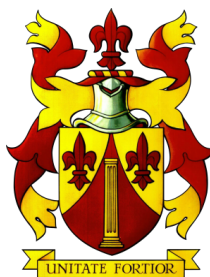


BOSMANSDAM HIGH SCHOOL



CODE OF CONDUCT FOR LEARNERS

1. Section A: INTRODUCTION AND PREAMBLE

In accordance with the Schools Act every school must have a code of conduct for learners. This code of conduct must be determined by the educators, the learners and the parents. All those involved co-operate to ensure the success of the code of conduct. The application of the code of conduct rests with the Governing Body.

2. DEFINITIONS

Concepts such as: “learner”, “educator”, “principal”, “school” and “governing body” shall have the meanings as laid down in the South African Schools Act No 81 of 1996. This also applies to other similar concepts, which may appear in this code of conduct.

3. AIMS AND PRINCIPLES

We wish to create a safe and secure atmosphere in which teaching and education can flourish and grow. The aim is that the code of conduct establishes the ethos and special spirit of the school without discrimination. By means of our code of conduct we accept our co-responsibility for our school and our learners. At the same time we establish a sound morale, compliance and empathy. Further we make provision for future amendments should such become necessary.

The Governing Body has given the principal the authority to suspend students with **immediate** effect in cases of serious misconduct or gross defiance when he deems it necessary or when it is in the best interest of the learners of the school. The principal shall inform the Executive Committee of the Governing Body of such suspensions. These suspensions shall be ratified by the full Governing Body and disciplinary hearings may follow.

4. Section B: RIGHTS, OBLIGATIONS AND RESPONSIBILITIES

5. Section C: CODE OF CONDUCT

6. Section D: DISCIPLINARY SYSTEM

Signed:

SBG: Chairperson

Principal

Date:

Section A: Introduction

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

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

The Code of Conduct spells out the rules regarding learner behaviour at Bosmansdam High School and describes the disciplinary system to be implemented by Bosmansdam High (hereafter referred to as the school) concerning transgressions by learners.

The Code of Conduct applies to all learners while they are on the school premises or when they are away from the school representing it or attending a school function. Section 8(4) of the SA Schools Act provides that all learners attending a school are bound by the Code of Conduct of that school. The administration of the Code of Conduct is the responsibility of the Disciplinary Committee of the School.

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

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.

3. Terms of legislation

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

- 3.1 The Constitution of the Republic of South Africa 1996, Act No. 108 and the Bill of Rights included in the constitution.
- 3.2 South African Schools Act, 1996 (Act No. 84 of 1996) as amended.
- 3.3 Guideline for the consideration of Governing Bodies in adopting a code of conduct for learners, in Government Gazette No 18900.
- 3.4 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.

4. Legal Authority

The South African Schools Act, Act No. 84 of 1996, section 8(1) empowers a governing body of a school to maintain discipline in a school. The Code of Conduct must prescribe behaviour that respects the rights of learners and educators.

- 4.1 An educator at the school shall have the same rights as a parent to control and discipline a learner according to the Code of Conduct during the time the learner is in attendance at the school, in any classroom, at any school function or school excursion or other school related activities.
- 4.2 The principal or an educator, upon reasonable suspicion (sufficient information), has the legal authority to conduct a search of any learner or property in possession of the learner for a dangerous weapon, firearm, drugs, or harmful dangerous substance, stolen property, or pornographic material brought onto the school property. During a search human dignity shall be observed and learners shall be searched in private by persons of their own gender, preferably in the presence of at least one other person. A record must be kept of the search proceedings and the outcome.

DEFINITIONS

Concepts such as: “learner”, “educator”, “principal”, “school” and “governing body” shall have the meanings as laid down in the South African Schools Act No 81 of 1996. This also applies to other similar concepts, which may appear in this code of conduct.

Section B: RIGHTS, OBLIGATIONS AND RESPONSIBILITIES

1. Learners

1.1 **Expectations for Learners**

The school has pastoral care over its learners both in and out of the school in the form of guidance, counsel, discipline and especially when there is misbehaviour, anti-social or illegal behaviour. The schools structure consists of three pillars, which provide a framework for the learner's life in the school:

Pastoral

Learners are expected:

- to maintain a high standard of behaviour and courtesy both inside and outside of the school;
- to be loyal to the school and to enhance the reputation of the school for the benefit of all at the school; and
- to display integrity and honesty in their actions and attitudes.
- to show diligence, dependability, participation and respect
- to help develop and become part of a learning culture
- to wear the correct uniform and to be neat and presentable.

Academic

Learners are expected:

- to try their best to fulfill their academic potential at school;
- to be accountable and recognise that each member of the school has the right to unhindered teaching and learning in a safe and secure environment; and
- to respect the rights of the individual to a full education.
- to respect their teachers and see them as partners in learning.

Extramural

It is compulsory to be fully involved in the extramural program offered by the school.

Learners are expected:

- to display sportsmanship of the highest order on and off the field; and
- to support matches.
- to behave in an appropriate manner at cultural events and
- to attend cultural events.

1.2 **Learners' Rights**

Learners should be entitled to:

- educational facilities and resources necessary for effective learning
- be taught in a clean, safe and orderly environment
- be taught each lesson in an atmosphere conducive to learning and free from interruptions by other learners

- be treated as an individual, enjoying the respect of others, and treated in a fair and dignified manner
- be able to express themselves, to ask questions, and be heard
- be taught in a disciplined environment in which sanctions are fair and consistent
- be recognized for their achievements
- the democratic right to due process and to have their views heard

Leadership positions and Awards

All leadership positions and awards will be withdrawn from and /or not considered for, any learner who has been found guilty of misconduct/serious misconduct at a disciplinary hearing in a 12 month period. No learner will be considered for an award at the prestige prizegiving (other than academic) if they have been found guilty of an offense at an internal or SGB disciplinary hearing in the year of the prizegiving.

2. Educators

2.1 Educators' Rights

Educators should:

- be able to teach in a safe, orderly, clean and quiet environment in which the necessary materials and equipment are provided and maintained
- expect learners to be prepared for lessons, having completed all tasks
- expect learners to be punctual, courteous and respectful
- be treated fairly and be respected as professional persons
- be supported by parents and colleagues and receive the support of those in authority
- be able to teach without interruption
- enjoy privacy in their private lives, with the assurance that their personal property at school will be respected

2.2 Educators' Obligations

Educators must:

- be professional in appearance and approach, and provide an environment which is conducive to effective learning
- be well prepared for each lesson, teach each lesson effectively, and effectively evaluate work done
- maintain a clean, disciplined and safe environment in the classroom
- be punctual, consistent and fair, and sensitive to the needs of learners
- treat learners as individuals, respecting their rights, and encouraging each learner to reach his/her full potential in all spheres of school life
- guide learners, help them to identify problems that they have, and help them to resolve such problems
- communicate with parents and keep them informed of the progress of learners
- keep up to date with developments in education, in the subjects taught, and in the teaching of the subjects
- set the correct example as a professional person
- keep up to date with all administrative duties and attend all official school functions
- respect learners, parents and colleagues.

3. Parents

3.1 Parents Expectations:

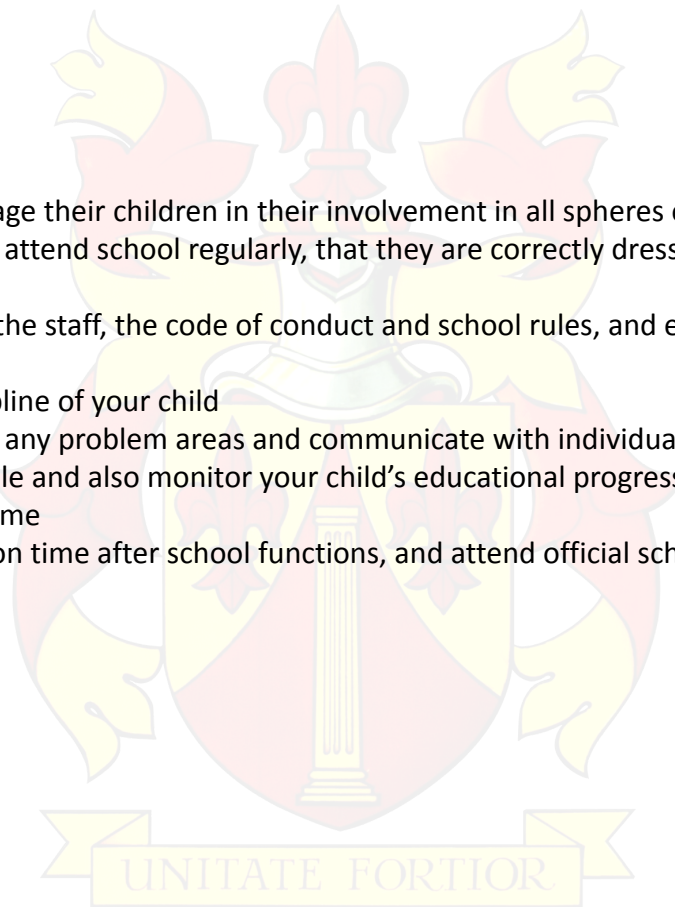
Parents expect from the school:

- educators who are qualified and competent to teach their subjects of instruction
- a school that respects cultural diversities and which is non-discriminatory
- educators who are professional in their approach to their work and who set and maintain correct standards
- the promotion of high moral standards and good ethics, with learners being taught in a disciplined environment that is conducive to learning
- that they will be treated fairly and as individuals
- support from approachable educators who communicate with parents on work and behaviour problems

3.2 Parent Obligations

Parents should:

- support and encourage their children in their involvement in all spheres of school life
- ensure that learners attend school regularly, that they are correctly dressed, are properly equipped, and are punctual
- support the school, the staff, the code of conduct and school rules, and ensure that their children do likewise
- assist with the discipline of your child
- inform the school of any problem areas and communicate with individual educators where this is necessary or desirable and also monitor your child's educational progress
- pay school fees on time
- fetch their children on time after school functions, and attend official school functions such as parent meetings



Preamble to the Code of Conduct

- The code of conduct is aimed at establishing a disciplined and purposeful environment, dedicated to the improvement and maintenance of the quality of the learning process at Bosmansdam High School.
- Nothing contained in the South African Schools Act exempts a learner from the obligation to comply with the code of conduct of the school attended by the learner.
- While the state has an obligation to make education available and accessible, this must be complemented by the commitment and acceptance of responsibility by the other partners in education, namely the learners, educators and parents.
- The code of conduct should promote a culture of reconciliation, teaching, learning and mutual respect, and the establishment of a culture of tolerance and peace in the school.
- The code of conduct must be read in conjunction with the drug policy.

Section C: CODE OF CONDUCT

Part 1: School Rules

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

General Principles

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

School and Class Attendance

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

1. All learners are to arrive at School before the official starting time. Learners who are late for School will be marked absent as registers are completed at the beginning of each School day.
2. Absence from a class, without the permission of the relevant register or subject teacher, is prohibited.
3. Any absence from School must be covered by an absentee email to sms@bosmansdam.co.za from a parent/guardian.
4. Should a learner be absent from School for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical

- doctor/traditional doctor/registered herbalist.
5. Any absence from a formal examination, test or task must be supported by a letter from a medical doctor/traditional doctor/registered herbalist.
 6. No learner may leave the School during School hours without a letter from a parent/guardian requesting the release of their child *and* the permission of the Principal/Deputy Principal/Grade Head from whom an exit note must be obtained.
 7. Truancy from School is prohibited.
 8. All learners will attend assembly for the full duration thereof.

School Uniform and General Appearance

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

1. No additions to the uniform that are not in accordance with the regulations will be allowed (e.g. beanies).
2. Jewellery, accessories, coloured contact lenses or visible tattoos are not allowed.
3. No colouring of hair or wearing of exotic hairstyles is allowed.
4. Fingernails must be kept trimmed short and clean at all times.
5. During events that allow the wearing of casual wear, learners should wear neat, presentable clothes. Beachwear, tight-fitting clothes, clothes that are see through and/or too revealing are not allowed. Hair, shoes and accessories should be neat at all times.
6. Only learners that have applied, submitted relevant supporting documents and received the necessary permission from the School Governing Body, may deviate from official School uniform for religious and cultural reasons as contemplated in Part 1 paragraph I of this Code of Conduct.

Valuables and Personal Belongings

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).

1. Learners should avoid bringing cell phones, large sums of money and valuables to School. Cell phones must be handed in to the register teacher during register.
2. If a parent requests a learner to pay School fees on his/her behalf, such School fees should be paid to finance during register.
3. Arrangements should be made with the teacher in charge for safekeeping of valuables, etc. during sports practices.
4. Learners may not bring computer games, speakers, iPods or similar electronic devices to School.

General Rules

1. Loitering and/or playing in and around the corridors, stairwells and toilets is forbidden.
2. All litter must be placed in refuse bins or wastepaper baskets.
3. Wilful damaging, vandalising or neglect of School property and the property of others, either by writing or by a physical act, is prohibited. Theft of School and private property is also prohibited.
4. Any act of cheating in class work, homework, informal and formal tests or internal or external examination is prohibited. Furthermore, copying of and/or borrowing another learner's work is forbidden.
5. Disruptive, unruly, rude and/or offensive behaviour will not be tolerated.

6. The timeous handing in of work is the responsibility of each learner.
7. Learners who fail to produce a medical certificate on absenteeism during formal examinations/tests/assessment tasks will obtain a mark of "0" (nought) for the particular examination/test/assessment task.
8. The learner will respect the beliefs, culture, dignity and rights of other learners, as well as their right to privacy and confidentiality.
9. Language that is seen as pejorative, discriminatory or racist 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 property and safety of other learners. Fighting or threatening other learners is forbidden.
12. The learner will respect those learners in positions of authority. A learner who is in a position of authority will conduct him/herself in a manner befitting someone in authority. S/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 (see out of bounds)

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 or the Safety Regulations 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, vaping devices is prohibited for learners.
3. Alcohol is not permitted on School premises or during any School activity for learners.
4. The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.

Transport

Learners wishing to park motorcycles/motor vehicles on the School grounds must first obtain permission from the School to do so and make use of the areas specifically demarcated for this purpose.

1. All learners park their vehicles and bikes (pedal or motorised) on the School premises at their own risk.
2. Specific areas are provided for the safekeeping of bikes, etc. and must be used by learners.
3. Learners may ride or drive a vehicle on the School grounds provided the learner has a license to drive such a vehicle and provided extreme caution is exercised. Reckless behaviour is forbidden.
4. The Code of Conduct is applicable when making use of public transport to and from School.
5. Learners may not hitchhike while in School uniform, whether formal or sports dress.

School Enrichment Programme

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

1. The learner is expected to adopt the correct etiquette pertaining to the specific activity at all times.
2. Once a learner has committed him/herself to an activity, s/he will be bound to meet 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 in writing from the learner's parents may result in the learner being suspended from participation in one (1) inter-school league fixture.
5. Appropriate kit/uniform will be worn to practices.
6. The correct match kit/uniform will be worn to inter-school league fixtures.
7. Learners travelling to an away fixture will travel in full School 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 may arrive at the venue in their appropriate sports kit/uniform with their School blazer.

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 Governing Body under the following conditions:

1. The learner, assisted by the parent, must apply for a deviation from the standard School rules if such rules are in conflict with or infringe on any religious right of the learner.
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 Governing Body to accommodate such religious rights.
4. The learner must provide proof that s/he belongs to that specific religion and that the religious practices, rules and obligations that are in conflict with the School's Code of Conduct are his/her true beliefs and commitments.
5. The religious conduct or practice must be lawful.
6. The Governing Body must consider the application and, if it is satisfied that the application is justified in terms of Constitutional principles, the application will be granted in writing.
7. When the Governing Body allows for deviations from the standard rules, such deviations must be based on core religious beliefs inherent to the religion, and it must be compulsory for the learner to comply with such beliefs.
8. The deviation must specify the extent of the exemption from the normal rules and must clearly identify the conduct that will be allowed – e.g. the wearing of a head scarf, including colours and details of design; the growing of a beard; or the wearing of a specific hairstyle or jewellery – and the conditions under which such deviation will be applicable to the learner.
9. Cultural rights will be considered in the event that they do not relate to a religion, if such cultural rights manifest in conduct of a permanent nature that is compulsory for the cultural group. This refers to cases where the removal of the cultural jewellery or marks will cause considerable pain to the learner. Normally, cultural rights are exercised through marks and expressions of a temporary nature that is justified for a specific cultural gathering. The learner must convince the Governing Body that his/her cultural rights can be exercised only through a permanent intervention.
10. 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.

1. GENERAL RULES

- 1.1 Learners are to ensure that their parents or guardians are conversant with the requirements of the School's Code of Conduct.
- 1.2 Learners are to carry out all instructions given to them by any staff member.
- 1.3 Learners are to assist in keeping the buildings and grounds neat and clean. All litter is to be deposited in refuse/recycling bins.
- 1.4 Where learners are identified as learners of Bosmansdam High School, they are accountable for their actions even if the activity is an out-of-school one.
- 1.5 Learners on the school premises, or in school uniform, or recognizable as Bosmansdam High School learners, or when attending any school activity may not be in possession of anything identifiable as a cigarette (including cigarettes (manufactured or otherwise), cigars, tobacco pipes, hubbly smoke devices and "vape" or e-cigarettes, but is not limited to these) tobacco, alcohol, drugs, weapons, pornography or undesirable items. They may not smoke or be under the influence of any substance. They may not be in the presence of someone smoking or taking any other illegal substances. To be in the company of any learner breaking this rule will also be considered a serious offense.
- 1.6 Any learner found in possession of medication that has a schedule 4 or 5 classification will within 24 hours provide a copy of the medical script issued by a medical doctor to the school. Should this certificate not be provided the medication will be deemed an illegal substance.
- 1.7 Theft is considered to be a serious offense and will be dealt with as a grade S offense.
- 1.8 Learners may not hitchhike in school uniform or in the company of another learner in Bosmansdam High School uniform.
- 1.9 Learners waiting for buses or any other form of transport before or after school or while traveling shall do so in an orderly manner and shall behave in accordance with the instructions of the driver or person officially in charge.
- 1.10 Learners waiting for transport in front of the school may not be on private property or make a nuisance of themselves and must respect the rights of our neighbours.
- 1.11 Learners may not play loud music or in any way disturb the peace of our neighbours while in front of the school.
- 1.12 Behaviour in the corridors and on the stairs must be orderly. Keep to the left when walking in the corridors.
- 1.13 Eating or drinking is not permitted in the classrooms.
- 1.14 The chewing of gum is prohibited at all times when in school uniform or when taking part in any school activity.
- 1.15 Learners must line up quickly and quietly before entering the hall for assembly. No talking is allowed on entering the hall for assembly.
- 1.16 Should a learner be absent his/her parent/guardian must email the school at sms@bosmansdam.co.za. Absence for three or more days requires a Medical Certificate from a medical practitioner/traditional doctor/registered herbalist. If a pattern of absence is noted a Medical Certificate may be required for any day absent.
- 1.17 Absence for any continuous assessment (CASS) activity, tests or practicals requires a medical certificate and will result in an incomplete result for that term even if a medical certificate is supplied. No certificate will result in zero.
- 1.18 All appointments i.e. Medical, Dental, Interviews, or Drivers tests must not be made during school hours and official extramural sport practices or matches. Learners may only leave the school premises during school hours with the permission of the Principal or deputies and then only on receipt of a letter or email from the parent/guardian. Extended absence from school must also be referred to the Principal for permission or notification.
- 1.19 Learners who ride motorcycles or drive motorcars to school must give a copy of their license to the head of discipline. If they wish to park a car in the school grounds they must get permission from the head of discipline. It is important to note that the car is out of bounds for the duration of the academic school day.
- 1.20 Parents may not drop off or collect learners inside the school grounds.
- 1.21 Learners may not put up non-school related posters or circulate pamphlets without the permission of the Principal. All posters must be signed by the Principal or deputies.

- 1.22 Learners may not touch or tamper with any possessions belonging to staff or other learners. Learners are responsible for their belongings and should label all clothing, equipment, books and suitcase/bags clearly. No valuable items should be brought to school. Learners are responsible for all such items.
- 1.23 Vandalism will not be tolerated and any form of damaging or defacing of property such as furniture, walls, equipment, books will be regarded as a most serious offense.
- 1.24 Notices and newsletters are essential methods of communication between the school and the home. Learners are to ensure that notices handed out at school are given to parents/guardians and that the reply slips are returned on the specified date.
- 1.25 Learners are to be punctual at all times. This includes being on time for school, for class and for extra-mural activities. When late, the learner must get a late slip from the front office. Late learners will be awarded demerits.
- 1.26 Learners/parents/guardians are responsible for the replacement of lost/damaged textbooks and stationery.
- 1.27 **Courtesy:**
Staff members are referred to by name i.e. Mr. Smith, Mrs. Brown or as Sir or Ma'am as applicable. Learners must greet staff members when meeting or passing each other during the day. Adults on the school grounds, particularly parents and visitors must be afforded the utmost courtesy. If a member of staff passes along the corridor or through a doorway, learners are expected to stand back to allow the person to pass. Disrespectful behaviour or impertinence directed at any adult is totally unacceptable. The ground staff and the administration staff are integral to the school and courtesy is to be extended to them.
Learners representing a school team wear the school uniform or wear the correct sport kit for that specific sport. Cultural and other extra-mural activities must be done in the correct dress code.
- 1.29 No learner is to be in the area of the school which is designated as out of bounds.

OUT OF BOUNDS

1. The staff car park, front lawns and gardens and the main entrance to the school.
2. The tuck shop, unless learners are going to and from the tuck shop during breaks.
3. The area in front of the clubhouse unless there is a Life Orientation practical.
4. The hockey field, A-rugby field and tennis courts (in line with H-block) before and during school hours.
5. The area behind the garages and next to the metalwork block (also before school).
6. The classrooms, before school, during breaks and after school (when it is raining learners are allowed downstairs in the passages)
7. The hall, sound room, stage and storeroom below, unless a teacher is present.
8. The hall and entrance foyer unless on official business.
9. The staffroom and kitchen.
10. The passage adjacent to the staffroom, headmaster's office and the staff toilets.
11. The bicycle quad during school hours.

MOVEMENT ABOUT THE SCHOOL

- On arrival and on departure learners must use the tarred pathways to prevent the destruction of grassed areas.
- In the mornings, all learners must move onto the premises and be at their register classes at 07:57. No loitering in front of the school or next to the school. Learners may use only the pedestrian gate at the Eskom box and the vehicle entrance at the Metalwork room. The main entrance gate is for vehicles only.
- Access to the office area is via the passage next to the hall on the side of girls' toilets only.
- Loitering in the toilets and passages is not allowed.
- No learner may go to the toilet during or between periods without permission. A tag must be worn. No learner may leave a classroom without a tag.
- Lines are to be straight and orderly.
- No learner is allowed to assemble or loiter on private property or in the streets in the vicinity of the school.
- There is to be no running, whistling, shouting, or any other rowdy behaviour in the school building.
- Learners are to move swiftly to their next period and keep to the left-hand side of the corridors.
- Riding of bicycles and skateboards in the school grounds is not allowed. Bicycles must be kept in the bicycle quad during school hours and it is recommended that learners lock them securely. Skateboards to be handed to the register teacher.
- No learner is allowed to bring a motorbike onto the grounds without a valid license and the prior permission of the principal. No motorbikes may be driven on the school premises.

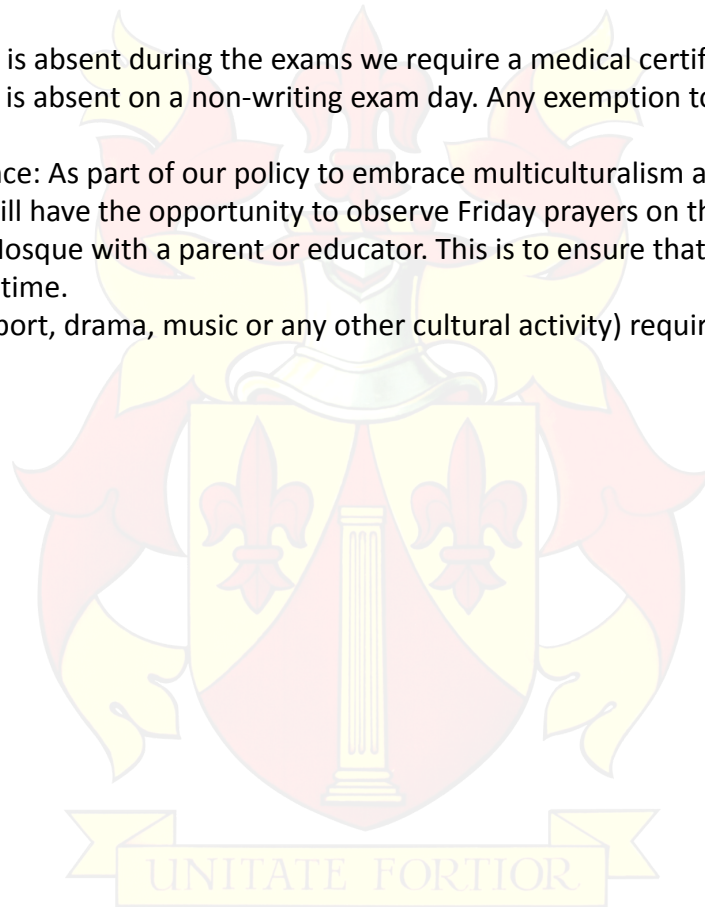
The front door is for the use of parents and guests of the school during the school day only.

1.30 Extra-mural (Sport and Culture)

Learners to furnish the coach/educator in charge with a letter from their parents explaining their unavailability for selection for a specific match/function. The letter must be given to the coach/educator on the Monday preceding the event.

- 1.31 Cell phones: Read in conjunction with the cellphone policy. Cell phones must be handed in during register. If a learner is caught with a cell phone during these hours, whether it is on or off, the phone and SIM card will be handed over by the learner to a prefect or member of staff for a period of 25 school days. Learners may pay the fine of R100 (which will be given to fund our feeding scheme). Cell phones may not be taken into any examination or test venue. If a cell phone is found on a learner during an exam or in a test venue, the learner will be given zero for that examination or test.
- 1.32 Any audio tracks (music, movies, etc) may not be audible on the school premises or when involved in curricular activities i.e. during the formal school day and at all extramural activities.
- 1.33 Learners may not sit/congregate in front of the gate or on the road. Learners may not stand or sit in road.
- 1.34 No visible body piercing is allowed. This includes the tongue. (Besides earrings – see appearance). No visible tattoos allowed.

- 1.35 Learners may not engage in any actions which are regarded as intimate and would cause embarrassment to others. Learners must maintain an appropriate distance from each other and should not “hang” on each other in an intimate way.
- 1.36 Watches are permitted for practical purposes and therefore elaborate designs, styles, fashion statements are not permitted.
- 1.37 After any extended special function, e.g tour, musical, learners must provide a doctor's certificate if they are absent the day following the extended function.
- 1.38 If a learner is absent on the day of an extra-mural function, they may not attend the function. If a learner is absent from school on the Friday, they may not take part in any extramural activity on the Saturday or Sunday of that weekend.
- 1.39 Learners must request permission from the Principal if they wish to bring a guest to school. This must be done in writing by the parent of the learner and the letter must be given to the Principal the day before the visit.
- 1.40 Learners are responsible for the behaviour of any guest they bring to school for any function. Learners, once at school in the mornings may not leave the school premises without the permission of an educator.
- 1.41 Exams: If a learner is absent during the exams we require a medical certificate for the day(s) absent even if the learner is absent on a non-writing exam day. Any exemption to this rule must be directed to the Principal.
- 1.42 Religious observance: As part of our policy to embrace multiculturalism and religious tolerance Muslim learners will have the opportunity to observe Friday prayers on the school premises or be allowed to go to Mosque with a parent or educator. This is to ensure that all learners experience maximum contact time.
- 1.43 All practices (i.e. sport, drama, music or any other cultural activity) requires branded Bosmansdam dress.



APPEARANCE

The following school uniform is compulsory for **ALL** Grades.

1. No additions to the uniform that are not in accordance with the regulations will be allowed (e.g non-school beanies, hoodies, caps).

UNIFORM DEVIATION

Only learners that have applied, submitted relevant supporting documents and received the necessary permission from the School Governing Body, may deviate from official school uniform for religious and cultural reasons as contemplated.

If uniform deviates in any way, parents or guardians must state their reasons for such deviation in a letter addressed to the Head of appearance. A note will be issued by the Deputy Head to the learner which he must keep with him until the expiry date stated on the note.

BOYS:

1. School blazer with school badge
2. School shirt with badge **OR** White school shirt with tie.
3. School shirts must be tucked in.
4. Grey school grey trousers **OR** Grey school shorts.
5. School jersey with embroidery.
6. Long school grey socks.
7. Black school shoes.
8. Black belt with standard buckle.

Kindly note:

1. Grey trousers not to be tapered
2. Plain white shirt may be worn under school shirt

Optional:

1. School scarf
2. School beanie with embroidery.

GIRLS:

1. School blazer with school badge
2. School blouse with badge **OR** School shirt with badge **OR** White school shirt with tie.
3. School shirts must be tucked in.
4. Grey school skirt **OR** Grey school trousers.
5. School jersey with embroidery.
6. White school socks with skirts **OR** Grey socks with trousers.
7. Black school shoes.

- **NB!! Navy blue hot shorts to be worn under the skirt.**
- **NB!! Skirts should not be more than 4 fingers above the knee**
- Grey trousers not to be tapered
- Plain white shirt may be worn under school shirt
- Shoelaces/buckles must be fastened.

Optional:

1. School scarf

2. School beanie with embroidery.
3. Black stockings.

SPORT UNIFORM

1. Official sports shirt of school
2. Navy school sport shorts
3. School tracksuit
4. Sport shoes/tekkies with socks.

Kindly note:

1. Life Orientation (LO) practicals - Sport uniform is compulsory - no deviation

Optional

1. Navy skort (Girls)

HAIR RULES FOR LEARNERS

1. Learners' hair/appearance may not draw undue attention to themselves.
2. Hair may not touch the brow, collar or ears, if it does, hair must be tied up with a blue or white elastic band or pompom. or pinned back (no buffs or bandanas).
3. All hair must be tied back and no loose strands in the face. No beehive styles are allowed.
4. If hair is dyed, it must be a natural colour and only 1 colour
5. Braids must be one colour only, no additional braids in other shades may be added.
6. Boys must be clean-shaven. Fine facial hair will be referred to the Head of Appearance.
7. Sideburns shaved to the middle of the ear.
8. No excessive wedge or exotic styling.
9. Hairpins/trimmings must be navy blue, black or brown.No fashion clips.
10. Hairpieces should not be excessive. It must be tied up according to the specified regulations.
11. Beads in hair must be see-through and only 1 bead per strand is allowed.
12. Hair should not be longer than the lower back.
13. The headmaster or his designated representative shall be the final judge on what constitutes drawing undue attention to oneself or exotic styling.

GENERAL

Jewellery:

- Earrings must be gold or silver plain studs and in the bottom hole of the lobe of ear. Sleeper (10mm)
Clear bristles to keep open holes.
- Watches

Tattoos:

- No visible tattoos. No offensive tattoos are allowed.
- No visible graffiti on the body by means of pens, kokis, henna or any manner whatsoever.

Casual wear:

General:

- Jeans, long pants and shorts with T-shirts and tops are suggested.
- Clothing should fit well and be age-appropriate.
- Clothing with distasteful slogans, words or pictures are not allowed.
- Clothing should be neat, clean and intact.
- Excessive or distasteful piercings are not allowed.
- Shoes should always be worn.

- Nails should be kept short and clean.
 - Revealing and see-through tops or pants are not allowed.
 - Tights are allowed only if a long shirt or dress covers the bottom.
 - Shorts and skirts should reach the knee.
 - Tummies must be covered and may not be exposed.
 - Blouses and tops should be buttoned up properly.
 - No 'spaghetti-strap' tops may be worn
 - Make-up should be kept minimal.
 - For younger learners we ask that shorts be worn under skirts and dresses.
 - Facial hair must be shaved – no beards or moustaches.
 - Saggy pants or torn jeans are not allowed.
 - No sleeveless 'muscle tops/vests' may be worn
 - No crop tops or the showing of your stomach
 - No booty shorts
- Rule of thumb: when in doubt, rather don't wear it.

Make-up

- Natural make-up or concealer only.
- Fingernails must be kept trimmed and clean at all times.

CLASSROOM RULES

1. The teacher must check learners' appearance as they enter the classroom.
2. The teacher must see to it that the learners sit in the correct desks as allocated by the teacher. The teacher should have a class-seating plan for each class.
3. The teacher greets the class and allows learners to sit down. No pupil may wear any non-school uniform item in the class, e.g. beanies, rain tops, etc. These items must be confiscated and kept until the end of the term by the teacher.
4. The learners take out their books. No lending of equipment is allowed. All learners must have their own writing materials.
5. learners may only leave their desks on the instruction of the teacher.
6. learners may only speak if the teacher has given them permission. learners must raise their hands to ask permission to speak.
7. No eating or drinking allowed in the classroom. The teacher must confiscate sweets and cool drinks. Lollipops are not allowed on the school grounds.
8. No chewing gum is allowed at school.
9. The learners must keep their classroom clean. No littering is allowed. Learners must stay after class in order to clean the room, if necessary, especially if it is during break.
10. learners must sit straight in their desks and must face the front.
11. No pupil may pack his or her books away unless instructed to do so by the teacher.
12. There must be silence during announcements. If not, learners take their books out again.
13. The teacher must check the appearance of learners before they leave the classroom. No pupil whose shirt is hanging out may leave the classroom.
14. The learners do not get up from their desks when the bell goes. They can only do so on the instruction from the teacher.
15. The learners must lead out row by row; the neatest and most quiet row first, etc. They remain seated until their row is asked to go.
16. learners, who arrive late for class, must get a demerit.
17. Learners and teachers must respect one another.
18. Teachers must be in the passage outside the classroom between periods.
19. It is the responsibility of learners who were absent (for any reason) to:
 - get notes that were handed out;
 - to arrange to write tests that they might have missed;

- to catch up with work and homework that was missed;
 - to circulate medical certificates to subject teachers.
20. Learners who have a medical problem and who have to go more regularly to the bathroom must have a letter/medical certificate signed by the grade head to indicate that they have permission to leave the classroom.
 21. Teachers, who keep learners after class, must give them a note with the time and date to indicate to the next teacher that the pupil is legitimately late. It can also be written in the blue book.
 22. learners who have to leave during school hours for funerals or medical reasons must:
 - take a letter from the parent to the grade head during register period;
 - the parent must also phone and inform the school secretary about the time of the appointment. (This is to prevent fraud.)
 23. The grade heads will only send sick learners home after the first break. Parents must keep learners who are not feeling well at home and send an absentee note within two days to the school or phone the secretary.
 24. Electronic equipment: See electronic equipment policy.
 25. It is the responsibility of each pupil to look after his/her possessions during and between lessons.
 26. All instructions from the teacher must be respected. The teacher has the right to demand that tasks are handed in on time, that homework must be done, that learners pay attention in class and so forth.

SUITCASES AND BOOKS

- Only conventional school suitcases, briefcases and plain rucksacks may be used for books. School bags and rucksacks may not be decorated and no graffiti will be allowed. School bags must be either black or blue, no other colours are permissible.
- Learners' names must be written clearly on the inside.
- Tog bags are to be used for sports kit only.
- All cases, books and clothes must be marked clearly with the learner's name.
- No offensive slogans or pictures may appear on book covers.

CONDUCT AND BEHAVIOUR OF LEARNERS

- 1 No one may use or be in possession of any weapon (imitation toy or otherwise), or materials such as crackers or fireworks, which can cause physical injury. In short: It constitutes an offense to bring anything, which may be judged (by the school) as dangerous onto the school property. Pepper spray carried for personal safety must be locked in the safe (along with cell phones) during register period.
- 2 In the event of our receiving a bomb scare, which is a serious criminal offence (and will be treated as such) the school's official policy to make up the time lost after school, will be implemented.
- 3 Gangsterism, gang membership or association with gangs is strictly prohibited.
- 4 Similarly any form of reprehensible behaviour, such as theft and shoplifting, either in the school or out of it, which might bring discredit to the person or the school, will not be tolerated.
- 5 No fighting anywhere on school property or outside the school (if the learner may be connected in any way with the school) is allowed.
- 6 Dangerous games are not allowed.

- 7 Truancy, not attending meetings, practices, matches, any extra classes or detention is viewed as a very serious offense.
- 8 Any form of initiation ceremonies, pranks, practical jokes, bullying, intimidation or any displays of racism are banned altogether and are considered to be reprehensible to the extent that they adversely affect any on the school premises or on excursions, sporting activities, or in any context in which the learner can be identified as a learner of the school.
- 9 Reprehensible behaviour may be punishable appropriately by suspension or expulsion. Each case will be judged on its own merits.
- 10 Similarly time lost to cleaning up litter on school grounds or late for lines/class, will be made up after school.
- 11 The administrative staff, the janitor, assistant workers and RCL have the right to report a learner who vandalises, litters, etc. and may confiscate items which are used destructively, e.g. soccer balls, koki pens, etc.
- 12 No one may sexually harass or interfere in any way with another's person, or make such abusive or provocative comments, which may harm the emotional or moral well-being of a fellow learner (or any other member of staff).
- 13 Eating and drinking during class or in the passages, hall and library is forbidden. Water-bottles should not be visible.
- 14 Radios, bluetooth/wireless devices, (except for official purposes) or anything which can cause disturbance to the routine of the school, are forbidden. Earphones will be confiscated.
- 15 No learner may use abusive or offensive language.
- 16 While wearing the school uniform or any part thereof that is sufficient to establish a link with the school in the public eye, or while representing the school, either directly or indirectly, as participants, supporters, assistants, spectators or otherwise, learners shall refrain from any conduct that could bring the school, staff or their fellow learners into disrepute.
- 17 In their interaction with the principal, vice-principal, educators, other staff of the school and RCL, learners shall be courteous and respectful at all times and shall refrain from any action that constitutes disrespectfulness or rebelliousness.
- 18 Learners may not walk with their hands in their pockets.
- 19 Incorrect or prohibited clothing, as well as prohibited items of jewellery deliberately worn against school rules, will be immediately confiscated and kept, at the owner's risk, until the end of the academic year. These may be returned to the learner at a fine of R20,00 (proceeds will go to the school's feeding scheme). Illegal or dangerous goods are not redeemable. The school accepts no responsibility for confiscated articles.
- 20 When learners are on an official outing, whether in civilian/casual clothing or not, no non-regulation jewellery may be worn by either boys or girls, including nose-rings, tongue-rings etc. No bare midriffs are allowed, and civilian clothing may not be of a revealing or provocative nature, as regards skirts, blouses, tops etc. No underwear may be revealed. It must be borne in mind that the reputation of the school and its students and staff must be upheld at all times in this regard.
- 21 **Any matric student who is found guilty at a disciplinary hearing may forfeit their attendance to the matric ball and/or all privileges afforded to a matric learner.**

Sexual Harassment

No one may sexually harass or interfere in any way with another's person, or make such abusive or provocative comments, which may harm the emotional or moral well-being of a fellow learner (or any member of staff).

Sexual harassment can include someone (but not limited to):

- touching, grabbing or making other physical contact with you without consent
- making comments that have a sexual meaning
- asking for sex or sexual favours
- leering and staring at someone and making them uncomfortable
- displaying rude and offensive material so that you or others can see it
- making sexual gestures or suggestive body movements towards others
- cracking sexual jokes and making sexual comments
- questioning others about their sex life
- insulting others with sexual comments
- behaviour on a phone call/texts/social media that makes others feel uncomfortable
- indecent exposure
- sexual assault.

GENERAL

- A school educator shall have the same rights as a parent with regard to controlling and disciplining the learner according to the code of conduct, both during such learner's school attendance as well as at any school activity.
- ALL visitors to the school must announce themselves to the secretary at the principal's office.
- Correction fluid (Tippex) and kokis may not be brought to school.
- No learner may sell goods for personal gain at school or do any fundraising without Governing Body approval.
- No trading across the school fence is to take place during breaks or at any other time.
- No learner may organise any activity or social gathering that can be identified with Bosmansdam High School without the permission of the principal.
- No circular, notice, pamphlet or poster may be distributed on school premises or posted onto notice boards or anywhere else in the building or elsewhere without permission of the headmaster or his deputy.
- Any recording of activities which contravenes the school's code of conduct or the distribution thereof is strictly prohibited.

The school's Code of Conduct is devised to rectify poor behaviour and to reward good behaviour and academic excellence.

SECTION D: Disciplinary System

Every teacher 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.

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 A, Table 1 for a list of the offences making up each of the Grades 1, 2, 3 and 4.

Disciplinary Procedures

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

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

Grade 1 offences:

- 1.1 Contravention of grade 1 offences may result in a demerit and/or a teacher's detention.
- 1.2 If the demerit or teacher's detention does not change behaviour, an intervention meeting will be arranged with the Grade Head and a green behaviour monitoring book issued.
- 1.3 Should a learner fail the green book, a second intervention meeting will be called with Grade Head and SMT member. A blue behaviour monitoring book will be issued.
- 1.4 Should learner fail the blue behaviour monitoring book, an internal disciplinary hearing will be arranged by the head of discipline. A written warning must be issued as well as a grey behaviour monitoring book, should the learner be found guilty.
- 1.5 Should the learner fail the grey behaviour monitoring book, an SGB disciplinary hearing will be convened. Should the learner be found guilty at the hearing the following sanctions may apply:
 - A final written warning issued.
 - A suspension of 2-7 days.
 - Grey report issued again.
 - Intervention and support as identified by the disciplinary committee

Grade 2 offences :

- 2.1 Grade 2-offences may result in a demerit and/or a teacher's detention.
- 2.2 If the demerit or teacher's detention does not change behaviour, an intervention meeting will be arranged with the Grade Head and an blue behaviour monitoring book issued.
- 2.3 Should learner fail the blue behaviour monitoring book, an internal disciplinary hearing will be arranged by the head of discipline. A 1-2 day suspension may be issued. A written warning must be issued as well as a grey behaviour monitoring book, should the learner be found guilty.
- 2.4 Should the learner fail the grey behaviour monitoring book, an SGB disciplinary hearing will be convened. Should the learner be found guilty at the hearing the following sanctions may apply:
 - A final written warning issued.
 - A suspension of 4-7 days.
 - Greyreport issued again.
 - Intervention and support as identified by the disciplinary committee

Parents have the right to not accept the outcome of the internal disciplinary hearing. The matter must then be referred to the SGB disciplinary committee for a hearing.

Grade 3 offences:

- 3.1 Contravention of Grade 3 offences must result in a demerit and/or a teacher's detention.
- 3.2 If the demerit or teacher's detention does not change behaviour, an intervention meeting will be arranged with the Grade Head and an grey behaviour monitoring book issued. A 3-7 day suspension may be issued. A final written warning must be issued as well as a grey behaviour monitoring book, should the learner be found guilty.
- 3.3 Should the learner fail the grey behaviour monitoring book, an SGB disciplinary hearing will be convened. Should the learner be found guilty at the hearing the following sanctions may apply:
 - A contract issued between Bosmansdam High School and the learner.
 - A suspension of 5-7 days.
 - Grey report issued again.
 - Intervention and support as identified by the disciplinary committee

Grade 4 offences:

- 4.1 Contravention of Grade 4 offences must be referred to the head of discipline.
- 4.2 A 3-7 day preventative suspension may be issued. A final written warning must be issued as well as a grey behaviour monitoring book, should the learner be found guilty at either an internal or SGB hearing.
- 4.3 Should the learner fail the grey behaviour monitoring book, an SGB disciplinary hearing will be convened. Should the learner be found guilty at the hearing the following sanctions may apply:
 - A contract issued between Bosmansdam High School and the learner.
 - A suspension of 7-14 days.
 - Grey report issued again.
 - Intervention and support as identified by the disciplinary committee
 - Application for expulsion to the WCED.

- A further suspension not exceeding 21 days while the Head of Department considers the school's application for expulsion.

The following acts as contemplated under General Notice 6903 of 2000 (PG 144 of 4 October 2000)
SCHEDULE 2 (SERIOUS MISCONDUCT THAT MAY LEAD TO EXPULSION) :

- is in possession, of, consumes or deals in any illegal substance or other harmful substance;
- is in possession of, uses or transmits narcotic or unauthorised drugs or p[on visible evidence of such possession, use or transmission;
- is in possession of any dangerous weapon;
- assaults or threatens to assault another person;
- holds any person hostage;
- murders any person;
- rapes any person, or engages in any sexual activity which amounts to an offence in law; or
- maliciously damages property.

These acts may result in a 4 - 14 day precautionary suspension. An SGB disciplinary hearing will be called for and if found guilty, the committee may apply for expulsion.

Learners deemed a danger to the school community, may be allowed on the school premises under controlled conditions. It will be up to the disciplinary committee and/or principal to determine those conditions.

Disciplinary interventions:

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.
- Removal from classes to the exclusion room.
- Written punishment.
- Community service to improve the physical environment within and around the School property.
- Homework detention.
- Supervised schoolwork.
- De-merit detention.
- 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 school-related privileges
- Exclusion from School activities and functions, e.g. academic award ceremony.
- Withdrawal of recognition, e.g. award.
- Temporary suspension from class or School, pending disciplinary hearing.
- Disciplinary hearing.
- SGB hearing.

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.
- Immoral behaviour or profanity.
- Possessing, using or displaying evidence of use of any narcotics, unauthorised drugs, alcohol or any other intoxicant.
- Repeated infringements of the School rules or the Code of Conduct.
- Possession of dangerous weapons (guns, knives and other objects which may threaten the lives of learners/teachers).
 - Should a learner be found guilty by a court of law for breaking the law of the Republic of South Africa, the School has the right, after a fair hearing through the Governing Body, to recommend expulsion to the Provincial Department of Education.
 - A tribunal hearing will be convened with a view to recommending expulsion. In such instances the recommendation for expulsion will be submitted to the Provincial Head of Education to approve the decision.
 - 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.

Suspension of a Learner by the Principal or Deputy Principal as a Precautionary Measure

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

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

ANNEXURE A

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 or vending machines, at the toilets or change rooms • misconduct or poor sportsmanship during an extra-mural activity's practice, intra- or inter-School competition or league fixture • Does not attend an extramural activity's practice session without excusing themself • continual interference with another learner which causes minor physical or mental discomfort • misconduct during detention • minor infringements of uniform regulations: wearing of printed Tshirts; 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 or practice • hitchhiking while in School uniform, formal or sport 	<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 • racism: remarks/ insults • forgery: altering of official documents such as medical certificates and qualifications and fraudulent use thereof • intimidation by verbal or physical threat to harm the person or his property (bullying) • swearing, lying or using obscene gestures • 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) • 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, 	<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 • taking part in any form of illegal strike action/ meeting/campaign on School premises any learner who, in or outside of the buildings, or on or off the premises of the School, whilst under the control of the School authorities, intentionally conducts himself in a manner which is or could be seriously detrimental to the maintenance of order or discipline at the School. • violating the rights of other learners to receive education by disrupting classes, preventing other learners from attending classes, preventing teachers from providing teaching, or in any other manner • violating the rights of the teacher to carry out his/her tasks, to the detriment of the School, the staff, the teacher, or fellow learners • reckless or negligent driving whether in School uniform or not, and whether on the School property or not • unreasonable repetition of a Grade 2 offence 	<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 • sedition or inciting any form of illegal strike action/meeting/ campaign on School premises • Any offence punishable under common law

<p>dress</p> <ul style="list-style-type: none"> • disruptive behaviour in class • spitting in public • failure to: <ul style="list-style-type: none"> – do classwork set and submit homework – bring the required textbooks, notes, stationery, or equipment to a lesson – hand work in on time • copying another learner's classwork or homework • defacing School property • reporting late for class, relief, or to the exclusion room • use of offensive material to cover books or files • possession and/or use of a cell phone, computer game, iPod and similar electronic devices, during all contact time • arriving late for School without an excuse note • Truanting lesson 	<p>verbal or non-verbal, with another learner</p> <ul style="list-style-type: none"> • copying of computer exercises, projects or any other work intended for the year - mark • truancy from any contact time • possession or use of fire crackers • failure to attend an extra-mural activity fixture or function as a participant or official • any action which brings the School's name into disrepute • possession of offensive material, excluding pornographic material • tampering with safety and other equipment on School premises • unreasonable repetition of a Grade 1 offence • Truanting School 		
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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 staff and the Disciplinary Committee.

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-mutual activity: Non-attendance at practices and matches (without a valid excuse to teachers/ coach) 3. Personal conduct in classroom/on playground: Inappropriate displays of affection between learners; late arrival for class; uncooperative behaviour; discourteous behaviour/truanting class/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/unkempt appearance; School dress code not followed 	<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; • Written punishment; • Detention at break; • Temporary confiscation until the end of School term (e.g. uniform, jewellery, cell phones, bags and cases); • Removing graffiti from bags and cases at break; and • Written notification

Grade 2: Offences	Recommended Corrective Sanctions
1. Plagiarism of any work or cheating/attempted cheating in class test/assignment	Nought for test and warning letter
2. Damage to property/possession of other learners' property	Repair/replacement, warning letter and Principal's detention
3. Defiance/disregarding of an authority figure's instructions	Suspension from class, warning letter and Principal's detention
4. Detention – non-attendance	Making up missed detention, warning letter and an information hearing
5. Disregarding test/examination procedures	Warning letter and Principal's detention
6. Disruptive/uncooperative in class	Identification of culprit/s and grade teacher to organise corrective measures
7. Disruptive behaviour frustrating teaching and learning in the classroom	Warning letter and detention
8. Repeated dress code infringements (including hair and personal grooming)	After three (3) warnings, Principal's detention
9. Fighting	Warning letter/detention/precautionary suspension
10. Fire-crackers	Warning letter and detention
11. Forgery, e.g. parent/guardian's signature	Warning letter and detention
12. Gambling on or off School property	1 st offence: Special detention 2 nd offence: Special Detention 3 rd offence: Information disciplinary hearing, special detention and professional counselling (All money to be confiscated)
13. Graffiti: books, case, desks, walls, etc.	Removal, warning letter and Principal's detention
14. Late for School – three (3) days	Phone call to parents and detention
15. Late arrival at School after 8:20 am	Phone call to parents and Principal's detention
16. Lying	Warning letter and detention
17. Offensive material	Warning letter and detention
18. Smoking – possession of cigarette/holding cigarette/caught in the act on/off School property	1 st offence: Special detention 2 nd offence: Special detention 3 rd offence: Formal disciplinary hearing, special detention and professional counselling (All cigarettes and lighters to be confiscated)
19. Smoking – selling cigarettes on/off School property	1 st offence: Information disciplinary hearing, warning letter and special detention 2 nd offence: Formal disciplinary hearing, warning letter and special detention
20. Spitting	Principal's detention
21. Sticking a sharp object, e.g. pin, pen, nib, etc. into a fellow learner	Warning letter and detention

22. Substance abuse – possession/sniffing of unauthorised substance, e.g. meths, benzene, thinners, etc.	Information hearing, warning letter and detention
23. Threatening assault/intimidation of a fellow learner	Phone call to parents and warning letter and detention
24. Truancy – bunking a day or part of a day	Phone call to parents, warning letter and detention
25. Vandalism – defacing/damaging/breaking School property	Phone call to parents, warning letter and detention
26. Verbal abuse of a fellow learner	Phone call to parents, repairs/payment of damages, warning letter and detention
Grade 3: Offences	Recommended Corrective Sanctions
1. Alcohol – possession at School or on a School outing/smelling of liquor/under the influence at School or on School outing	Disciplinary hearing, warning letter, community service, detention and/or suspension.
2. Assault on a fellow learner (causing bodily harm)	Suspension from class/school. Disciplinary hearing, warning letter, community service and detention
3. Bullying/Intimidation	Warning letter and community service, detention and/or intervention meeting
4. Cheating/attempted cheating in examination/cycle test/portfolio work	Irregularity hearing/nought and warning letter.
5. Cheating/attempted cheating in final Grade 12 examination	Implementation of official provincial procedures
6. Possession/distribution of test or examination material prior to test or examination being written	Disciplinary hearing, nought for test/examination, warning letter, community service, detention/official provincial procedures for Grade 12
7. Ongoing disruptive behaviour in classroom (frustrating School's educational programme)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
8. Disruptive behaviour on School property or on School sponsored fixture/outing/trip/tour (frustrating School's educational/extracurricular programme)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
9. Engaging in a conspiracy to disrupt the proper functioning of School through collective action	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
10. Drugs – consumption not associated with School	Interview with parents, professional intervention
11. Gangs – promoting formation forming of/associating with/furthering activities of School gangs/'social groups'	Suspension from School. Disciplinary hearing, warning letter and detention
12. Involving/attempting to involve outsiders in disputes between learners	Disciplinary hearing, warning letter, community service and detention
13. Pornography – distribution at School	Warning letter, community service and detention
14. Public indecency	Disciplinary hearing, warning letter, community service and detention
15. Racist conduct that defames a learner/teacher	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
16. Improper suggestions of a sexual nature	Disciplinary hearing, warning letter, community service and detention

17. Sexual harassment of teacher/learner	Suspension from School. Disciplinary hearing, warning letter, community service and detention
18. Threatening to assault/intimidating a teacher	Suspension from School. Disciplinary hearing, warning letter, community service and detention
19. Verbal abuse of a teacher	Suspension from School. Disciplinary hearing, warning letter, community service and detention or expulsion
Grade 4: Offences	Recommended Corrective Sanctions
1. Alcohol – drinking/drunk at School or on School or on School outing	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
2. Alcohol – drinking in public	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
3. Assault on a learner causing serious bodily harm	Suspension from School. Disciplinary hearing and expulsion
4. Assault on a teacher	Suspension from School. Disciplinary hearing and expulsion
5. Bribery/attempted bribery of any person respect of any test/examination material	Disciplinary hearing, warning letter, community service and detention/expulsion
6. Dangerous weapon or object, e.g. knife – possession at School	Suspension from School. Disciplinary hearing, appropriate punishment, e.g. community service, detention/expulsion
7. Dangerous weapon or object, e.g. firearm – possession at School/on School outing	Suspension from School. Disciplinary hearing, appropriate punishment, e.g. expulsion
8. Drugs/illegal substances – possession at School/on School outing	Suspension from School. Disciplinary hearing, warning letter, community service and detention
9. Drugs/illegal substances – consumption/under the influence at School/on School property	Suspension from School. Disciplinary hearing, warning letter, community service, detention and professional counselling
10. Drugs/illegal substances – dealing ('pushing') at School/on School outing	Suspension from School. Disciplinary hearing and expulsion
11. Forgery of any document or signature to the potential/actual prejudice of the School	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
12. Fraud (financial)	Suspension from School. Disciplinary hearing, compensation, warning letter, community service and detention/expulsion
13. Hostage-taking	Suspension from School. Disciplinary hearing and expulsion
14. Satanic practices that damage property or cause harm to people or any other living creatures.	Suspension from School. Disciplinary hearing, warning letter, community service, detention and professional counselling/expulsion
15. Sexual assault/rape	Suspension from School. Disciplinary hearing and expulsion
16. Theft/dishonest conduct to the prejudice of another person	Disciplinary hearing, replacement of stolen articles, warning letter, community service and detention/expulsion
17. Trading in test/examination material for personal monetary gain	Disciplinary hearing, warning letter, community service, detention/expulsion
18. Vandalism – malicious damage to School/teacher's property	Disciplinary hearing, repair damage, warning letter, community service and detention/expulsion

9 Demerit points will result in a detention. Learners may be placed directly on detention by a member of staff.

Learners will receive 3 demerit points for late coming.
Learners will receive 9 demerit points for truanting.

Serious misconduct or continuous contravention of the school's code of conduct, can lead to a disciplinary intervention, disciplinary meeting or a disciplinary hearing. The relevant bodies (as well as the principal) may issue precautionary suspensions and at the conclusion of a disciplinary hearing suspension and/or recommend expulsion.

Detention takes place on a Friday and will end at 4:00pm.

Teachers can give a teacher's detention for continuous contravention of the school's code of conduct.

Saturday DT

Saturday detentions will only be arranged if the need arises.

POSITIVE POINTS // POSITIEWE PUNTE

H - Headmaster/Deputy

E - Extramural -Sports/Culture

G - General

T - Teachers

H =	H - Headmaster/Deputy +30	Type	Point
H001	Member of Matric Council per term	H	30
H002	H002 Member of LRC per term	H	30
H003	H003 Activity colours	H	30
H004	H004 100% attendance per term	H	50
H005	H005 Student tutor per term	H	30
H006	H006 Super Donation/fundraising	H	30
H007	H007 Prizegiving recipient	H	30
H008	H008 Top achievers	H	30
H009	H010 Excellent behavior over term	H	30
H010	H011 Unbeaten team per season	H	30
H011	H012 Attending Saturday DT	H	30
H012	H013 Leadership Value Merit	H	30
H013	H014 Super CCS	H	30

E =	Extra-mural -Sports/Culture	Type	Point
E001	Activity practice: attendance	E	5
E002	Activity Participation in match / event	E	10

E003	Activity inter-schools / event	E	15
E004	Attending sports meeting in school clothes	E	5
E005	Helper at sports/event meeting	E	15
E006	Participation in Colour Sports per event	E	5

G =	<u>General</u>	Type	Point
G001	Assignment / Books exceptionally neat	G	10
G002	Above 70% in control test / Activity	G	15
G003	Responsible class captain over term	G	15
G004	CCS	G	15
G005	Attending DT	G	9
G006	Attending community service	G	15
G007	School Values	G	15
G008	Donations/Fundraising	G	10

T =	<u>Teachers</u>	Type	Point
T001	Helpfulness	T	5
T002	Teachers discretion	T	10
T003	Attending Time out	T	10
T004	Constant good behaviour	T	5
T005	Improvement in behaviour	T	15
T006	Class interaction	T	3
T007	Positive attitude	T	3

The above rules are there to ensure that all learners receive the education they deserve and which parents expect from the school. Learners who repeatedly do not comply with the above rules, or simply refuse to comply with the rules and who make it impossible for their fellow learners to receive effective tuition, will be asked to leave the classroom. They will have to spend the remainder of the lesson in the time-out room. This will go on the pupil's record and parents will be informed when this happens.

MISCONDUCT OF LEARNERS AT PUBLIC SCHOOLS AND DISCIPLINARY PROCEEDINGS

Published under

General Notice 6903 of 2000 (PG 144 of 4 October 2000)
as amended by

General Notice 2591 of 2001 (PG 72 of 9 May 2001)

I, Ignatius Jacobs, Member of the Executive Council responsible for education in the Province of Gauteng, under section 9(3) of the South African Schools Act, 1996 (Act 84 of 1996), hereby determine -

- (a) the behaviour by a learner at a public school which constitutes serious misconduct;
- (b) disciplinary proceedings to be followed in such cases; and
- (c) provisions of due process safeguarding the interests of learners and any other party involved in disciplinary proceedings, as set out in the Schedule.

SCHEDULE

1 Definitions

- (1) Subject to subparagraph (2) and unless the context indicates otherwise, a word which is defined in section 1 of the South African Schools Act, 1996 (Act 84 of 1996) shall have the same meaning in this notice.
- (2) In this notice, unless the context indicates otherwise-

"code" means the code of conduct of a school;

"days" means days of the week, excluding Saturday, Sundays, public holidays and school holidays;

[Definition of "days" inserted by General Notice 2591 of 9 May 2001 with effect from 9 May 2001.]

"disciplinary committee" means a disciplinary committee appointed in terms of paragraph 4;

"misconduct" means misconduct committed by a learner and includes the following-

- (a) misconduct committed on the premises of a school, whether during or outside of school hours;
- (b) misconduct committed during any school activity, irrespective of whether it is committed within or outside the school premises, and during or outside of school hours; and
- (c) any conduct, committed in or out of school uniform and within or outside the school premises, which-
 - (i) tends to bring the school into disrepute;
 - (ii) interferes with the governance, authority and proper administration of the school;
 - (iii) interferes with the conditions necessary for any school activity;

- (iv) subject to the reasonable exercise of the right IO assemble, demonstrate, picket and petition as provided in the Constitution, 1996 and the code, is committed with the intention of preventing any person from exercising his or her rights, powers or duties as a member of the school community, or is committed in retaliation against such exercise; or
- (v) is prohibited by the code of the school;

"prosecutor" means the principal of the school or an educator appointed by the principal to present the case against a learner;

"representative" means a parent of a learner, a co-learner or any other person chosen by the learner to represent the learner at a disciplinary hearing;

"school days" means days of the week, excluding Saturdays, Sundays, public holidays and school holidays;

"serious misconduct" means misconduct as contained in Schedules 1 and 2;

"suspension" means:-

- (a) a learner may not be entitled to attend a class at the school;
- (b) a learner may not be entitled to hold office or perform any duties and functions contemplated by any relevant law relating to school governance for the period of the suspension;
- (c) a learner may not be entitled to participate in extracurricular activities at the school; or
- (d) a learner may not be able to attend school for a period of time that may not exceed one week;

and **"suspend"** has the same meaning;

"provisional suspension" means a learner may be provisionally suspended by the principal from the time charges of serious misconduct have been laid against a learner until the results of a fair hearing of a disciplinary committee have been finalized if, in the opinion of the principal in consultation with the Head of Department, it is in the interests of the learner or educators and the school community: Provided that the learner is able to continue with schoolwork under proper supervision; and

"the Act" means the South African Schools Act, 1996 (Act 84 of 1996).

2 Application

- (1) This notice and any code made in terms thereof apply to a learner who was at the time of the misconduct alleged against the learner subject to the discipline of the school.
- (2) A learner is subject to the discipline of the school if the learner is registered as a learner at a school.

3 Institution of disciplinary proceedings that may lead to suspension or expulsion.

- (1) Only the principal may institute disciplinary action against a learner in respect of serious misconduct.
- (2) The principal may institute disciplinary action against a learner in respect of serious misconduct only if -
 - (a) there is sufficient evidence to institute such proceedings and
 - (b) the principal considers it to be in the best interests of the school and its community that such disciplinary action should be instituted.
- (3) No learner may be expelled from school unless -
 - (a) the learner is found guilty of serious misconduct specified in Schedule 2 of this notice; and
 - (b) the provisions relating to expulsion are complied with.
- (4) Learners found guilty of serious misconduct specified in Schedule 1 of this notice may not be expelled, but may only be suspended or provisionally suspended.
- (5) The Head of Department may, in exceptional circumstances, authorize a departure from subparagraphs (3) and (4).

4 Disciplinary Committee for serious misconduct

- (1) Upon notification by the principal to a learner that disciplinary action is instituted against that learner, the governing body must appoint a disciplinary committee and designate one of the members of the disciplinary committee as chairperson to adjudicate the allegation of serious misconduct.
- (2) Subject to subparagraph (3), the disciplinary committee comprises of three persons who are either members of the governing body or persons who are eligible to be elected as members of the governing body.
- (3) The appointment of persons to a disciplinary committee is subject to the following conditions:
 - (a) The chairperson of the disciplinary committee must be a parent member or community member of the governing body;
 - (b) the principal or a learner at the school are not eligible to be members of the disciplinary committee; and
 - (c) no person may be appointed to the disciplinary committee if the person has personal knowledge of or any interest in any matter before the disciplinary committee.
- (4) An executive committee member of the representative council of learners (RCL) may attend the hearing as an observer.

- (5) A decision of such a committee is a decision of the governing body.

[Subregulation (5) added by General Notice 2591 of 9 May 2001 with effect from 9 May 2001.]

5 Procedure for hearing of serious misconduct

- (1) A learner charged with serious misconduct is entitled to a hearing adjudicated upon by the disciplinary committee.
- (2) A learner charged with serious misconduct must be given no less than 5 (five) school days written notice of the hearing into the alleged misconduct, unless-
- (i) the governing body directs, with good cause, that a shorter notice period shall apply; and
 - (ii) there is no prejudice caused to the learner by the shorter notice period.
- (3) The notice contemplated in subparagraph (2) must-
- (i) contain sufficient particularity of the date, place and nature of the alleged serious misconduct to enable the learner to identify the incident in question and to respond thereto;
 - (b) inform the learner of the charges, place date and time of the hearing;
 - (c) inform the learner of provisional suspension, if any, the reasons therefore and any other matter required in connection with the provisional suspension; and
 - (d) inform the learner of the rights of a learner in terms hereof.
- (4) The principal must give the notice contemplated in subparagraph (2) to the learner and deliver a copy thereof to the parents of the learner at the address of the learner as indicated in the school register.
- (5) At least one of the parents of the learner must accompany the learner at the hearing, unless the learner is 21 (twenty-one) years or older.
- (6) If a member of the disciplinary committee, the learner, his or her representative or a witness requires an interpreter, the disciplinary committee may not proceed with the hearing until an interpreter competent in the relevant language has been made available: Provided that it is not necessary to make use of a formally qualified interpreter.
- (7) If the learner fails to appear before the disciplinary committee after due notice in terms of subparagraph (2) and without just cause for not attending the hearing, the hearing may continue in the absence of the learner.
- (8) The disciplinary committee must keep a full and accurate record of all proceedings before it.
- (9) The prosecutor must commence proceedings at the hearing by setting out the charge against the learner and thereafter presenting the case against the learner.

- (10) The chairperson of the disciplinary committee must ask the learner whether the learner pleads guilty or not guilty to the charge. The learner must respond thereto. Should the learner fail to respond, the learner will be deemed to have pleaded not guilty to the charge.
- (11) If the learner pleads guilty to the charge -
- (a) the chairperson must question the learner with reference to the alleged facts comprising the misconduct as outlined by the prosecutor in order to satisfy the disciplinary committee that the learner is indeed guilty of the charge;
 - (b) if, upon questioning the learner, it appears that the version of the learner materially differs from the facts as outlined by the prosecutor, or if the chairperson is not satisfied that the learner is guilty of the charge, the chairperson must enter a plea of not guilty in respect of the charge on behalf of the learner;
 - (c) if the disciplinary committee, or the majority of its members, is satisfied that the learner is guilty of the charge, the disciplinary committee must find the learner guilty of the charge.
- (12) If the learner pleads not guilty to the charge-
- (a) the prosecutor may call witnesses or present other evidence on oath in respect of the allegations against the learner;
 - (b) the learner or the representative of the learner may question any witness and examine any evidence presented by the prosecutor;
 - (c) after all the evidence has been led against the learner, the learner or the representative of the learner may call witnesses or present other evidence on oath in support of the defence;
 - (d) the prosecutor may question any witness and examine any evidence presented on behalf of the learner;
 - (e) the disciplinary committee may question any witness or examine any evidence at any time;
 - (f) after all the evidence has been presented, first the prosecutor and then the learner or the representative of the learner may address the disciplinary committee as to the guilt or otherwise of the learner;
 - (g) the disciplinary committee must thereafter adjourn the hearing for not more than 2 (two) school days to a specified place, date and time in order to decide whether, on a balance of probabilities, the learner is guilty or not guilty of the charge; and
 - (h) at the date and time contemplated in subparagraph (g), the disciplinary committee must inform the learner of the findings of the disciplinary committee.
- (13) If the learner is found guilty of the charge, the prosecutor and the learner or the representative of the learner, may present evidence before the disciplinary committee relevant to an appropriate penalty, including but not limited to evidence of the personal

circumstances of the learner, general record of past conduct at the school, the nature and seriousness of the misconduct in question, and the interests of the school community.

- (14) Immediately after considering any evidence presented in terms of subparagraph (13), the disciplinary committee must impose on the learner a penalty that is prescribed in terms of the code and this notice, and inform the learner in writing thereof.
- (15) If the disciplinary committee decides that the learner should be expelled from the school, it must make a recommendation to that effect to the Head of Department and may suspend the learner from the school, in consultation with the Head of Department, pending the decision of the Head of Department on whether the learner is to be expelled.

6 Further provisions on expulsion

- (1) Where a disciplinary committee in terms of paragraph 5(15) suspends a learner from attending school with a view to expulsion by the Head of Department, the disciplinary committee must direct the principal to submit to the Head of Department the full record of proceedings and a report compiled by the disciplinary committee in respect of the learner.

[Subregulation (1) amended by General Notice 2591 of 9 May 2001 with effect from 9 May 2001.]

- (2) The report contemplated in subparagraph (1) must include at least the following-
 - (a) the full name, date of birth and grade of the learner;
 - (b) a summary of the evidence presented by the prosecutor and the learner; and
 - (c) a summary of the findings of the disciplinary committee relating to the evidence presented and the sentence proposed by it.
- (3) After considering the full record of the proceedings and the report contemplated in subparagraph (1) and within 5 (five) days of being informed of the decision of the disciplinary committee, the Head of Department must-
 - (a) expel the learner; or
 - (b) impose on the learner a lesser punishment permitted by the code and this notice; or
 - (c) suspend or postpone a sentence referred to in subparagraph (a) for a period of not less than six months; or
 - (d) impose a competent sentence which the Head of Department deems fit; or
 - (e) find the learner not guilty.

[Subregulation (3) amended by General Notice 2591 of 9 May 2001 with effect from 9 May 2001.]

- (4) The notice contemplated in subparagraph (2) must include a reference to the right of appeal to the Member of the Executive Council if the Head of Department expels a learner.
- (5) If the Head of Department expels a learner who is of compulsory school age, the Head of Department-
 - (a) must ensure that the learner is admitted to another school or centre of learning within the province;
 - (b) may require that the learner attend counselling; and
 - (c) must procure regular progress reports in respect of any counselling contemplated in paragraph (b).
- (6) If the Head of Department expels a learner who is not of compulsory school age the Head of Department may order that the learner may not be re- admitted to another school within the Province.

7 Suspension and expulsion from a hostel

- (1) The provisions of paragraphs 3, 4, 5 and 6 apply likewise to the suspension and expulsion of a learner from a hostel.
- (2) If a learner residing in a hostel, is suspended or expelled from a school to which the hostel is attached, the learner is deemed to be expelled from that hostel as well.
- (3) A learner may be suspended or expelled from a hostel, without being suspended from the school to which the hostel is attached.

8 Appeal against decision of Head of Department to expel a learner

- (1) A learner or the parent of a learner may appeal to the Member of the Executive Council against-
 - (a) any finding of guilt by the Head of Department in respect of which a penalty of expulsion has been imposed;
 - (b) a penalty of expulsion imposed by the Head of Department; and
 - (c) an order made by the Head of Department in terms of paragraph 6(5).

[Paragraph (c) amended by General Notice 2591 of 9 May 2001 with effect from 9 May 2001.]

- (2) A learner or the parent of a learner who wishes to appeal against a decision contemplated in subparagraph (1) must, within 14 (fourteen) days of being notified in terms of paragraph 6(3) of the decision, hand deliver a notice of appeal together with the grounds for the appeal to the office of the Member of the Executive Council.

[Subregulation (2) amended by General 2591 of 9 May 2001 wef with effect from 9 May 2001.]

- (3) Unless the Member of the Executive Council on good cause orders otherwise, the lodging of an appeal shall not have the effect of suspending the penalty imposed by the Head of Department.

- (4) Within 5 (five) days of receiving the notice of appeal, the Member of the Executive Council must inform the Head of Department and the governing body of the lodging of an appeal and provide them with a copy thereof.
- (5) Within 5 (five) days of receipt of the notice of appeal from the Member of the Executive Council, the Head of Department and the governing body may respond in writing to the notice of appeal and state the reasons why the appeal should be dismissed.
- (6) Within 5 (five) days of receipt of the submissions contemplated in subparagraph (5), the Member of the Executive Council must-
 - (a) dismiss the appeal;
 - (b) impose on the learner a lesser punishment permitted by the code and this notice;
 - (c) impose any other sanction deemed appropriate by the Member of the Executive Council; or
 - (d) find the learner not guilty; and notify the learner, parents and the representative of the learner and the Head of Department of the decision.
- (7) The decision of the Member of the Executive Council in respect of the appeal shall be final.

SCHEDULE 1
(SERIOUS MISCONDUCT THAT MAY LEAD TO SUSPENSION)

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

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

SCHEDULE 2

(SERIOUS MISCONDUCT THAT MAY LEAD TO EXPULSION)

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

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

Recommended sanctions that may be applied by the disciplinary committee or school principal or his designate:

