A Governing Body representative
- ☐ The school Principal or their designate
- ☐ The Discipline Head
- ☐ Grade Head
- ☐ An RCL executive member
- ☐ Any other teacher who has information regarding the offence

8. Disciplinary measures that an internal disciplinary hearing committee may impose include:

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

9. A Governing Body hearing committee will consist of the following members:

- ☐ The Governing Body chairperson or their designate
- ☐ Two (2) parent representatives from the Governing Body
- ☐ The school Principal or their delegate
- ☐ The Discipline Head
- ☐ Teacher Representative

10. The Principal or their designate will keep on record copies of all documentation relating to the offence, the conducting and findings of the hearing, and the disciplinary measures imposed.

11. The Principal or their designate will furnish the Discipline Head and register teacher with all the information necessary for their records.

12. Disciplinary measures that the Governing Body hearing may impose include:

- ☐ All measures mentioned in Point 8; or
- Recommendation for suspension of the learner (subject to a decision by the provincial Department of Education); or



- ☐ Recommendation for expulsion of the learner

### Procedures and rights during hearings

1. The chairperson of the committee must lead the proceedings and:

- ☐ Introduce those present and state their functions
- ☐ Ensure that witnesses are present only while giving evidence

2. The chairperson must inform the learner of his/her rights:

- ☐ The right to a formal hearing
- ☐ The right to be present at the hearing
- ☐ The right to be given time to prepare for the hearing
- ☐ The right to be given advance notice of the charges
- ☐ The right to be represented at the hearing by one (1) internal representative
- ☐ The right to be accompanied at the hearing by parents/guardians if the learner is a minor
- ☐ The right to ask questions on any evidence, or on statements of witnesses
- ☐ The right to call witnesses to testify on his/her behalf
- ☐ The right to an interpreter, to be requested 24 hours prior to the hearing
- ☐ The right to appeal within five (5) days against any penalty imposed by the disciplinary committee
- ☐ If the learner does not attend, the hearing will be conducted in his/her absence

3. The chairperson is to explain the nature of the alleged breach or misconduct to those present at the hearing

4. The procedure of enquiry is that the complainant and his/her witnesses will be heard first. The learner and panel may ask them questions. The learner and his/her witnesses may then give evidence and the complainant and committee may ask them questions

5. When all the evidence has been heard, the chairperson must close the enquiry, dismiss the complainant, the learner, their representatives, the parents/guardians and all the witnesses

6. The disciplinary committee must discuss and weigh the evidence and come to a decision.

7. The chairperson may reconvene all interested parties

8. The chairperson or their designate is to communicate the decision to all the interested parties

9. The chairperson or their designate may explain the decision of the committee and the reasons for the penalty (if any) that has been imposed.

10. The learner must be advised of his/her right to appeal (Annexure 6).

11. The complainant and learner must sign the disciplinary letter and a copy must be handed to the learner. (If the learner refuses, a witness must sign in the presence of the learner)

12. The signing of the document by the learner is not an acknowledgement of guilt.

13. The parent must be informed of the outcome of the hearing in writing.

### Intervention Discipline Plans

☐ The principal may develop a plan for any learner who causes a material and substantial disruption in the classroom, on school grounds, or at school activities or events. The goal of the remedial discipline plan shall be: to address the learner's disruptive behavior and educational needs while keeping the child in school.

☐ To develop the plan, the principal will arrange for a meeting with the learner, the learner's parent/guardian and any members of the staff whom the principal believes should attend.

☐ The purpose of the meeting will be to address the reasons for the learner's disruptive behavior and to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the learner's disruptive behavior, educational needs and what steps are necessary to keep the child in school. The plan will include incentives for good behavior and consequences if the learner violates the plan.

☐ The plan may be written in the form of a contract, which the student and the parent/guardian will sign and date.

☐ The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the learner's portfolio.

### Habitually Disruptive Learners

A learner will be declared "habitually disruptive" if three times during the course of the school year the learner causes a material and substantial disruption in the classroom, on school grounds, or at school activities or events.

☐ The principal will inform the parent/guardian when a learner causes a second material and substantial disruption.

☐ The learner and the parent/guardian will be notified in writing of each disruption, which counts toward declaring the learner habitually disruptive.

The learner and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive learner."

☐ A learner who has been declared habitually disruptive may be suspended or expelled in accordance with School Code Of Conduct.

### School safety

### Responsibilities of the Principal and Governing Body



The school safety policy issued by the Department of Basic Education states that the Principal and the School Governing Body are responsible for:

1. Creating a safe and secure teaching and learning environment for the learners and teachers; and must therefore implement measures to ensure that learners, teachers and all support staff on campus are safe and secure at all times.
2. Developing and implementing school safety policies and school safety plans;
3. Leading the way in the creation of a safe, caring and learner-friendly school;
4. Developing, implementing, supporting and evaluating a consistent school-based safety policy with relevant procedures and/or guidelines to ensure the safety of learners and teachers;
5. The school safety policy must be clear on issues around bullying, the carrying of dangerous weapons, and the use/abuse of illegal substances by learners, practices and involvement of learners in gangsterism, sexual abuse or harassment;
6. The policy must clearly specify how the school will communicate with the parents and school community on safety issues, and what is expected from learners and parents in this regard;
7. Developing and implementing a crisis management plan in partnership with relevant stakeholders and agencies;
8. Developing and implementing a functional code of conduct for learners in collaboration with learners, teachers and parents;
9. Ensuring that all staff members who are allocated the responsibility for school safety matters understand their responsibilities;
10. Reporting all criminal acts as provided by the law to local SAPS, district/regional and provincial offices of the Department of Education;
11. Keeping detailed records of behaviour infractions, disciplinary hearings, suspensions and recommended expulsions;
12. Principals are responsible for ensuring that electronically generated reports on the incidents of crime and violence are properly recorded, maintained and backed up, and that hard copies are made in accordance with this policy;
13. Ensuring that teachers are trained on prevention, early prevention and support strategies to prevent and manage crime and violence in schools;
14. Monitoring and evaluating the execution and implementation of the school safety plan as well as projects and/or programmes/initiatives to curb crime and violence;

#### **Responsibilities of educators and support staff**

All staff (teachers and support staff) have a responsibility to assist in maintaining safety, and in creating caring and learner-friendly schools. To this end, all personnel regardless of their specific job assignments will:

1. Assist in the development and implementation of the school safety policy and plan according to roles and responsibilities delegated by the Principal;
2. Carry out all job-related responsibilities that impact on learners' safety
3. Serve as positive role models for learners
4. Demonstrate integrity and respect through attitudes, personal conduct and dress
5. Provide supervision for all learners under their care (during school hours and on excursions)
6. Set clear parameters for appropriate behaviour in class and on the school grounds, which are in line with the code of conduct for learners
7. Report all misdemeanours
8. Engage learners in a positive way
9. Maintain a classroom environment that is conducive to learning and teaching and that is safe, secure and orderly
10. Empower learners with the necessary skills to meet expected standards of behaviour
11. Monitor and evaluate the safety procedures as outlined in the school safety policy
12. Provide and enforce appropriate disciplinary consequences for disruptive learner behaviour; and
13. Co-operate with the social services agencies to promote a safe, caring and learner-friendly school that will meet the needs of all learners.

#### **Responsibilities of learners**

Learners have the responsibility to attend school punctually, regularly and be prepared at all times, and to abide by the rules as set out in the code of conduct.

1. Behave appropriately at all times as prescribed by the code of conduct for learners
2. Respect teachers and fellow learners
3. Be supportive towards teachers and fellow learners
4. Be constantly aware of responsibilities with regard to their own welfare and those of others
5. Do not carry dangerous objects/weapons to school
6. Do not be in possession or deal in drugs or illegal substances

7. Do not use alcohol or any illegal substances
8. Report incidents of bullying, gangsterism, sexual abuse or harassment; and
9. Report incidents of crime and violence or threats thereof

### **Responsibilities of parents**

Parents play a vital role in the education of their children. In partnership with the school they are expected to:

1. Ensure that learners attend school daily, on time and for the whole school day unless there is a valid reason
2. Ensure that learners are well prepared and that their homework is adequately done
3. Ensure learners are not in possession of any dangerous weapons that will threaten or put the safety of others at risk
4. Ensure that learners are not under the influence of any legal or illegal substance
5. Ensure learners are not taken out of school without a valid reason
6. Inform the Principal or class teacher if a learner is absent or expected to be absent or to be late for school with a valid reason
7. Encourage and assist learners to make up for time lost for absence from school
8. Ensure learners abide by the code of conduct
9. Report any risks or threats to the safety of learners to the Principal
10. Co-operate with the school in resolving inappropriate behaviour of learners
11. Take co-responsibility for protecting learners during and after school hours
12. Be involved in the extra-curricular activities of learners
13. Be involved in voluntary assistance to ensure the safety of learners and teachers and protect the school buildings and property during weekends and school holidays
14. Ensure that the learners are correctly dressed in the prescribed school uniform; and
15. Comply with the school rules relating to a vehicle driving on school property.

### **School Governing Bodies**

#### **What is the Legal Function of a School Governing Body?**

The function of the School Governing Body are divided into ordinary functions, which all School governing bodies must perform, and allocated functions, which are performed by Schools that have been granted permission by the head of department (HOD) to perform them.

#### **Ordinary function of a School Governing Body**

1. Decide admissions policy for their school Admission policy may not discriminate on the basis of sex, race, religion, language or social class (wealth, income, profession)
2. Language policy of the school Such a language policy must promote multilingualism in the school
3. Establish a religious policy Must be in line with the constitution; all religions are to be treated equally. The SGB or school may not force or pressure any member of the school to participate in any religious observances
4. Adopt a school Code of Conduct
5. Adopt a constitution The actions of the SGB are governed and guided by this constitution; The South African Schools Act states that the constitution of the SGB should provide for the following:
  - ☐ A meeting at least once a term
  - ☐ A meeting of the SGB with parents, learners, educators at least once a year
  - ☐ Minutes of each SGB meeting to be recorded
  - ☐ Minutes to be available to the Department of Education as and when requested
6. Promote the interest of the school Members of the SGB must actively work to improve the school and avoid any actions that will undermine the school.
7. Develop a mission statement  
This mission statement should be representative of the views of the school Community
8. Make sure that the school functions correctly  
The SGB must support the Principal, the educators and other staff of the school in performing their duties
9. Decide school times  
Such times should not be in opposition to the Labour Laws and any other relevant law in the country
10. SGB  
Must administer and control the school's property, buildings and grounds occupied by the school. The SGB may not make physical alterations and additions to the existing school property.
11. Encourage Voluntary service  
The SGB must encourage parents, learners, educators and other staff members of the school to render voluntary service to the school e.g. fund raising events.
12. Recommendation on the employment of new staff members  
The SGB must recommend to the Department of Education, the appointment of educators at the school.

- ☐ This applies only to posts that are funded by the government
- ☐ For additional posts that are funded by the School Governing Body, the decision to employ or not is taken by the SGB. The same process applies for non-educator staff. This decision can be delegated to the Principal and the school management team

### 13. Carry out duties as determined by the Government Gazette

These duties should be consistent with the South African Schools Act

### 14. Making school facilities available to the community

Set guidelines about conditions of hire etc.

The School Governing Body and School Funds

The South African Schools Act states that the SGB may have to find additional financial resources to supplement school fees.

#### The SGB must:

- ☐ Establish a school fund
- ☐ Maintain a bank account
- ☐ Ensure that financial statements are audited and submitted annually to the Department of Education
- ☐ Ensure that an annual budget is produced

Allocated Functions of the a School Governing Body

1. Maintain and improve the school's property and grounds
2. Determine extra-mural curriculum of the school and choice of subject options according to the Provincial Curriculum Policy
3. Buy textbooks, educational materials or equipment for the school
4. Pay for services to the school e.g. water, electricity etc.

#### Protocol and Procedure: Seizure and Drug Testing

##### Introduction

Search and seizure is based on the principles of confines of an in loco parentis relationship between the educator and the learner.

##### Random Searches and Seizures are Prohibited

☐ In accordance within the following acts of general application, the criminal procedure Act 51 of 1997, the drug and drug trafficking Act 140 of 1992 and the firearm control Act of 2000, a police official may, without a warrant, search any school premises or persons on the school premises if he or she has responsible suspicion that illegal drugs or a dangerous object may be present on the school premises or person.

☐ In accordance with the South African Schools Act 84 of 1996 : regulations for safety measures at public schools, paragraph 4 (3) a police official, or in his absence, the Principal or delegate may, without warrant –

a. Search any public school premises if he or she has a reasonable suspicion that a dangerous object or illegal drugs may be present in the public school premises in contravention of the regulations.

b. Search any person present on the public school premises; and

c. Seize any dangerous object or illegal drugs on public school premises or on the person in the contravention of the premises.

#### General Guidelines

1. The Principal may authorise the presence on the school premises of dangerous objects, such as scissors, needles, knives, for legitimate educational purposes, and of medicines prescribed by a doctor. However all these objects must be kept under lock and key.

2. The Principal or delegate may at random search a group of learners only after a fair and reasonable suspicion has been established.

The following may be an indication of the presence of illegal drugs and dangerous objects at a school:

- ☐ Whistle blowers informing the Principal about their presence
- ☐ Scent of dagga/alcohol on school premises
- ☐ Reports from parents
- ☐ Traces of drugs / alcohol on the school premises
- ☐ Threats of the use of dangerous objects against other learners /threats of gang retaliation
- ☐ Injury as a result of the use of such objects
- ☐ Any other reasonable indication

#### Protocol and Procedure: Seizure and Drug Testing(Including Dangerous Weapons)

##### How do we conduct a Search?

1. The search must be conducted by the Principal or delegate, if he or she is of the same gender as the learner
2. The search must be conducted in a private area
3. The search must NOT be conducted in the presence of other learners
4. The search must be conducted in the presence of an adult witness and the same gender as the learner
5. The object or drug found on the learner or in his or her property should be photographed whenever it is reasonably practical to do so
6. The search MUST NOT be extended to a search of any body cavity of the learner and the learner's genitalia may not be touched



### Seizing and Disposing of a Dangerous Object or Illegal Drug

1. Any dangerous object or illegal drug that has been seized must be clearly and correctly labelled with full particulars, including:

- ☐ The name of the learner in whose possession it was found
- ☐ The time and date of search and seizure
- ☐ The name of the person who searches the learner
- ☐ The name of the witness; and
- ☐ Any other details that may be necessary to identify the item and the incident

2. All details of the seizure must be recorded in the school's record book

3. After the dangerous object has been seized, the Principal/or his or her delegate may hand the object to either the police or the parent

4. If the object is illegal, the Principal or his or her delegate is obliged to hand it to the police

5. The Principal or his or her delegate must take the object concerned to the nearest police station if the police cannot collect it

6. The police officer who receives the object must issue a receipt to the effect Drug testing at South African Schools

### Introduction

Section 8A (11) of the South African Schools Act, 1996 (Act No 84 of 1996) provides that - the Minister must-

- ☐ Identify 10 drug testing devices that may be used in South African schools
- ☐ List of Devices to be Used for Drug Testing in South African Schools

### Protocol and Procedure: Seizure and Drug Testing (Including Dangerous Weapons)

1. Drug detective - wipe detection system for surfaces
2. One stop home cocaine test strip
3. Multi drug test
4. Quiktox drug screen dip card test
5. Monitox drug screen cassette test
6. Toxycup drug screen cup test
7. Multipanel drug testing device
8. Smart check drug screen test
9. Drug smart cup
10. Avitar oral screen 4 or drugometer

11. The test should be conducted by the Principal/Deputy or Discipline Heads.

Please refer to manufacturer inserts as each product and test is specific:

Look at:

- ☐ Expiry date
- ☐ Description of product
- ☐ What drugs can be tested for
- ☐ Procedure when testing

Procedures to be Followed when Drug Testing:

- a. The drug test devised must be kept at the school under lock and key
- b. The testing kit must be opened in the presence of both the learner who is about to be tested and a witness
- c. A learner who is about to be tested must first be asked whether he or she has taken any medication
- d. The test must be conducted:
  - ☐ By a person of the same gender as the learner
  - ☐ In the presence of an adult witness of the same gender as the learner; and
  - ☐ Out of sight of any other person
- e. The person conducting the test must wear latex gloves
- f. The Principal or his or her delegate must, in the presence of both the learner and the witness, read the information contained in the package insert before the test is conducted
- g. The test must be conducted as prescribed in the package insert.
- h. The package insert of each device indicates how the result of that test is to be interpreted.

### Protocols and Procedures: Teenage Pregnancy

#### Introduction

The Bill of Rights, as contained in the constitution of the RSA, ACT 108/1996, affirms the democratic values of human dignity, equality and freedom, including the rights of children (Section 28) and the right to education (Section 29).

It is therefore imperative that School Management, Governing Bodies, School Boards ensure that the rights and development of female learners are not curtailed and that special measures are taken in respect of pregnant school girls.

#### Regulation History

### Seizing and Disposing of a Dangerous Object or Illegal Drug

1. Any dangerous object or illegal drug that has been seized must be clearly and correctly labelled with full particulars, including:

- ☐ The name of the learner in whose possession it was found
- ☐ The time and date of search and seizure
- ☐ The name of the person who searches the learner
- ☐ The name of the witness; and
- ☐ Any other details that may be necessary to identify the item and the incident

2. All details of the seizure must be recorded in the school's record book

3. After the dangerous object has been seized, the Principal/or his or her delegate may hand the object to either the police or the parent

4. If the object is illegal, the Principal or his or her delegate is obliged to hand it to the police

5. The Principal or his or her delegate must take the object concerned to the nearest police station if the police cannot collect it

6. The police officer who receives the object must issue a receipt to the effect Drug testing at South African Schools

### Introduction

Section 8A (11) of the South African Schools Act, 1996 (Act No 84 of 1996) provides that - the Minister must-

- ☐ Identify 10 drug testing devices that may be used in South African schools
- ☐ List of Devices to be Used for Drug Testing in South African Schools

### Protocol and Procedure: Seizure and Drug Testing (Including Dangerous Weapons)

1. Drug detective - wipe detection system for surfaces
2. One stop home cocaine test strip
3. Multi drug test
4. Quiktoox drug screen dip card test
5. Monitox drug screen cassette test
6. Toxcup drug screen cup test
7. Multipanel drug testing device
8. Smart check drug screen test
9. Drug smart cup
10. Avatar oral screen 4 or drugometer

11. The test should be conducted by the Principal/Deputy or Discipline Heads.

Please refer to manufacturer inserts as each product and test is specific:

Look at:

- ☐ Expiry date
- ☐ Description of product
- ☐ What drugs can be tested for
- ☐ Procedure when testing

### Procedures to be Followed when Drug Testing:

a. The drug test devised must be kept at the school under lock and key

b. The testing kit must be opened in the presence of both the learner who is about to be tested and a witness

c. A learner who is about to be tested must first be asked whether he or she has taken any medication

d. The test must be conducted:

- ☐ By a person of the same gender as the learner
- ☐ In the presence of an adult witness of the same gender as the learner; and
- ☐ Out of sight of any other person

e. The person conducting the test must wear latex gloves

f. The Principal or his or her delegate must, in the presence of both the learner and the witness, read the information contained in the package insert before the test is conducted

g. The test must be conducted as prescribed in the package insert.

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

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#### Regulation History

This policy replaces the section on Teenage Pregnancy contained in Circular 0077/98: General Manual for the suspensions and expulsion of learners from public schools (excluding public schools for learners sent or transferred thereto in terms of the Child Care ACT, 1983 (Act 74/1983) and/or the Criminal Procedure ACT, 1977, (Act 51/1977).

### Learner Pregnancy Protocol and Procedure

It is recommended that the school policy and the Code of Conduct for learners make provision for managing learner pregnancy within the framework of this document. The following procedures are to be followed:

1. When it is evident that a learner is pregnant, the matter must be treated with great sensitivity and confidentiality
2. The learner must be considered to be a learner with special needs and have access to counselling. The Principal must manage and co-ordinate the process
3. In order to maintain confidentiality the Principal must report to the SGB, Board of Directors, District office that a learner is pregnant, without divulging the learner's name
4. Should the learner have become pregnant under the age of 16, or as a result of sexual assault or incest, the matter needs to be reported to the S.A.P.F. (See Sexual Assault Protocol)
5. If the learner agrees, the Principal must convene a meeting with the learner and her parents or guardian(s) to:
  - ☐ Plan the road ahead for the pregnancy
  - ☐ Supply the parents with a comprehensive list of all the health and guidance services available in the community
  - ☐ Discuss options available to continue her education during the pregnancy
 These alternatives may include the following:
  - ☐ Remaining at school as long as medically advisable and then obtaining learning material and support from school
  - ☐ Withdrawing from school for the duration of the pregnancy and taking own responsibility for continued education
  - ☐ A Grade 12 candidate must be fully informed about examination options and procedures, although she is responsible for registering as a private candidate for subsequent examinations
  - ☐ Request the parents to obtain a medical certificate giving a possible date of confinement, the date from which it would be medically advisable for the learner to be absent from school before the confinement, and the date from which it would be medically advisable for her to return to school

- ☐ Discuss with parents of the learner, the period during which she must be absent from school, based on the above information
- ☐ Enter into a written agreement with the parent(s) or guardian(s) and the learner in which it is stated clearly that:
  - ☐ During the time she attends school it is at her own risk
  - ☐ The school is indemnified from accountability for any pregnancy related injuries or incidents
  - ☐ No alternative or logistical arrangements can be demanded from the school
  - ☐ No exceptions can be made regarding adherence to the school's Code of Conduct
  - ☐ Make it clear that when the learner returns to school after the birth, she will not be able to bring the baby with her
  - ☐ Take any further decisions for example:
    - ☐ Whether the matter must be handled confidentially or not
    - ☐ Appropriate behaviour and actions on the part of the learner
    - ☐ Participation in the school's extra-curricular activities
- 6. Should it be known or established that a male learner at the school is co-responsible for a pregnancy, it is essential that confidentiality be maintained
  - ☐ Attention should be given to the learners' co-responsibility
  - ☐ The male learner should be given counselling and be provided with information on matters of sexuality, responsibility for actions and the legal implications of obligations and rights
  - ☐ A written agreement must be entered into with the learners' parents or guardians, the male learner and the school about appropriate behaviour, which conforms to the school's Code of Conduct
  - ☐ Should it be known or established that a learner at another educational institution is co-responsible for the pregnancy, the Principal concerned must be notified and he or she must manage the process as per the above.

### Conclusion

The educational consequences of learner pregnancy and parenting are twofold: Young mothers and fathers run the risk that they will not obtain the educational skills needed to become self supporting, economically product citizens, something which often

results in their children entering the educational system with economic and developmental disadvantages.

A school is expected to act appropriately in cases of learner pregnancy and should provide as much academic support as possible, however, it is important that the school should approach the situation from an educational and values-driven perspective, with an ultimate goal to enable the learners whose futures could otherwise be jeopardised by unfortunate circumstances, to achieve success in the classroom and in their personal lives.

In terms of the Constitution, Principals, SGB's, the Board of Directors are accountable for all learners' rights to education.

An Effective Puberty programme should be offered to all learners from Grade 6 as to educate them about the dangers of teen pregnancy

#### Protocols and Procedures: Peer Victimization

##### Definition of Bullying

Bullying is a deliberate act of aggression or manipulation by one or more people against another person or people. It is an abuse of power by those carrying out the bullying. While educators can also bully it is usually referring to bullying between learners.

##### Types of Bullying:

###### Psychological

Name calling "dissing", abusive language, threats of violence and spreading spiteful or malicious rumours

###### Physical

Pushing, slapping, punching or even assault with the intention of causing grievous bodily harm

###### Sexual Bullying

Sexually abusive language, picking on a child with a different sexual orientation, touching of genitalia or breasts, threatening a person with sexual assault

###### Racial bullying

Calling of racial names, intolerance of other race groups/religions

###### Financial Bullying

Taking someone's lunch, theft, requesting protection money etc.

###### Cyber Bullying

Abuse of social network sites or cell phones to spread malicious rumours, threatening violence or creating false profiles of a person on Facebook etc

##### Isolation

To purposefully exclude or isolate a peer

#### Punitive measures when dealing with peer victimisation

Please note that each of the above offences are listed in "List of Offences" per grade of offence -

The disciplinary sanction to be applied for each offence is also listed

Example: Physical bullying:

Offence: "sticking a sharp object" e.g. pin, pen, nib etc. into a fellow learner

Recommended corrective sanction: Warning letter and detention

Example of a Bullying Policy for Staff

Rationale: Educators seek to provide a learning environment that is safe from abuse or intimidation

Purpose: To outline strategies for staff to help learners to prevent social, emotional and physical intimidation

Guidelines for Members of Staff

- ☐ Staff should treat any report of bullying seriously
- ☐ Staff should first listen to the learner or learners and make such enquiries as may be necessary to clarify what has been happening
- ☐ The learner should be assured that they have acted correctly in reporting the bullying
- ☐ The staff member should make a written summary of the information and pass it onto the Grade Head, Deputy Principal or Principal as appropriate
- ☐ The staff member should attempt to give advice on how to deal with any repeat incidents that may occur before the intimidation can be formally dealt with
- ☐ A follow up should be discussed with the learner. It is important that the staff member checks a week or so later with both the student and the person to whom the information was sent
- ☐ In cases of serious intimidation, parents/guardian of both (all) students are to be contacted
- ☐ An Anti-Bullying programme should be run with each class



**PLEASE NOTE**

Peer Victimisation can lead to school violence, suicide and even murder.

No incident is too small and all incidents should receive a reaction from the school!

**Protocols and Procedures: Pornography****Dealing with pornographic downloads****Introduction**

Both the Cinema and Publication Act and the Sexual Offences Act make it an offence for a person under the age of 18 to:

- ☐ View pornography
- ☐ Be in possession of pornography
- ☐ Download pornography off the internet
- ☐ Trade in pornography
- ☐ Enter a licensed premises where pornography is legally sold
- ☐ Expose another person under the age of 18 to pornography

**Pornography at School**

Distribution of pornography at school

**Level 3 offence****Punitive Action**

- ☐ Suspension
- ☐ Recommendation for Expulsion
- ☐ SGB Hearing / Criminal charges

**If the Material Shows Minors Under The Age of 18 - The Police Have To Be Notified**

**ACKNOWLEDGEMENT AND ACCEPTANCE OF THE CODE OF CONDUCT:**

I, \_\_\_\_\_ (parent/guardian) and  
 \_\_\_\_\_ (name of learner) acknowledge receipt of the Code of  
 Conduct of Spes Bona High School.

I have read and understood the Code of Conduct of Spes Bona High School. I also understand that my child's/ward's behaviour rests with me. I will ensure that my child/ward will observe all the school rules and regulations as stipulated in the Code of Conduct and I accept responsibility for any misbehaviour on his/her part.

If my child/ward contravenes any of the rules and regulations, I will accept any corrective or disciplinary measures meted out to him/her, provided that they are commensurate with the infraction/offence and subject to the Constitution of the country, the South African Schools Act and provincial legislation.

Signed at: \_\_\_\_\_

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

Signature: \_\_\_\_\_ (parent/guardian)

Signature: \_\_\_\_\_ (learner)