



EVERSDAL PRIMARY SCHOOL

CODE OF CONDUCT

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INTRODUCTION

Eversdal Primary School is committed to providing an environment for the delivery of quality teaching and learning by:

- Promoting the rights and safety of all learners, educators and parents
- Ensuring learners' responsibility for their own actions and behaviours
- Prohibiting all forms of unfair discrimination and intolerance
- Eliminating disruptive and offensive conduct.
 - Integral to this Code of Conduct are the provisions of the Constitution, the SA Schools Act (84 of 1996) and other Laws, and the School's Codes of Behaviour, incorporating or including the School Rules.
 - Any action by a learner, whether at school or not, will be regarded as a breach of this Code of Conduct, and the school will be entitled to act against, and impose sanctions on.
 - It is not possible to list the behaviour required of learners in **every** circumstance. However, it **is** required of all learners to act, dress and behave sensibly, decently and in accordance with the codes 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.
 - All learners attending the school are required to sign a statement of commitment to the Code of Conduct (Annexure A). The administration of the Code of Conduct is the responsibility of the Disciplinary Commission of the school as well as every teacher at the school.
 - Every parent/guardian must sign the online Code of Conduct.

PART 1 - SCHOOL RULES

A. GENERAL PRINCIPLES

1. Learners are expected to behave in a courteous and considerate manner towards each other, the Ever Council, all members of staff and visitors to the school at all times.
2. The Code of Conduct and School Rules apply to all school-related and school-sponsored activities, including sport, cultural and recreational activities; also, tours, trips, dances, functions and meetings, and on transport to or from school, or to or from school activities.
3. They also apply in public, off the school premises and/or outside of school hours, if the learner can be identified as a member of the School.

4. No learner has the right to behave in a manner that will disrupt the learning activity of other learners or will cause another learner physical or emotional harm at any time.
5. The school will contact the parent(s)/guardian(s) when a learner's behaviour becomes a cause for concern and will endeavour, in a spirit of constructive partnership, to resolve the problem.

B. SCHOOL AND CLASS ATTENDANCE

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

1. If a learner does not attend school regularly, the relevant class educator will report the absence of the learner to the parent and the principal in writing (e.g. email). The class educator must keep copies of all communication to parents when absence from the classroom is reported.
2. All learners are to arrive at school before the official starting time. Learners who are late for school will be marked absent as registers are completed at the beginning of each day. Learners who are late has to report at Reception before going to their classes.
3. Absence from a class, without the permission of the relevant educator, is prohibited.
4. Any absence from school must be covered by an absentee note from a parent/guardian.
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. Any absence from a formal examination, test or task must be supported by a letter from a medical doctor.
7. No learner may leave the school during school hours without being signed out by a parent/guardian.
8. Truancy from school is prohibited.

C. SCHOOL UNIFORM AND GENERAL APPEARANCE

Learners are expected to wear the school uniform and appear neat and tidy at all times. Please refer to the Clothing Policy for a more detailed document.

[CLOTHING POLICY](#)

1. Any deviation from the school uniform must be formally authorized by the SGB.

D. VALUABLES AND PERSONAL BELONGINGS

The school will not be held responsible for theft of or damage to personal belongings on school premises (e.g. but not limited to: cell phones, iPads, bags, toys, cards, balls, books or clothing).

1. Learners should avoid bringing cell phones, large sums of money and valuables to school. Cell phones may not be switched on during a normal school day or any after-school activity.
2. 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 deposited in the safe at the Financial Office.
3. Learners may not bring computer games, iPods or similar toys to school.

E. GENERAL RULES

1. Loitering and/or playing in and around the corridors, stairwells and bathrooms are forbidden.
2. All litter must be placed in refuse bins or wastepaper baskets.
3. Wilful damaging, vandalizing or neglect of school property and the property of others, either by writing or by physical act, is prohibited. Theft of school and private property is also prohibited.
4. Any act of cheating in class work, homework, informal and formal tests or internal or external examination is prohibited. Furthermore, copying of another learner's work/or borrowing another learner's work is forbidden.
5. Disruptive, unruly, rude and/or offensive behaviour will not be tolerated.
6. It is the responsibility of each learner to hand in work on time.
7. Learners who fail to produce a medical certificate after absenteeism during formal examinations/tests/assessment tasks will obtain a mark of "0" (nought) for the particular examination/test/assessment task. Where possible alternative assessment will be arranged.
8. The learner will respect the beliefs, culture, dignity and rights of other learners and staff, as well as their right to privacy and confidentiality.
9. Language, which is deemed to be pejorative, discriminatory or racial is prohibited.
10. Any act that belittles, demeans or humiliates another learner's culture, race or religion is prohibited.

11. All learners have the right to an education free of interference, intimidation and/or physical abuse. The learner will respect the safety of other learners. Fighting or threatening of other learners, visitors or educators is forbidden.
12. The learner will respect those learners in positions of authority. A learner who is in a position of authority will conduct himself/herself in a manner befitting someone in authority. She/he will respect the rights of other learners and will not abuse such authority bestowed upon him/her through his/her position.
13. The carrying, copying and/or reading of offensive material is prohibited.
14. Learners must keep clear of areas that are indicated as out of bounds. These include:
 - 14.1 The school motor vehicles garages.
 - 14.2 The playing fields, tennis courts, and swimming pool, except while attending official sports practice and matches or during a lesson while under the supervision of the subject teacher.
 - 14.3 Electrical mains, distribution boxes, fire extinguishers and hoses.
 - 14.4 Parking lots, except while with a staff member.

F. RULES GOVERNING PUBLIC PLACES

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

1. No dangerous objects or illegal drugs as defined in the SA Schools Act (84 of 1996) will be brought onto and/or used on the School property unless authorised by the Principal for educational purposes. Dangerous objects include knives, firearms or any item that could harm a person.
2. The carrying and/or smoking of cigarettes/e-cigarettes is prohibited.
3. The carrying of and/or consumption of alcohol, illegal chemical substances or drugs is prohibited.

G. TRANSPORT

Learners wishing to park bicycles on the School grounds must make use of the areas specifically demarcated for this purpose.

1. All learners park their bicycles on the School premises at their own risk.

2. Specific areas are provided for the safekeeping of bicycles, etc. and must be used by learners. No cycling from the sports gate to the allocation area.
3. The Code of Conduct is applicable when making use of public transport to and from school.

H. SCHOOL ENRICHMENT PROGRAMME

Involvement in activities making up the School Enrichment Programme forms a valuable and integral part of the holistic education of every learner. All learners are therefore encouraged to become actively involved in at least one sport or cultural and/or service activity. The School Enrichment Programme only includes those activities authorised by the SGB including extra-mural- and curriculum activities. Other enrichment programmes are not included in school fees and are run under the auspices of private service providers.

1. The learner is expected to adopt the correct etiquette pertaining to the specific activity at all times.
2. Once a learner has committed himself/herself to an activity, she/he will be bound by the rules and obligations related to that activity.
3. Involvement in a particular activity will span the entire season/duration in which that activity takes place.
4. Attendance of all practices is compulsory. Missing a practice without a valid excuse from the learner's parents may result in the learner being suspended from participation in one (1) league fixture.
5. Appropriate kit/uniform will be worn to practices.
6. The correct match kit/uniform will be worn to league fixtures.
7. Learners travelling to an away fixture will travel in match uniform unless other arrangements have been made.
8. Sports and other kit must be carried in an appropriate bag.
9. Learners playing in home league fixtures arrive at the venue in their appropriate sports kit/uniform.
10. Learners representing the school must wear the correct school uniform.

I. ACCOMMODATION OF RELIGIOUS OR CULTURAL RIGHTS

Religious practices, conduct or obligations that relate to the core values and beliefs of a recognised religion and that are in conflict with any rule contained in this Code of Conduct

will be accommodated by a deviation from this Code of Conduct by the SGB under the following conditions:

1. The learner, assisted by the parent, must apply for a deviation from the standard Code of Conduct, if such rules are in conflict with or infringe on any religious right of the learner.
2. This application must be in writing and must identify the specific rule/s that is/are offensive to the learner's religious right/s as contained in the Constitution of the Republic of South Africa.
3. This application must include a reasonable interpretation of the religious rights that the learner feels are offended and a suggestion on how the rules may be supplemented by the SGB, to accommodate such religious rights.
4. The learner must provide proof that she/he belongs to that specific religion and that the religious practices, rules and obligations that conflict with the School's Code of Conduct are his/her true beliefs and commitments. The School has the right to verify this.
5. The religious conduct or practice must be lawful.
6. The SGB 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.
7. When the SGB 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.
8. The deviation must specify the extent of the exemption from the normal rules and must clearly identify the conduct that will be allowed and the conditions under which such deviation will be applicable to the learner.
9. 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 subparagraphs 1 to 8 above.

PART 2 - DISCIPLINARY SYSTEM

Every educator is responsible for discipline and has the full authority and responsibility to correct the 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 discipline system that has been developed to assist and guide learner behaviour in the School.

A. GRADING OF OFFENCES

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

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

1. Grade 1 offence – a written warning followed by a final written warning, then a disciplinary hearing.
2. Grade 2 offence – a final written warning followed by a disciplinary meeting, then a disciplinary hearing.
3. Grade 3 offence – a disciplinary hearing.
4. Grade 4 offence – offence immediately reported to the South African Police Service (SAPS) and a disciplinary hearing.

Grade 1 offences:

All Grade 1 offences will be dealt with by the staff member concerned who must keep a written record of such offences and the disciplinary measures taken.

When a third Grade 1 offence occurs, the matter is referred to the Grade Head along with the record of all three offences and the Grade Head will issue a verbal warning and communicate to the parent/guardian. When a fourth Grade 1 offence occurs, the matter is referred to the Phase Head along with the record of all four offences and the Phase Head will issue a detention letter. A signed copy of the acknowledgement will be kept on record by the Head of Discipline and communicated to the parent/guardian.

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

The Head of Discipline will keep recorded copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's class teacher.

Grade 2 offences:

All Grade 2 offences will immediately be referred to the Phase Head. The staff member will, in consultation with the Phase Head, arrange an interview with the learner. A written warning will be issued, and disciplinary action applied. A signed copy of the acknowledgement will be kept on record by the Head of Discipline and communicated to the parent/guardian.

When a second Grade 2 offence occurs after a written warning has been issued for the first offence, the Phase Head will refer the matter to the Disciplinary School-Based Committee for a disciplinary meeting. The parent/guardian will be advised in writing within a minimum period of (5) school days before the designated date, that an internal disciplinary meeting has been convened.

Should the particular offence recur after the issuing of a written warning and a disciplinary meeting has occurred, the Disciplinary Committee will refer the matter to the Disciplinary Commission. The parent/guardian will be advised in writing, a minimum of five (5) school days before the designated date that a disciplinary hearing has been convened. Parents will be summoned to attend the hearing.

The Head of Discipline will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's class teacher.

Grade 3 offences:

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

Grade 4 offences:

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

C. Disciplinary Interventions

1. The following list of interventions and corrective measures used by the School are aimed at correcting behaviour before suspension and expulsion:
 - A verbal warning/reprimand to express disapproval.
 - Written warning.
 - Final written warning.
 - Temporary removal from classes to the exclusion room for time-out.
 - Written punishment.

- Break detention (2x breaks).
 - Supervised schoolwork.
 - Tuesday detention (2 hours: 13:30 – 15:30).
 - Saturday detention (4 hours: 08:00 – 12:00).
 - Isolation from class but not education.
 - Referral for counselling.
 - Attendance of a relevant life skills programme.
 - Fines to compensate for damages, to cover the cost of repair or replacement of the lost or damaged item, and/or the accumulated fine.
 - Temporary suspension from class or School, pending disciplinary hearing.
 - Disciplinary hearing.
2. Failure to comply with interventions and corrective measures will lead to further interventions and may lead to the offence being categorised at a higher grade. Expulsion may be recommended for a Grade 3 and a Grade 4 offence. See Annexure B, Table 2 for a list of the possible disciplinary measures to be applied for Grade 1, 2, 3 and 4 offences respectively.
3. Conduct that may lead to suspension/exclusion includes, but is not limited to the following:
- Conduct that violates the rights or safety of others.
 - Criminal behaviour of any kind.
 - Defacing or destroying school property.
 - Disrespectful or objectionable conduct and verbal abuse directed at teachers, other school employees or fellow learners.
 - Outright defiance of lawful requests or instructions issued by persons in authority.
 - Indulging in harmful graffiti, racism or “hate speech”.
 - Sexual harassment or sexual assault; pornography.
 - Immoral behaviour or profanity.
 - Possessing, using or displaying evidence of use of any narcotics, unauthorised drugs, alcohol, e-cigarettes or any other intoxicant.
 - Repeated infringements of the school rules or the Code of Conduct.
 - Possession of dangerous weapons (guns, knives and other objects which may threaten the lives of learners/teachers/visitors).
4. Should a learner be found guilty by a court of law for breaking the law of the Republic of South Africa, the School has the right, after a fair hearing through the SGB, to recommend expulsion to the Provincial Department of Education.
5. A disciplinary hearing will be convened with a view to recommending expulsion. In such instances, the recommendation for expulsion will be submitted to the Department (WCED) to approve the decision.
6. Where approval for expulsion is not granted, learners will attend counselling or the relevant life skills programme before they may return to class. Such learners will be accommodated in the exclusion room in the interim, to continue with schoolwork until they have completed the series of counselling sessions or the stipulated life skills programme.

D. Suspension of a learner by the Principal or Deputy Principal as a precautionary measure

The SGB authorises the Principal or Deputy Principals to institute suspension, as a precautionary measure. A learner may be suspended from school without a hearing if they are deemed a threat to other learners, teachers, or to their well-being or safety. A learner who is charged with serious misconduct may be suspended as a precautionary measure as contemplated in Section 8 of the SA Schools Act (84 of 1996).

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

E. Disciplinary hearings

1. The following official forms will be used for misconduct and disciplinary hearings:
 - Written warning (disciplinary warning form) (Annexure C)
 - Final written warning (Annexure D)
 - Detention Letter (Annexure E)
 - Notice of disciplinary hearing (Annexure F)
 - Record of disciplinary hearing (Annexure G)
 - Review form (lodging of appeal) (Annexure H)
2. Written notice of a disciplinary hearing will be given at least five (5) school days before the hearing, which could provide for temporary suspension from classes, including formally scheduled tests and examinations which count towards the year mark.
3. When a notice is issued to a learner, the parent/guardian must acknowledge receipt of the notice by signing for it. **This is not an admission of guilt.**
4. If a learner and parent(s)/guardian(s) do not appear at a hearing, the hearing will be postponed by one week, and thereafter the hearing will be conducted in their absence.
5. The written finding of the hearing will be issued to the parent/guardian. The parent/guardian must acknowledge the content 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. Disregard of punishment by the Disciplinary Commission will lead to temporary suspension pending a hearing.

7. The Disciplinary Commission will consist of the following members:
 - SGB Chairman
 - At least two other parent members of the SGB
 - SGB member who is not a parent
 - Member of SMT
 - The Head of Discipline
 - The Grade Head.

8. The hearing will also be attended by the educator witness, and any other learner she/he may need for his/her defence.

9. Disciplinary measures that a Disciplinary Commission may impose include:
 - Suspension from School for a minimum of two (2) days up to a maximum of seven (7) school days, ratified by the SGB, to be effective immediately. This will be put in writing and a copy kept on record.
 - Recommendation with respect to counselling/attendance of a life skills programme.
 - Progress monitoring process initiated for a minimum of two (2) weeks, followed up with a progress report.
 - If a written conduct and behaviour warning is issued, a signed copy of the acknowledgement will be kept on record.
 - Payment to cover the cost of repair or replacement of the damaged, lost or stolen item.
 - “Time-out” period at school – determined by the Disciplinary Committee.

10. The Head of Discipline 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 Head of Discipline will furnish the class educator with all the information necessary for their records.

F. Procedure during hearings

PRELIMINARIES OF A HEARING

1. Good morning/afternoon/evening. As you are aware, this is a meeting of the Discipline Committee of the Governing Body of Eversdal Primary School.

2. Let us begin by identifying who is present here:
 - I am [name; role in SGB], the chairperson of the Discipline Committee.
 - Could the Learner please identify himself/herself by giving us his/her full name, date of birth and grade?
 - Could those who are accompanying/representing [name of learner] please identify themselves and state their relationship with him/her?

[If the learner is accompanied by a representative as well as his/her parents, add the following question:

Who will the spokesperson be – in other words, the person who will handle the proceedings on behalf of the learner?

Allow for an answer.

Thank you. Obviously, this person may consult with the learner and/or his/her parents].

- Can we please have confirmation that the learner and the parent(s)/guardian(s) received proper and timeous notice of the date, time and place of the hearing, and details of the charge?

[Allow them to answer in the affirmative].

1. The Chairperson reminds 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 advance notice of the charges and thus time to prepare for the hearing.
- The right to be accompanied at the hearing by parent(s)/guardian(s) 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 against a notice of expulsion by the School Governing Body, to the WCED.
- If the learner and parent/guardian do not attend, the hearing will be conducted in his/her absence.

- Who will be presenting the case for the school?
- Can we note who else is present? Could you please introduce yourselves and state your role on the SGB (if any)?
- Can we confirm that no one else, other than the learner, the learner's representatives, the members of the properly constituted Disciplinary Committee (DC) and the 'Presenter' is present in the venue?

3. Please note that the proceedings will be minuted.

4. As you are aware, the purpose of this meeting is to deal with a case of alleged serious misconduct on the part of [name of learner].

5. Let me explain the procedure which we will be using for his hearing:

- First I will ask the Presenter of the case to state what the charges are against [name].
- [Name] will then be asked to plead Guilty or Not Guilty.
- If [name] pleads Guilty, the DC will decide on a punishment.
- If [Name] pleads Not Guilty, then the Presenter will present evidence of the alleged misconduct.
- The learner or his/her spokesperson, as well as the Presenter, may call witnesses.
- At all times, anybody who is not clear about anything may ask for clarity.
- I will repeat the steps of the process as we go through the proceedings.
- I also need to remind {name} that you are obliged to speak the truth.

- **[Only where relevant]** One thing that needs to be clear from the beginning is that, if [Name] is found guilty, the result could be that there is a recommendation from the governing body that [Name] be expelled.
- Is everybody clear about the procedure?

PRESENTING THE CASE AND CONDUCTING THE HEARING

6. I am going to ask [presenter] to read the charge/charges against the learner.
7. **[Chair addresses the learner directly].** You must now plead to the charge/charges, but before you do so, I need to ask if you understand the charge/charges.
[Allow for response – if necessary ask the presenter to explain].
8. If you understand the charge/charges, you need to plead either ‘Guilty’ or ‘Not Guilty.’ **[If necessary, explain what each plea means].** How do you plead to the charge/charges?

If the plea is **GUILTY** proceed as follows; if **NOT GUILTY**, go to point 20

9. Let me make sure that you understand the situation. Do you realize that by pleading Guilty you are admitting that you did what (presenter) says you did: that is you **[name charge/charges]**? **[The Learner may change the plea at that stage].**
10. It is noted for the record that you have pleaded guilty. That means that we do not need to hear any evidence. However, I will ask {Presenter} to read out the investigative report.
11. At this stage, I need to ask [Name] if you or your parents/spokesperson] - would like to mention any ‘mitigating circumstances’. *(These are facts or circumstances which may persuade the DC to decide on a more lenient punishment).*
[Allow for this.]
12. *Now I would like to ask the Presenter to present [Name’s] record and any other relevant information concerning [Name] and for him/her to indicate how that affects the punishment that the [Name] should receive.*
[Allow for this. Evidence may be in either mitigation or aggravation].
13. At this stage, may I ask everyone except the members of the Disciplinary Committee to leave the room?

The DC then deliberates in private on the sanction to be imposed, considering the charges and the representations from both parties. *The Committee decides on an appropriate sanction (including whether there will be a suspension awaiting the outcome, or not), taking all evidence and representations into account. The decision is written in clear and understandable language. The decision and sanction (if relevant) are recorded on the appropriate form, which the Learner will be asked to sign as an acknowledgement of receipt of information and as an indication of the acceptability of the proceedings.*

[All who left the room are called back in again. Chair proceeds]:

14. The Disciplinary Committee has considered all the facts and has decided on the following outcome: [...].
 15. This recommendation now must be taken to the full Governing Body for a final decision. The Governing Body may support our decision, or it might not. They will meet on ... and you will then be informed in writing of their decision.
 16. Before you leave, I need you [Name], **as well as your parents**, to sign this form which sets out the findings of the Disciplinary Committee. Please sign it to show that you were informed of the outcome of the proceedings, as an acknowledgement that the proceedings were carried out in a fair and clear manner and that your rights were respected.
[Allow for signing. If he/she refuses to sign, then someone must witness that fact.]
 17. Thank you. You will be informed as soon as possible about the decision of the Governing Body.
 18. ***(If suspension is pending any final decision is envisaged, the following is added: In the meantime, you need to stay at home and not come to school until you hear from the Governing Body).***
 19. Thank you all for your attendance. You may now leave.
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If the plea is NOT GUILTY:

20. It is noted for the record that you have pleaded Not Guilty. This means that the school will now present its case. I will hand over the Presenter to read the investigation report and to provide evidence supporting the case against you. ***[Presenter does this].***
21. The Presenter has presented the school's case; now it is your turn to state *your* case. You or your representative or your parents may also put questions to the Presenter at this stage.
[Allow for this].
22. Does the Presenter have any witnesses to support the school's case?
[If so, the Presenter provides names to the Chairman].
23. I will ask each witness to speak, and allow for you [Name] or your parent(s)/guardian(s)/spokesperson to question the *witness* in order to repudiate the evidence, deny its accuracy, or to get clarity on any matter. Please note: The aim here is to uncover the truth, not to try to catch each other out – we do not want this to become a cross-examination as we would have in a court of law. Only questions to clarify issues or to correct wrong facts or inferences may be put.
[Allow for this].
24. Do you [Name] or your parent(s)/guardian(s)/spokesperson have any witnesses that you would like to call?

[If so, then they are called and the Learner questions them; and the Presenter is allowed to question these witnesses, either to obtain clarity or to refute their evidence if it is incorrect – but, once again, no cross-questioning].

25. Now that all the evidence has been heard, would you [Name] please summarize your case? ***[Allow for this].***
26. Would you [Name] or your parent(s)/guardian(s)/spokesperson like to say anything before the Disciplinary Committee decides whether you are to be found Guilty or Not Guilty? ***[If so, they may proceed, but the representations must cover only guilt or innocence, not the form or severity of any punishment which might be imposed].***
27. At this stage, will everyone except the members of the Disciplinary Committee please leave the room while the DC decides on its verdict?

In a closed session, the chair summarizes the evidence, after which the DC evaluates all the evidence, deliberates on the verdict and comes to a conclusion as to the Learner's guilt or otherwise, based on the balance of probabilities. The Chair recalls the Learner and his/her reps.

[The Chair recalls everyone who had left the room, and proceeds].

28. The Disciplinary Committee, after considering all the evidence, has decided that you should be found Guilty/Not Guilty.

If the verdict is NOT GUILTY:

29. Thank you. You may now leave.

If the verdict is GUILTY:

30. At this stage, I need to ask if anyone – [Name] or your parent(s)/guardian(s)/ spokesperson - if you would like to mention any 'mitigating circumstances' (*i.e. circumstances which may persuade the DC to lessen the severity of the punishment*)? ***[Allow for this].***
31. Now I would like to ask the Presenter / the Principal to present [Name's] disciplinary record and to indicate how that affects the punishment that [Name] should receive. ***[May be mitigation or aggravation - allow for this].***
32. Will everyone except the members of the Disciplinary Committee again please leave the room while the committee decides on a suitable punishment?

Again the DC deliberates in private, this time on the sanction to be imposed, considering the charges and the representations from both parties. *The Committee* decides on an appropriate sanction (including whether there will be a suspension awaiting the outcome, or not), taking all evidence and representations into account. The decision is written up in clear and understandable language. *The decision and sanction (if relevant) are recorded on the appropriate form, which the Learner will be asked to sign as an acknowledgement of receipt of information and as an indication of the acceptability of the proceedings.*

[The Chair recalls everyone who had left the room, and proceeds].

33. *The Disciplinary Committee, having considered all the facts, has decided upon the following sanction: [...].*
34. *Before you leave, I need you [Name] and your parents to sign this form which sets out the findings of the Disciplinary Committee. Please sign it to show that you were informed of the outcome of the proceedings, as an acknowledgement that the proceedings were conducted in a fair and clear manner and that your rights were respected. Please note that signing this form does not mean that you accept the verdict or the sanction, only that you agree that the process was fair.*
[Allow for signing. If he/she refuses to sign, then someone must witness that fact].
35. *Thank you. You will be informed as soon as possible about the decision of the Governing Body. (If the suspension is pending any final decision is envisaged, the following is added: In the meantime, you need to stay at home and not come to school until you hear from the Governing Body).*
36. *Thank you for your attendance. You may now leave.*

ANNEXURE A

EVERSDAL PRIMARY SCHOOL

LEARNER COMMITMENT

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

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

LEARNER

PARENT/GUARDIAN

DATE

ANNEXURE B

TABLE 1: LIST OF OFFENCES PER GRADE OF OFFENCE

Grade 1: Offences	Grade 2: Offences	Grade 3: Offences	Grade 4: Offences
<ul style="list-style-type: none"> • littering • excessively noisy or unruly behaviour before School, during change-overs, during breaks, and after School • eating, drinking or chewing gum during any contact time (class and assembly) • misconduct in an assembly • entering an out-of-bounds area, classroom or passage without permission • loitering in the passages, at the tuck shop, at the toilets or change rooms • misconduct or poor sportsmanship during an extra-mural activity's practice, tournaments or league fixtures • failure to: <ul style="list-style-type: none"> - submit an absentee note or exit notes by the stipulated deadlines - return a library book by the due date, or pay the fine for the overdue book/s. - attend an extra-mural activity's practice session without excusing himself 	<ul style="list-style-type: none"> • Vandalism • interfering with another person's possessions/property without the owner's consent • damaging another person's possessions/property as a result of interfering or using said possession or property without the owner's consent • forgery: altering of official documents such as medical certificates and fraudulent use thereof • intimidation by verbal or physical threat to harm the person or his property (bullying) • swearing, lying or using obscene gestures • verbal or non-verbal abuse • disrespect or insolence • insubordination – ignoring or failing to carry out a specific instruction (to include failure to do work/punishment set in the exclusion room, or failure to report to the exclusion room, or failure to report to the subject teacher with this work/punishment as stipulated) 	<ul style="list-style-type: none"> • possession of weapons that can cause physical injury (knives, etc.) • entering the School premises while under the influence of alcohol/drugs • possession, copying, distribution, use or displaying of pornographic material • assault with the intent to do grievous bodily harm • truancy from School or leaving School grounds without the necessary permission • any learner who, in or outside of the buildings, or on or off the premises of the School, whilst under the control of the School authorities, intentionally conducts himself in a manner which is or could be seriously detrimental to the maintenance of order or discipline at the School • racism: remarks/insults 	<ul style="list-style-type: none"> • use of weapons that cause physical injury (knives, etc.) • possession and/or use of a firearm, firearm magazine, ammunition, dangerous or lethal weapon • possession, using and/or dealing in drugs, or alcohol, or any other intoxicating substance • poisoning, or attempting to poison another person • theft, robbery, breaking and entering • malicious damage/injury to property of the School, staff members, fellow learners or any other person or body • rape, attempted rape, or indecent assault • physical assault that results in bodily harm • Any offence punishable under common law.

TABLE 1: LIST OF OFFENCES PER GRADE OF OFFENCE

Grade 1: Offences	Grade 2: Offences	Grade 3: Offences	Grade 4: Offences
<ul style="list-style-type: none"> - attend a compulsory activity as a spectator without submitting a written excuse letter prior to the event - attend detention • continual interference with another learner which causes minor physical or mental discomfort • misconduct during detention • minor infringements of uniform regulations: wearing of printed T-shirts; an incorrect jersey or tracksuit top as an outer garment; incorrect colour socks or belt; wearing of jewellery • failure to wear the correct full School uniform when in a public place, including the wearing of unauthorised items • failure to wear the correct sports kit for a match, tournament or practice • disruptive behaviour in class • failure to: <ul style="list-style-type: none"> - do classwork set and submit homework 	<ul style="list-style-type: none"> • fighting, common assault or attempted assault • public disturbance and public indecency • gambling • failure to attend detention without prior submission of a written excuse or note • unacceptable hairstyles, including bleaching or colouring • display of visible tattoos • using a cell phone as a means of communication during formal testing • cheating, attempting to cheat, or having forbidden material or information in a test venue during controlled testing (class tests, term tests, internal exams). This includes any form of communication, verbal or non-verbal, with another learner • copying of computer exercises, projects or any other work intended for the year mark • truancy from any contact time • possession or use of firecrackers • failure to attend an extra-mural activity fixture or function as a participant 	<ul style="list-style-type: none"> • violating the rights of other learners to receive education by disrupting classes, preventing other learners from attending classes, preventing teachers from providing teaching, or in any other manner • violating the rights of the teacher to carry out his/her tasks, to the detriment of the School, the staff, the teacher, or fellow learners • unreasonable repetition of a Grade 2 offence 	

TABLE 1: LIST OF OFFENCES PER GRADE OF OFFENCE

Grade 1: Offences	Grade 2: Offences	Grade 3: Offences	Grade 4: Offences
<ul style="list-style-type: none"> - bring the required textbooks, notes, stationery, or equipment to a lesson - hand work in on time • copying another learner's classwork or homework • defacing School property • reporting late for class, relief, or to the exclusion room. • use of offensive material to cover books or files • possession and/or use of a cell phone, computer game, iPod and similar electronic devices, during all contact time • arriving late for School without an excuse note 	<ul style="list-style-type: none"> • any action which brings the School's name into disrepute • possession of offensive material, excluding pornographic material • tampering with safety and other equipment on School premises • unreasonable repetition of a Grade 1 offence 		

TABLE 2: LIST OF THE POSSIBLE DISCIPLINARY SANCTIONS TO BE APPLIED FOR GRADE 1, 2, 3 AND 4 OFFENCES, RESPECTIVELY

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

Grade 1: Offences	Recommended Corrective Sanctions
<ol style="list-style-type: none"> 1. Academic: Books/work materials left at home; homework - not done on time/copied. 2. Extra-mural activity: Non-attendance at practices and matches (without a valid excuse to teachers/coach). 3. Personal conduct in classroom/on playground: Inappropriate displays of affection between learners; late arrival for class; un-cooperative behaviour; discourteous behaviour/insolence/temper tantrum; foul language; defacing desks/walls/books/cases with graffiti; eating/chewing in class; littering; and cell phone ringing. 4. Dress code: Untidiness/unkept appearance; School dress code not followed 5. Irresponsible use of devices.(ex. but not limited to: inappropriate content, VPN usage; SIM cards; games; social media; etc.). 	<p>Corrective actions/sanctions are carried out by the individual teacher and may include the following:</p> <ul style="list-style-type: none"> • Verbal reprimand • Break detention • Temporary confiscation until the end of school term (e.g. uniform, jewellery, cell phones, bags and cases); • Removing graffiti from bags and cases at break; and • Written notification.
Grade 2 : Offences	Recommended Corrective Sanctions
1. Plagiarism of any work or cheating/ attempted cheating in class test/assignment.	Nought for test and/or warning letter and/or Tuesday detention.
2. Damage to property/possession of other learners' property.	Repair/replacement, warning letter and/or Tuesday detention.
3. Defiance/disregarding of an authority figure's instructions.	Suspension from class, warning letter and/or Tuesday detention.
4. Detention – non-attendance.	Making up missed detention, warning letter and/or an information hearing.
5. Disregarding test/examination procedures.	Warning letter and/or Tuesday detention.
6. Disruptive/uncooperative in class.	Identification of culprit/s and/or Grade Head to organise corrective measures.
7. Disruptive behaviour frustrating teaching and learning in the classroom.	Warning letter and/or break detention.
8. Repeated dress code infringements (including hair and personal grooming).	After three (3) warnings, break detention.

TABLE 2: LIST OF THE POSSIBLE DISCIPLINARY SANCTIONS TO BE APPLIED FOR GRADE 1, 2, 3 AND 4 OFFENCES, RESPECTIVELY

Grade 2: Offences	Recommended Corrective Sanctions
9. Fighting.	Warning letter and/or Tuesday detention
10. Firecrackers.	Warning letter and/or break detention
11. Forgery, e.g. parent/guardian's signature.	Warning letter and/or break detention
12. Gambling on or off School property.	1st offence: <u>break detention.</u> 2nd offence: <u>Tuesday Detention.</u> 3rd offence: Internal disciplinary hearing, Tuesday detention and professional counselling (All money to be confiscated)
13. Graffiti: books, case, desks, walls, etc.	Removal, warning letter and/or Tuesday detention.
14. Late for School – three (3) days.	Phone call to parents and/or break detention
15. Late arrival at School after 08:00.	Phone call to parents and/or Tuesday detention.
16. Lying.	Warning letter and/or break detention
17. Offensive material.	Warning letter and/or break detention
18. Smoking/Vaping – possession of cigarette/vape, holding cigarette/vape caught in the act on/off School property.	1st offence: break detention 2nd offence: Tuesday detention 3rd offence: Formal disciplinary hearing, Tuesday detention and professional counselling (All cigarettes and lighters to be confiscated)
19. Smoking/Vaping – selling cigarettes/vapes on/off School property.	1st offence: Information disciplinary hearing, warning letter and Tuesday detention 2nd offence: Formal disciplinary hearing, warning letter and Saturday detention
20. Sticking a sharp object, e.g. pin, pen, nib, etc. into a fellow learner	Warning letter and/or Tuesday detention.
21. Substance abuse – possession/sniffing of unauthorized substance, e.g. meths, benzene, thinners, etc.	Phone call to parents. Information hearing, warning letter and Tuesday detention.

TABLE 2: LIST OF THE POSSIBLE DISCIPLINARY SANCTIONS TO BE APPLIED FOR GRADE 1, 2, 3 AND 4 OFFENCES, RESPECTIVELY

Grade 2: Offences	Recommended Corrective Sanctions
22. Threatening assault/intimidation of a fellow learner.	Phone call to parents and warning letter and/or break detention.
23. Truancy – bunking a lesson.	Break detention.
24. Truancy – bunking a day or part of a day.	Phone call to parents, warning letter and/or break detention.
25. Vandalism – defacing/damaging/ breaking School property.	A phone call to parents, repairs/payment of damages, warning letter and/or Tuesday detention.
26. Verbal abuse of a fellow learner.	Phone call to parents, warning letter and/or break detention.
27. Repeated Grade 1 offences.	Warning letter, community service, break detention, Tuesday detention, Saturday detention, disciplinary meeting and/or disciplinary hearing.
Grade 3: Offences	Recommended Corrective Sanctions
1. Alcohol – possession at School or on a School outing/smelling of liquor/ under the influence at School or on School outing.	Disciplinary hearing, warning letter, community service and/or Tuesday detention.
2. Assault on a fellow learner (causing bodily harm).	Suspension from class/school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.
3. Bullying/Intimidation.	Warning letter and community service and/or Tuesday detention.
4. Cheating/attempted cheating in examination/test/portfolio work.	Nought, warning letter and/or Tuesday detention
5. Possession/distribution of test or examination material prior to test or examination being written.	Disciplinary hearing, nought for test/examination, warning letter, community service and/or Tuesday detention.
6. Ongoing disruptive behaviour in classroom (frustrating School’s educational programme).	Suspension from class/school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.
7. Disruptive behaviour on School property or on School sponsored fixture/outing/trip/tour (frustrating School’s educational/extra-curricular programme).	Suspension from class/school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.

TABLE 2: LIST OF THE POSSIBLE DISCIPLINARY SANCTIONS TO BE APPLIED FOR GRADE 1, 2, 3 AND 4 OFFENCES, RESPECTIVELY	
Grade 3: Offences	Recommended Corrective Sanctions
8. Engaging in a conspiracy to disrupt the proper functioning of School through collective action.	Suspension from class/school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.
9. Drugs – consumption not associated with School.	Interview with parents, professional intervention.
10. Involving/attempting to involve outsiders in disputes between learners at School.	Disciplinary hearing, warning letter, community service and/or Tuesday detention.
11. Pornography – distribution at school.	Warning letter, community service and/or Tuesday detention.
12. Public indecency.	Disciplinary hearing, warning letter, community service and/or Tuesday detention.
13. Racist conduct that defames a learner/teacher.	Suspension from class/school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.
14. Improper suggestions of a sexual nature.	Disciplinary hearing, warning letter, community service and/or Tuesday detention.
15. Sexual harassment of teacher/learner.	Suspension from school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.
16. Threatening to assault/intimidate a teacher.	Suspension from school. Disciplinary hearing, warning letter, community service and/or Tuesday detention.
17. Verbal abuse of a teacher.	Suspension from school. Disciplinary hearing, warning letter, community service and/or Tuesday detention or expulsion.
Grade 4: Offences	Recommended Corrective Sanctions
1. Alcohol – drinking/drunk at school or on school or on school outing	Suspension from school. Disciplinary hearing, warning letter, community service and/or Saturday detention/expulsion.
2. Alcohol – drinking in public	Suspension from school. Disciplinary hearing, warning letter, community service and/or Saturday detention/expulsion.
3. Assault on a learner causing serious bodily harm	Suspension from school. Disciplinary hearing and/or expulsion.
4. Assault on a teacher	Suspension from school. Disciplinary hearing and/or expulsion.

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

Please note: The commitment to this Code of Conduct will be electronically signed via an online form.



**MR G. BURGER
EVERSDAL PRIMARY SCHOOL:
PRINCIPAL**



**MR S. FOUCHÉ
GOVERNING BODY:
CHAIRMAN**