



PRIMARY SCHOOL AKASIA

DISCIPLINE POLICY AND
CODE OF CONDUCT FOR LEARNERS

1. RATIONALE

Akasia Primary School is accountable to the community, through the Minister of Basic Education (DBE), for managing learner's behaviour and for creating safe, orderly, productive and successful learning communities. This policy is based on the following shared principles:

- Akasia Primary School operates within the context of the wider society and has a responsibility to prepare young people for successful participation in society.
- All individuals and groups within society should be treated with respect at all times.
- Individuals choose their own behaviour to meet their needs, although some circumstances may limit the ability to make the best choices.
- Families, society, peers, staff and other significant adults influence the behavioural development of young people.

Behaviour has consequences which increase or reduce immediate and future choices.

Individuals must accept responsibility for their own behaviour according to their developmental ability.

In a democratic society, the teaching of appropriate citizenship skills needs to involve all members of that community. Schools provide a social context in which learners need to be supported while being taught how to accept responsibility for their own behaviour. DBE, school communities, services and agencies will work together to create learning communities which are:

- Safe;
- Inclusive;
- conducive to learning;
- Free from harassment and bullying.

The School Discipline Policy of Akasia Primary School provides a framework for the development of such learning communities. Whilst the policy applies to Akasia Primary School, a range of specific strategies will need to be developed to meet the varying needs of learners in all schools' settings and the varying needs and expectations of local communities (families, learners, staff, wider community and service providers). Each school's behaviour code will describe and be aligned to these strategies.

2. PURPOSE

The purpose of this policy is to protect the constitutional rights of all learners and to ensure a quality education, in a safe and disciplined environment, to allow each learner to develop his or her potential and to take the necessary action to correct any unacceptable behaviour.

2. LEGAL FRAMEWORK – CODE OF CONDUCT

The Akasia Primary School is influenced and aligned to the following Acts and Statutory requirements:

- Act No.31 of 2007: Education Laws Amendment Ad.
- Section 8 (1) of SASA (Act 84 of 1996)
- South African Council of Educators(SACE)
- Employment of Educators Act (Act 76 of 1998)
- Control of Access to Public Premises and Vehicles (Act 53 of 1985)
- Drugs and Drug Trafficking Act (Act 140 of 1992)
- Arms and Ammunition Act (Act 75 of 1969)
- Other relevant documentation

4. COMMUNICATION AND REVIEW

- This policy will be discussed with all grades on an annual basis by members and stakeholders of Akasia Primary School.
- On admission to the school, learners will be provided with a copy of this code which will also be made available by the school on request at any time.
- The policy will be reviewed annually by relevant stakeholders.

5. ROLE PLAYERS INVOLVED IN DISCIPLINE

Clear distinction needs to be drawn between the type of misconduct and the person(s), agencies or departments involved in disciplinary action.

- Educators (including general class discipline, merits, demerits, extra work, etc.)
- Higher school authority (HOD, Grade Head or Subject Head, SMT and school support system, Deputy Principal, Principal, including conferences with learner, conferences with parents, written warnings, behavioural contracts, etc.)
- School authority , Governing Body and relevant outside agency (written warning plus referral to , psychologists, clinics, counselors, community and social workers).
- Department (suspension and expulsion) – subject to SASA, 1996, Section 9.

6. POLICY STATEMENTS

As Akasia Primary School we aligned ourselves to the following policy statements:

- Akasia Primary School will focus on providing opportunities and support for learners to experience success. In order to ensure learners success:
- Akasia Primary School will ensure that definitions of success recognize the achievements of all learners, that curriculum is inclusive, and that all learners are able to participate in curriculum which is valued
- DBE curriculum documents will provide the framework for the learning of all learners
- assessment and reporting procedures will focus on learners progress and achievement within the curriculum frameworks
- Akasia Primary School will implement strategies to ensure positive learning opportunities for all learners
- responses to inappropriate behaviour will involve staff, learners and families in partnerships which focus on learners strengths and provide support for learners in crisis while reinforcing the rights of other learners to learn and teachers to teach in safety and without disruption

- staff, learners and families will work in partnerships to acknowledge learners behaviour which meets the expectations of the school community, as described in its behaviour code
- Akasia Primary School will develop in learners an acceptance of responsibility for their own behaviour. In order to develop this responsibility:
- learners need to understand that behaviour is an action made by an individual within a social context
- a school community will place appropriate limits on learners' behaviour choices
- learners will be taught the skills to enable them to actively participate in the development, implementation and review of their school's behaviour codes, and will be involved in decision-making processes within the school
- the school behaviour code will reflect processes for restorative and reconciliatory actions
- learners' responsibility for their own behaviour will be reinforced consistently in a manner which enhances their understanding of responsible social behaviour
- social responsibilities will be taught across the curriculum and modeled in all aspects of school life
- Akasia Primary School will model and teach values of honesty, trust, respect and cooperation
- Staff, parents/guardians and learners will work together to create safe, caring, orderly and productive learning communities which support the rights of all learners to learn and all teachers to teach. In order to support and protect the rights of all members of the school community
- school staff will manage aspects of the school environment, including sexual and racial harassment and bullying, so that learners learn to respect rights and fulfill responsibilities
- schools will develop consequences for both responsible and irresponsible behaviours, and will consistently apply these consequences
- system level procedures such as suspension and exclusion will be used to support a change in the behaviour of learners who do not respond to school level consequences of irresponsible behaviour
- the procedures outlined in DBE's "Procedures for suspension, exclusion and expulsion of learners from attendance at school" (1996) will be followed when a system level response is required
- social, emotional and behavioural difficulties, and the staff who interact with these learners
- Rights, responsibilities and consequences will be established through negotiation between school staff, learners and their families.
- Each school will develop a behaviour code in partnership with its community and will manage learner's behaviour in a partnership between learners, their families and school staff. Schools are part of the communities in which they operate, and have a responsibility to work collaboratively at a local level. In order to develop collaborative partnerships:
- Akasia Primary School will develop decision-making policies which encourage inclusive participation of the school community
- Akasia Primary School will consult their communities and give them the opportunity to be involved in developing the behaviour code and to be involved in implementing and reviewing it
- Learners, families, school staff and services will work together to negotiate learners development plans to support learners learning and behaviour change and manage seriously or persistently irresponsible behaviour.

- Behaviour codes and learners development plans are essential elements of effective partnerships. A behaviour code is a statement of a school community's values and its expectations relating to learners behaviour and the school's management of learners behaviour. It:
 - expands the School Discipline Policy into specific expectations and consequences which accommodate local circumstances
 - involves staff, learners and their families in decisions about how learners behaviour will be managed
 - states expectations in terms of individual rights and social responsibilities, as well as the consequences of both responsible and irresponsible behaviours
 - describes grievance procedures available to any member of the school community who believes behaviour codes are not being supported or enforced appropriately
 - is developed, implemented and reviewed as part of the school planning processes
 - is negotiated with and supported by the school governing body of Akasia Primary School
 - acknowledges other relevant policies and legal obligations.
- Akasia Primary School may ensure that parents and learners understand the school's expectations through:
 - holding ongoing discussion with the school community to clarify values and expectations
 - conducting ongoing consultation with parents and learners on the school's behaviour code
 - regularly communicating information about the school's behaviour code
 - asking each parent and learners to sign an acknowledgment of the school's behaviour code as part of enrolment procedures.
- A learner's development plan is negotiated between school staff, a learner and the learner's family to address learner behaviour and learning goals. This may also be part of a required individual learning path. It:
 - clearly describes a learner's behaviour and learning goals and a process for monitoring progress towards these goals
 - is negotiated/reviewed as part of suspension and exclusion procedures
 - involves a commitment by the learners to change
 - involves a commitment by parents/guardians to support the learners and the school in the change process
 - involves a commitment by the school to support positive behaviour and learning outcomes through specific strategies
 - is flexible and able to incorporate a wide range of strategies which take into account the needs of individual learners.

7. PRINCIPLES AND BELIEFS

Akasia Primary School is committed to the following principles and beliefs

A number of principles and beliefs guide the effective management of learner's behaviour, as outlined below.

- **Behaviour is chosen for a purpose.** The choice may not always be a conscious choice. Learners behave in ways which are meaningful and purposeful, based on their perceptions of the best ways to meet their particular needs in a situation or context. Since behaviour is the result of choice, school communities must equip learners to make the best possible choices. Schools must provide opportunities for learners to develop decision-making skills which enable them to recognize that behaviour can be a conscious choice and that different choices result in different consequences. Learners who know how to meet their needs through responsible decisions are less likely to behave in ways which interfere with learning. Both passive, withdrawing behaviours and overt, disruptive behaviours can interfere with learners learning and can be equally irresponsible choices. Some circumstances may limit a learner's ability to exercise choice, but do not diminish the learner's responsibility.
- **Behaviour codes need to be explicit.** Consequences for behaviour must be nonviolent, and reflect the policies of the DBE and the expectations of the wider community. Non-violent consequences are responses which do not involve any form of physical punishment, emotional hurt or verbal harassment.
- **All individuals and groups within society must be valued and treated with respect.** The diversity within a school community must be acknowledged in school responses to learner's behaviour. Schools must acknowledge that learners have different levels of ability to learn and to cooperate with other people. They need to take into account these when formulating appropriate responses to irresponsible behaviour. Most irresponsible or withdrawn behaviours indicate that learners need more learning, practice, support, or counseling. Schools need to explore the possible causes and to implement strategies for behaviour change in order to increase the level of successful learning. Strategies may include reviewing and reforming school structures, classroom practice or curriculum and involving DBE and interagency services.
- **Individuals are able to accept responsibility for their own behaviour.** Definitions of responsibility must stem from a shared community understanding, and responsibilities must be taught explicitly across the curriculum. Schools must recognize that the acceptance of responsibility for behaviour is developmental and is dependent on learners having opportunities to discuss and practice appropriate behaviour. Learners learn to accept responsibility when they are involved in decisions about behaviour and when staff explicitly teach and model responsible behaviour, and consistently reinforce and always expect individuals and groups to accept responsibility for their behaviour. Schools must acknowledge learners' varying levels of ability to understand the relationship between rights and responsibilities. For learners with disabilities, appropriate behaviour management strategies need to be developed in the context of negotiated curriculum plans.
- **All behaviour has consequences which affect future opportunities.** Responsible behaviour increases the learner's range of future opportunities. In order to encourage responsible behaviour, school staff

need to devote significantly more time and attention to responsible than to irresponsible behaviour. This will be reflected in curriculum content, delivery and assessment practices, and in communication between a school and its wider community. Irresponsible behaviour can decrease the learner's range of future opportunities. Therefore, responses to irresponsible behaviour must offer the learners support to learn how to make a more responsible choice in the future. While recognizing the developmental needs of individual learners, responses must be clearly defined and administered consistently in a way which supports the rights of teachers to teach and the rights of learners who want to learn. Consequences need to be non-violent, logical, related to the learner's behaviour and negotiated as part of each school's behaviour code.

- **A partnership is necessary** between staff, learners and their families if a safe, caring, orderly and productive school community is to be created and if responsible learners behaviour is to be developed. A whole school community approach to the management of learner's behaviour will provide a consistent environment in which learners can learn to take responsibility for their own behaviour. School communities need to work in partnership to identify shared values regarding learner's behaviour, to clarify expectations and consequences in the school's behaviour code and to ensure that they are being applied consistently. School staff will need to take the initiative in establishing partnerships.
- **Staff must have opportunities to develop a wide range of skills in managing learner's behaviour.** Staff that understand a range of models and are supported in implementing them are better able to develop successful school discipline and to assist learners and their families in making decisions about behaviour.

8. OBJECTIVES, STRATEGIES AND OUTCOMES

The objective of the School Discipline Policy is to establish safe and positive learning communities which increase learner's responsibility and learners learning. Each school will need to consider the objective and outcomes in relation to its current stage of development and to consider what will therefore be realistic and achievable targets. The strategies listed below reflect the policy statements outlined in this document.

OBJECTIVE	STRATEGIES	OUTCOMES
	Develop and maintain success for all learners	Learners learning has improved
	Teach learners to take responsibility for their behaviour	Relationships at school are based on mutual respect
		Learners have understood their social responsibilities

A positive learning experience	<p>Develop and implement consistent practices to support the rights of all members of the school community</p> <p>Develop partnerships to manage learner's behaviour. Rights of all members of the school community have been supported</p>	<p>Rights of all the members of the school community have been supported</p> <p>School community has recognized and acknowledged appropriate behaviour</p> <p>Appropriate support and services have been provided for learners experiencing difficulties</p> <p>Community values, expectations and consequences are aligned to school's policies</p>
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9. RESPONSIBILITIES

Directors, district directors, principals and school-based staff, including teachers, are accountable to the HOD, Department for Education, for implementing the School Discipline Policy.

9.1 Responsibilities of directors:

DBE directors will:

- provide and coordinate services for learners experiencing behavioural difficulties in their schools
- engage in appropriate interagency agreements in order to streamline the provision of services to support learners with social and behavioural problems
- provide examples of curriculum review and reform which address behaviour issues
- provide appropriate professional development opportunities for staff
- Provide information to parents on DBE policy.

9.1 Responsibilities of district directors

District directors will:

- support principals in ensuring that school planning addresses the implementation of the School Discipline Policy
- support principals in ensuring that each school's behaviour code and other behaviour management procedures address needs specific to its community
- ensure DBE district support services and local interagency services provide appropriate services to school communities
- work with principals and statewide services to ensure that mechanisms are developed at a local level to provide appropriate placements for learners requiring temporary alternative placement
- support principals and other school personnel to manage critical incidents relating to learners behaviour or the aggressive behaviour of community

members, and facilitate mediation with community members when necessary

- Address grievances of community members who believe a school's management of learner's behaviour has been unjust.

9.2 Responsibilities of principals

Principals will:

- develop, implement and regularly review, in consultation with the school community and governing body, a school behaviour code which is consistent with the DBE School Discipline Policy
- ensure that learners behaviour is managed through procedures supported by a strong theoretical understanding of how learners learning and behaviour are best supported
- ensure that new staff, learners and their families are aware of the school community's negotiated behaviour code and the decision-making procedures open to them if they wish to influence school practice
- ensure that parents/guardians :
 - have access to DBE's School Discipline Policy, support materials and related documents
 - are aware of their rights to advocacy and of avenues open to them should they have grievances relating to the school's management of learners behaviour
- promote structures at class and school level to:
- enable learners to be involved in the management of their behaviour
- support and enable parents/guardians and teachers to form relationships within which learners behaviour may be managed positively
- ensure that the school's response to gender, cultural differences, family circumstances or disabilities does not reduce learners' learning opportunities
- increase learners' opportunities to experience intellectual, social and physical success
- teach and model decision making in groups and ensure structures are in place for learners voice
- provide opportunities for staff training and development
- involve district support services and other agencies, when appropriate, to support staff and families in managing learners behaviour effectively
- Use system level consequences and interagency support programs with learners who do not respond to class and school consequences.

9.3 Responsibilities of school-based staff

School staff will:

- develop and foster positive relationships with learners and families
- communicate and interact effectively with learners and engage in cooperative problem solving relationships to address issues faced by the learning community
- participate in developing, implementing and reviewing the school's procedures for managing learners behaviour
- critically reflect on practices and develop the knowledge and skills needed to manage behaviour change successfully
- establish, maintain, make explicit and model the school's expectations relating to learners behaviour
- respond positively to responsible learner's behaviour and apply consequences if

learners interfere with teaching and learning and the safe school environment.

- In particular, teachers will:
 - structure the teaching program to facilitate learning and encourage learners to achieve their personal best
 - cater for the developmental, social and emotional needs of individual learners and use a range of teaching methods
 - provide formal and informal feedback on learners learning to learners and parents or caregivers, and review teaching programs in the light of learners learning outcomes
 - develop classroom management strategies which:
 - involve negotiation
 - support the participation of all learners
 - value differences in gender and the cultural and linguistic backgrounds of learners
 - acknowledge positive learning and social behaviours
 - deal effectively with sexual harassment, racism and bullying
 - take into account the impact of physical and intellectual disability, trauma and disadvantage on the learning process
 - establish and maintain safe and supportive learning environments.

9.4 Responsibilities of parents/guardians

When they enroll learners in a school, parents/guardians accept responsibility to:

- ensure that the learners attends school and that school staff are notified of absences
- keep schools informed of health issues, concerns about behaviour or other matters of relevance
- comply with DBE and school policies including the School Discipline Policy.
- **Other relevant documents**
 - The School Discipline Policy should be considered in conjunction with the following legislation, DBE policies and action plans:
 - Education Act (SA 1972) and Regulations under the Act
 - DBE Administrative Instructions and Guidelines
 - Equal Opportunity Act (SA, 1984)
 - Disability Discrimination Act (Commonwealth, 1992)
 - DBE policies:
 - Child protection (1990)
 - Antiracism (1990)
 - Parents and schools (1991)
 - Learners with disabilities (2006)
 - DBE Procedures for suspension, exclusion and expulsion of learners from attendance at school (1995).
 - Local Management and site governance
 - Protective Practices for Staff in their interaction with learners
 - Reducing Bullying in Schools
 - National Safe Schools Framework
 - Mandatory Notification

10. Code of Conduct for Learners of Akasia Primary School

10.1 INTRODUCTION TO THE CODE OF CONDUCT

The Governing Body, teachers, parents and learners of Akasia Primary School in consensus with the SA School's Act have drawn up a Code of Conduct with the aim to:

- Provide distinct guidelines for appropriate conduct by the learners at school;
- Establish order and discipline to ensure an effective learning environment- ,
- Bring about unanimity regarding conduct and appearance so each learner will know exactly what is expected of him/her
- Cultivate a sense of belonging among learners and teachers;
- Encourage a positive and proud attitude towards the school among teachers, parents and learners,
- Project a positive image of the school to our community.

Although article 5(3) (b) of the SA School's Act stipulates that a learner may not be refused entry to the school, because of his/her parent's refusal to adhere to the mission statement of the school, it is very clearly stated in Article 8 (4) of this Act that:

'No provision of the Law exempts a learner from the compulsion of adhering to the Code of Conduct of the school that they attend''.

Therefore, this means that all learners will be compelled to comply with the condition of the Code of Conduct of the school that they attend.

Vision and Mission of Akasia Primary School

To be in a school that aims to motivate, educate, guide and create an atmosphere of happiness where learners are equipped with the necessary skills through innovative educational thinking and effective management. Christian values and norms are the fundamentals of education and we teach our children to accept responsibility for their talents and rights.

We strive to ensure our parents and our learners, with the aid of trained and committed members of staff, of:

- a Christian education;
- the best education that we can offer to the best of our abilities, talents and training;
- the best service at all times and under all circumstances;
- being a school that will always prioritise the learner's interests to ensure that he/she may experience it as a safe haven that will ensure his/her future.
- focusing on the individual;
- seeking the prosperity and happiness of each learner with the help of his/her parents;
- giving each learner the opportunity to develop his/her full potential by means of academic work, sports, culture and entrepreneurial skills;
- cultivating respect for authority and discipline in the school which may develop into self-discipline and responsible decision-making;

- equipping learners for adult life after school;
- teaching learners to respect the interest of others.

10.2 Preamble

The South African Schools Act 84 of 1996 obliges the Governing body of a public school to adopt a code of Conduct for Learners. This document is aimed at establishing a disciplined and purposeful environment to facilitate effective education and learning in schools. This policy shall uphold the rights of all individuals as enshrined in the Bill of Rights in the Constitution of SA.

Principles and Values: The Rights of the Learners (See Government Gazette 18900 of 1998)

- **All learners and partners shall have the democratic right to due process and participation in decision making on matters affecting them at school...** Learners will have the right to the following agreed procedures with the governing body for expressing and resolving school-related grievances
- No person may unfairly discriminate against a learner who must enjoy the equal treatment, protection and benefits before the law.
- Respect for the human dignity of the learner shall be maintained and this includes religious, cultural and other convictions.
- All learners have a right to privacy and may not have their property seized without reasonable suspicion.
- Discipline must be based on dignity and respect. No learner may be degraded or treated in an inhuman manner.
- There will be no application of corporal punishment.
- Learners may also not be locked in solitary confinement or detention.
- Learners have the right to freedom of expression. However, insubordination and insults are not part of the freedom of expression. This freedom is also limited not to include an infringement on the rights of others or disruption of school.
- Learners have a right to a clean, safe, harassment free, and healthy environment with clean water, conducive for learning and teaching.
- Learners have the right to expect educators to maintain high standards of professional ethics.
- The right to education includes the right to attend all classes in all approved subject, to be informed regularly about school progress, to make use of all school facilities and to have their potential fully developed.
- A pregnant learner may not be denied access to school. She may be referred to a Hospital School for pregnant girls.
- The following values/ethos of the school will also be promoted through the Code of Conduct. (Refer to school mission and vision)

10.4 AIM OF THE CODE OF CONDUCT

According to Article 8(2) of the SA Schools Act 8(2), 84 of 1996, the aim of the Code of Conduct is:

"To establish a disciplined and purposeful school environment dedicated to promoting and maintaining the learning process".

This implies that the aim may be set out as follows:

- To promote positive discipline.
- To learn self-discipline.
- To establish exemplary behaviour.
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The Code of Conduct makes provision for the rights of the individual, but also takes the right of the group into consideration. The individual has, inter alia, the following rights: (Refer to the Constitution, chapter 2.)

- Democratic processes
- Non-discrimination and equality
- Privacy, respect and dignity
- Non-violence and personal freedom and security or safety Freedom of expression and the right to demonstrate
- Safe school environment
- Education

However, none of these rights are "absolute", but are limited by the rights of other individuals and of the group.

- Rights can be self-restraining, e.g. the right to education in the language of one's choice. (Constitution Article 29(2) is restricted by the condition that it should be reasonably feasible.)
- Rights can be restricted by another legal rule, e.g. Article 16 of the Constitution provides for the right to freedom of speech, but nobody has the right to slander another person since a person's good name is protected by his right to human dignity (Article 10).

It is important to note that action in the best interest of the learner is always paramount in each matter regarding a child. (Article 28 (2) of the Constitution)

10.5 Responsibilities of Learners

(See Government Gazette 18900 of 1998)

- Learners must commit themselves to doing all work assigned to them either in their classes or at home, and to catch up on lost work because of absence. Disruption of work is unacceptable. All learners have the responsibility to learn and to develop their potential.
- All learners have the responsibility of looking after the school property and any learner who intentionally misuses, damages or defaces school property shall have his/her parent/guardian paying for its repair.
- All learners have the responsibility to attend school regularly. Should a learner be unable to attend school on any particular day he/she/guardian/parent must notify and explain to the reasons.
- The responsibilities of learners are also implicit in the Vision and Mission of the school

10.6 Responsibilities of Parents regarding the Code of Conduct

- The ultimate responsibility for learner behaviour rests with the parent/guardian who are expected to:
 - Support the school and require learners to observe the school rules and regulations and accept responsibility for their misbehaviour.
 - Take part in the child's education and ensure completion of schoolwork.
 - Parents should attend meetings convened by the School Governing body for them.
 - Parents may take legal action against any person who infringes on the rights of the learner.

11. The Operation of School Rules

- An Educator shall have the same rights as a parent to discipline and control a learner during any activity of the school.
- The contents of the Code of Conduct shall be widely publicised within the school community.
- Ignorance of rules should not be used as an excuse.
- The discipline process shall be expeditious, fair, just, corrective, consistent and educative. This shall be corrective or used to inflict penalty on an offender who must suffer the consequences of his/her deeds to maintain order in the school.
- Parents should be involved in the correction of learner conduct.
- Discipline of learners cannot be delegated to fellow learners.
- Every educator has a responsibility to maintain discipline at the school or any school activity and may correct learner behaviour where a need arises.
- Serious misconduct must be referred to the Principal.
- Corrective measures must match the offence and be more severe as the behaviour becomes repetitive.
- If a learner cannot fit into the school he/she may be referred to the principal, who may bring in the education support services and if that does not assist the case may refer the learner to the SGB who must take a decision in the best interest of that child and other learners.
- Learners will also have to be explained to as to why their misbehaviour is considered misconduct and the need to be disciplined.
- The Principal/Educator can upon reasonable suspicion search a learner for weapons, firearms, stolen property, drugs or pornographic material. This shall however be done to preserve the human dignity of the learner. If a search is conducted of a learner's person, a staff member of the same gender as the learner being searched should conduct this wherever possible. A record of all the outcomes shall be kept.

11.1 Serious Misconduct

11.1.1 Definition of Serious Misconduct

According to Gauteng **Provincial Gazette 236 of 1997**, the following are defined as serious offences:

- Rape
- Indecent assault
- Sexual harassment where aggravating circumstances
- Assault with the intention to do grievous bodily harm

- common assault of an educator
- Serious intimidation of staff, teaching and non-teaching
- Malicious damage of State property
- Theft with aggravating circumstances
- Robbery
- Possession of dangerous weapons on school premises, a dangerous weapon being defined as a weapon which has the capability to inflict grievous bodily harm.
- The possession, sale or abuse of illegal substances.
- The possession of obscene material including material depicting sexual intercourse in all its form.
- Being on school premises or at a school function not on school premises while under the influence of intoxicating liquor or illegal substances.
- The possession or sale or consumption of intoxicating liquor while on the school premises.
- The theft of examination papers or the possession or sale of such stolen examination papers.
- Repeated ordinary misconduct offences.
 - A learner may not be suspended or expelled because the parents cannot pay fines or school fees.

12. DUE PROCESS

12.1 Preliminary Procedures

- A learner alleged to have committed a serious or criminal offence with circumstances possibly warranting suspension or expulsion shall be entitled to a formal hearing prior to any decision to suspend or expel such a learner.
- Such formal hearing shall be convened and presided over by the Chairman of the Governing Body or in his/her absence, by the Deputy Chairman of the Governing Body, or by his/her designees, provided such is a parent member of the Governing Body.
- Notification of the date, time and place of the hearing will be submitted to the accused learner and his/her parents/guardians, in writing.
- The hearing will be held no earlier than five (5) school days and no later than ten (10) school days after the learner accused and his/her parents have been notified to attend such hearing. This will not preclude the learner from anticipating the day of the hearing provided two (2) school days notice is given to the Governing Body by the learner. The allegations against the accused learner shall be handed to said learner in writing by the Principal, and a copy provided to the parents/guardians of the learner.
- The Governing Body must conduct disciplinary proceedings in the manner contemplated in Section 8 against a learner within seven (7) school days after the suspension of such learner. If disciplinary proceedings are not conducted within seven (7) days after the suspension of a learner, the Governing Body must obtain the approval of the Head of Department for the continuation of the suspension of such learner.
- The accused learner shall be barred from all school activities if **EMERGENCY REMOVAL** has been implemented (see below).

- At such hearing the accused learner shall be obliged to have one or both parents/guardians and be entitled to have a fellow learner present if the accused learner so chooses. No other representation shall be permitted

12.2 Formal Hearing Procedures

- The Chairman of the Governing Body will enquire whether the learner or his/her representatives require the use of an interpreter. Such a person needs not be a sworn qualified interpreter
- The Principal or a person designated by the Principal will read out the allegation against the learner
- The learner will be asked to admit or deny the allegations. If the learner admits to the charge, the following procedures will be followed
 - The Chairman must question the learner with reference to the illegal fact compromising the misconduct as outlined by the prosecutor in order to satisfy the Disciplinary Committee that the learner is indeed guilty of the charge.
 - If, upon questioning the learner, it appears that his or her version differs from the facts as outlined by the prosecutor, or if the Chairman is not satisfied that the learner is guilty of the charge, the Chairman must enter a denial in respect of the charge on behalf of the learner.
 - 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.

If the learner denies the charge:

- The prosecutor may call witnesses or present evidence in respect of the allegation against the learner;
- The learner, or his or her representative, may question any witness and examine any evidence presented by the prosecutor;
- After all the evidence had been led against the learner, the learner or his or her representative may call witnesses or present other evidence in support of his or her denial of the charge;
- The prosecutor may question any witness and examine any evidence presented on behalf of the learner;
- The Disciplinary Committee may question any witness or examine any evidence at any time;
- After all the evidence has been presented, first the prosecutor and then the learner or his or her representative may address the Disciplinary Committee;
- The Disciplinary Committee must thereafter adjourn the hearing to a specified time and date, during which adjournment, the Disciplinary Committee must decide whether, on a balance of probabilities, the learner has been proved guilty of the charge; and

- At the time and date contemplated in paragraph (g) the Disciplinary Committee must inform the learner and his or her parents or guardians and his or her representatives of its findings.
 - Should it be a guilty verdict, then the parties shall be given the opportunity to present any evidence or to make presentations regarding penalty (including previous disciplinary records, academic performance, any other relevant factors).
 - The presiding official shall adjourn the hearing to consider appropriate action. The presiding official shall draw up written reasons for the penalty.
 - Should the penalty be suspension or expulsion then the presiding officer shall advise the learner and the learner's representative that the learner has the right to appeal against the penalty in writing to the Gauteng Department of Education.

NOTE: If the accused learner and/or his parents/guardians fail/s to attend the hearing, the hearing should be postponed to a later date. The learner and his parents/guardians should be notified of the new enquiry date, such a notice must advise that if the learner/parents/guardians fail/s to attend the reconvened hearing, that such hearing will proceed in his/her absence.

12.3 Procedures following the hearing

- The results of the hearing will be communicated to all parties verbally and in writing.
- The results will be communicated immediately or within 24 hours after the conclusion of the hearing.
- If the learner is found guilty of the misconduct, all correspondence, evidence or findings will be compiled in writing and placed on the learner's file. This documentation will be made available on request.
- If the learner-accused is acquitted, all existing correspondence relating to the alleged misconduct already on file will be destroyed.
- When **LIMITED** suspension is to be implemented, procedures should follow as stipulated below.
- When suspension is to be implemented with the view to expulsion, procedures should follow as stipulated below.
 - The Governing Body may, if a learner is found guilty of serious misconduct during the disciplinary proceedings contemplated in Section 8:
 - impose the suspension of such learner for a period not longer than seven (7) school days or any other sanction contemplated in the Code of Conduct of the public school; or
 - make a recommendation to the Head of Department to expel such learner from the public school.

13. WHEN SERIOUS MISCONDUCT OCCURS

1. Due process procedures will be implemented immediately, as defined above.
2. The Governing Body may, after a fair hearing, on reasonable grounds as a precautionary measure, suspend a learner who is suspected of serious misconduct from attending school.
 - a) as correctional measure for a period not longer than one week; or
 - b) in consultation with the Head of Department, pending a decision as to whether the learner is to be expelled from the school by the Head of Department: but only enforce such suspension after the learner has been granted a reasonable opportunity to make representations to it in relation to such suspension.
3. Should the outcome of the due process hearing be limited suspension, the Principal or appropriate designee will:
 - 3.1 contact the District Manager immediately to ratify the decision to suspend the learner-accused:
 - 3.2 notify the parents/guardians and the learner/accused, in writing, of the period of suspension:
 - 3.3 obtain a signed agreement by all parties concerning any other disciplinary measures to be implemented stating that
 - they agree to the punishment given.
 - the learner will not misbehave again.
 - if the offence is repeated the learner will be suspended with a view to expulsion.
 - the parents/guardians declare under oath that they will ensure that the learner carries out the punishment given.
 - referral to a psychologist, clinic, counselor, community or social worker may follow, after consultation with the IDSO and District Manager.

14. WHEN CRIMINAL CONDUCT OCCURS

1. The Principal or appropriate designee will immediately inform the nearest Safety and Security agency.
2. The Principal or appropriate designee will also inform the District Manager of the incident.
3. The Principal or appropriate designee will immediately inform the parents/guardians of the learner-suspect, about the incident.
4. If a charge is to be laid against the learner-accused, by the school or the learner-victim(s) and/or his/her/their parents/guardians:
 - 4.1 The Safety and Security officials will **IMMEDIATELY** remove the learner-suspect from the school premises.
 - 4.2 The Principal will **IMMEDIATELY** inform the parents/guardians of the learner-suspect about the arrest and the location of the Safety and Security agency to which the learner-suspect is taken.
 - 4.3 The Principal will, as soon as possible, obtain a copy of the charge sheet from the Safety and Security official responsible for the case. This document is to be kept in the learner's file and referred to in all future business relating to the case. This document will accompany the Principal's report of the incident to the District Director, which report will be submitted immediately when the charge sheet becomes available.
 - 4.4 In view of the arrest, the Governing Body will **IMMEDIATELY** apply for Emergency Removal of the learner-suspect (see below) after consultation with the IDSO and District Manager, informing the suspect's parents/guardians of such removal in writing, and stating the reason for such removal.
5. If no charge is laid immediately against the learner-accused, by the school or the learner-victim(s)

and/or his/her/their parents/guardians: 5.1 The Principal or appropriate designee will implement due process procedures as stipulated above, except where reasonable prima facie evidence exists that the presence of the learner-accused may affect other learners, staff members or any other community members detrimentally, or in cases where the safety of the threatened, the Principal or appropriate designee will **IMMEDIATELY** effect **EMERGENCY REMOVAL**.

15. RULES

15.1 PURPOSE OF RULES

School rules that spell out acceptable behaviour aim to provide security to the school and the learners to maintain order, whereas the specification of unacceptable behaviour is needed for discipline, and to avoid misunderstandings. In respect of all the school rules, the rule of benevolence applies i.e the norm of doing unto others as you would like others to do unto you.

15.2 CLASSIFICATION OF CONDUCT

This list of violations below is not exhaustive and any other cases of misconduct will be classified by comparison to listed examples of misconduct.

15.2 School Rules

A learner of Akasia Primary School:

- does not smoke or is found in possession of cigarettes;
- is always punctual for school (school starts at 07:25);
- attends class/school at all times and provides a valid note when absent;
- asks permission before leaving the classroom;
- is honest at all times and refrains from practices such as plagiarism, cheating in tests and exams as well as forgery of documents and signatures;
- produces his/her own work at all times;
- has the school diary in his/her possession at all times;
- is positively motivated and courteous when entering the class and does not use a cell phone, Pod, computer games or similar electronic devices in class;
- only eats and drinks during breaks and not in class;
- follows instructions at all times, including those announced over the intercom;
- does all homework assignments and understands that homework forms an integral part of learning;
- assists the school in administrative matters by handing in return slips, documents etc.
- resolves all differences with fellow learners or other persons in a responsible and mature manner;
- is committed to achieve and excel in academic work;

- respects the right of fellow learners to an education in a non-disruptive environment;
- respects the right of educators to teach;
- embraces the spirit of Ubuntu – to be self-disciplined, compassionate, to look after themselves and their bodies as well as to promote the well-being of any other individuals;
- abides by the laws of the country and upholds the name of the school by not coming to the school under the influence of alcohol or illegal/harmful substances; and by not being in possession of or distributing pornographic material;
- treats everyone with the utmost respect and consideration and does not engage in excessive displays of mutual affection;
- uses language with the greatest caution and refrains from language that amounts to abuse, profanity, hate-speech, blasphemy or threatening the safety of another person;
- respects the individuality of all persons in terms of culture, race, gender, sexuality and does not engage in sexual abuse and harassment e.g. grasps and sexual innuendos, sexual misconduct or sexual contact by mutual consent;
- conducts himself/herself in a mature manner and never inflicts physical harm upon another;
- always wears the correct uniform (see school Dress Code) with pride and dignity;
- does not loiter and (or play) in and around the corridor and buildings;
- respects the property of the school, educators and fellow learners;
- upholds the laws of the country and does not condone or participate in practices such as theft, arson, gambling, extortion, gangsterism, boycotting or picketing;
- abides by the laws of the country and upholds the school's name;
- upholds the pristine condition of the school grounds by not littering or engaging in vandalism and tidies up any litter;
- uses the official language of the school;
- reports any misconduct he/she sees or hears of;
- keeps clear from the school's motor vehicle garage, electrical mains distribution boxes, fire extinguishers and hoses and parking lots;
- does not leave the school premises without consent;

At extra mural activities, events and functions, a learner of Akasia Primary School:

- represents and promotes the best interests of the school in the community and does not get involved in any conduct that may bring the name of the school into disrepute;
- upholds all applicable school rules.

15.3 Possible Corrective Measures

Depending on the severity, frequency and intent of the learner's behaviour, the corrective measures will also increase in severity. Other appropriate measures may be added.

- Verbal warning;
- Extra work, provided such is constructive;
- Detention;
- In the case of cheating in tests and homework assignments, books not available or homework not done, no marks will be awarded (an/or other disciplinary action may be instituted);

- Consultation with learner;
- Consultation with parents of learner;
- Written warnings;
- Behavioural contracts;
- Daily report;
- Duties that contribute to the improvement of the school environment, e.g. cleaning, gardening, administrative tasks;
- Suspension from some school related activities, e.g. sports, extra-mural activities
- Referral to psychologist/counselor/clinic/ community or social worker;
- Community service in line with the offence;
- Upliftment of school environment (with co-operation and agreement by parents);
- Formal apology to the school community;
- Any or combination of disciplinary actions proposed for misdemeanors;
- Referral to relevant outside agencies;
- Application to the Education Department for suspension from all school activities subject to The South African Schools Act, 1996, Section 9 as indicated in an addendum to this document (available upon request or when applicable);
- Apply in writing to the School Governing Body to attend certain activities or school functions/replace, repair or clean property;

This list is not exhaustive and may be added to from time to time

NOTE: Limitations on penalties for misconduct:

- *No learner may be suspended from a school unless he or she is found guilty of misconduct specified in Schedules 1 or 2, and*
- *No learner may be expelled from school unless he or she is found guilty of serious misconduct specified in Schedule 2.*

○ **Scheduled Offences**

Schedule 1 (Serious misconduct that may lead to suspension)

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

- seriously threatens, disrupts or frustrates teaching or learning in a class;
- engages in a conspiracy to disrupt the proper functioning of the school through collective action;
- insults the dignity of or defames any learner or any other person, in any way including the making of racist remarks;
- distributes or is in the possession of any test or examination material that may enable any person to gain an unfair advantage in a test or examination;
- cheats in a test, examination or any other form of assessment such as an assignment;
- engages in any act of public indecency;
- sexually harasses another person;
- is found in possession of, or distributes pornographic material; or
- is under the influence or in possession of alcohol.

Schedule 2 (Serious misconduct that may lead to expulsion)

A learner will be guilty if he or she:

- is found guilty of misconduct as contemplated in Schedule 1 after having been found guilty of same or similar misconduct on two previous occasions;
- fails to comply with a punishment or suspension as a correctional measure, or
- intentionally and without just excuse:

forges any document or signature to the potential of actual prejudice of the school;
trades in any test or examination question paper or in any test or examination material;

- attempts to bribe or bribes any person in respect of any test or examination to enable himself or herself or
- engages in fraud;
- engages in theft or otherwise acts dishonestly to the prejudice of another person;
- is in possession of, consumes or deals in any illegal or other harmful substance;
- is in possession of, uses or transmits narcotic or unauthorized drugs or on visible evidence of such use, possession, 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;
- maliciously damages another person's property.

16. SCHOOL ATTENDANCE AND SCHOOL HOURS

- The daily programme starts at 7:25.
- Grade 1 to 3 adjourns at 13:30 and grade 4 - 7 at 14:00. Each learner attends school regularly and loyally.
- If the learner is absent due to sickness or for any valid reason, the parents are expected to inform the school telephonically or in a letter to the guardian teacher.

17. Dress code

- Weekly inspections will be held supervised by staff members appointed by the principal.
- Girls should wear their hair away from their faces and fringes touching the eyebrows are not allowed.
- Long hair may not be worn loose. Girls may only use elastic bands, hair bands, and ribbons in the colours of their school uniforms.
- Styling gel may not be used.
- Learners may not colour their hair.
- Highlights are not allowed.
- Boys' hair should be worn short above the collar and around the ears without any clear steps. The fringe may not hang in the eyes. The use of any form of styling gel is not allowed.
- Boys are not allowed to wear any jewellery such as chains, rings, or earrings, only wristwatches.
- Girls may wear small, golden or silver studs or a small, thin, single earring in

each earlobe.

- Coloured stones may not be worn in the ears.
- MEDIC ALERT discs are allowed.
- In the case of cultural practices, each case will be dealt with individually.

17.1 SUMMER UNIFORM

Boys:

Shirt: Grey, short-sleeved.
 Trousers: Grey, short / long trousers and black belt.
 Socks: Long, grey with maroon and yellow stripes.
 Shoes: Black lace-ups.

Girls:

Dress: Maroon, yellow collar without belt. Underwear: Maroon panties.
 Socks: Short or long, maroon with yellow stripes.
 Shoes: Black lace-ups / buckled.

17.2 WINTER UNIFORM

Boys:

Shirt: Grey shirt or yellow golf shirt (yellow shirt only worn with tracksuit)
 Trousers: Gray long trousers or school tracksuit with yellow shirt.
 (With long gray trousers, boys must also wear black school shoes and a black belt.)

Girls:

Yellow shirt with school tracksuit.
 Socks: Short or long, maroon with yellow stripes or thick maroon tights.

17.3 PHYSICAL TRAINING AND SPORTSWEAR

All learners are allowed to practice in comfortable clothes **SCHOOL WEAR IS REQUIRED FOR SPECTATORS.**

Boys and girls:

Sportswear as required by each individual sport.
 All clothes, school uniforms and sportswear must be clearly marked with the learner's name.
All school clothes are available at Overkruin Outfitters and Janel Outfitters.

18. DISCIPLINARY SYSTEM

18.1 Foundation Phase

Akasia Primary School adopted a disciplinary system to create a healthy learning environment and school culture at school. It is a system built on three pillars: Defined school routines, positive feedback and disciplinary measures.

The system was introduced to the learners and we started to put everything into practice. We would like to inform you of the changes and your co-operation in this

regard will be highly appreciated.
The five school rules are as follows:

1. **Follow instructions as they are given to you promptly.**
2. **Keep hands, feet, objects and unfriendly words to yourself.**
3. **Listen when somebody else speaks.**
4. **Take care of all property.**
5. **Your behaviour must be suitable.**

Good behaviour (good choices) is constantly praised and rewarded. Your child will collect a number of stars (credits) that will be redeemed for bookmarks, different sized certificates and a few secret surprises!

Poor behaviour (bad choices) is tracked and the learner must bear the consequences. Every class teacher keeps a behaviour tracking sheet on which offences are marked daily.

- **First offence:** The teacher writes the learner's name on the behaviour tracking sheet.
- 3 She reminds the learner of the rules. She **circles** the reminder. The learner must change his/her poor behaviour. He/she is supposed to obey the rules. It
- **Second offence:** The teacher circles the two on the behaviour tracking sheet. She reminds the learner of the rules. The learner moves to the time-out table and continues his/her work. The learner must choose to obey the rules.
- **Third offence:** The teacher circles the three on the behaviour tracking sheet. In the Foundation Phase the learner receives an orange page and copy the rule that he/she broke 15 times. The learner must choose to obey the rules. The parent will sign and date the page and return it to school.
- **Fourth offence:** The teacher circles the **four** on the behaviour tracking sheet. The teacher contacts the learner's parents. Please note that by now your child disobeyed the rules **4 times in one day!** Your child must choose to obey the rules and to change his/her behaviour.
- **Fifth offence:** The teacher circles the **five** on the behaviour tracking sheet. Your child's continued poor behaviour is reported to the Principal, Deputy Principals and HOD's. Your child chose not to obey the rules and must now bear the consequences. The disciplinary committee will deal with further offences and will decide on corrective measures to be taken.

A school with effective routines runs smoothly and creates a secure learning environment. The class teacher will inform your child of all the routines. The routines direct positive behaviour from the moment your child arrives at school up to the moment that your child goes home. It includes routines for safety drills and emergency situations. Since all the educators will implement the same routines there will be no room for confusion.

What we need from you as parent:

- Explain to your child the importance of making good choices. Your child represents your family at school. He/she is your family's ambassador!
- Make sure that your child arrives at school at least 07:25. A learner that arrives late at school influences the smooth running of the school, delays approximately 1521 fellow learners and 50 educators in starting the learning process!
- Check your child's school bag daily for letters, stationary, etc. Be interested in your child's school day!

- Realize when you are contacted by the class teacher that your child has a serious behavioural problem. Your child continuously made bad choices that cannot be tolerated. Contacting a parent is time consuming, influences the learning environment negatively and wastes the time of learners and educators and we are sure your time is also precious. The fact that you are contacted means that you must help your child to make the correct choices!

18.2 Intermediate/Senior Phase

We adopted a disciplinary system to create a healthy learning environment and school culture at school. It is a system built on three pillars: Defined school routines, positive feedback and disciplinary measures.

The five school rules are as follows:

1. **Follow instructions as they are given to you promptly.**
2. **Keep hands, feet, objects and unfriendly words to yourself.**
3. **Listen when somebody else speaks.**
4. **Take care of all property.**
5. **Your behaviour must be suitable.**

Good behaviour (good choices) is constantly praised and rewarded.

Poor behaviour (bad choices) is tracked and the learner must bear the consequences. Every class teacher keeps a disciplinary note book on which offences are marked daily.

- At the end of the week the disciplinary note book is sent to the Deputy Principals where upon the infringements of learners are noted on the school administrative program.
- If a learner is found guilty on three infringements during class periods a letter will be sent to the parents on whom they will be informed about the behaviour of the learner. This letter has a tear off slip which must be completed by the parents and be sent back to the Deputy Principals. You as parent now know about your child's infringements and we friendly request you to assist us in order for these infringements not to happen again.
- If no positive result is seen on the above mentioned action and the learner is found guilty on further improper behaviour you as parents will receive another letter where in you will be requested to make an appointment as soon as possible with the Deputy Principals to discuss and address the behaviour of your child. This letter also has a tear off slip attached with should be completed and sent back to the Deputy Principals. When receiving the second letter you as parents should realize that your child has serious behavioural problems and that you child

is making it difficult for staff to be able to do their work properly. It also has an effect on other learners in the class that wish to learn.

- If after the two above mentioned interventions you child still decides not to adhere to the rules to the school a third letter will be sent out. This letter will go to all the parents of the class in which the learner/s is that do not want to adhere to the rules of the school. This letter requests all the parents to attend a meeting where action plans will be discussed to address the behaviour of the learners that behave themselves improperly. This can also lead to that learners that cannot behave themselves clearly observe that parents of learners that want to learn are not satisfied with unacceptable behaviour in class. The staff involved with the respective class will also attend the meeting. If these learners do not realize by this time how serious their improper behaviour is it will lead to the final action to be taken – a formal disciplinary hearing.
- All serious infringements that is all infringements of such a nature that it should be brought to the Principal and the Deputy Principals will lead to that parents are immediately contacted and requested to come to school in order to discuss the infringement with you as parent and which further actions are to be taken.

A school with effective **routines** runs smoothly and creates a secure learning environment. The class teacher will inform your child of all the routines. The routines direct positive behaviour from the moment your child arrives at school up to the moment that your child goes home. It includes routines for safety drills and emergency situations. Since all the educators will implement the same routines there will be no room for confusion.

What we need from you as parent:

- Explain to your child the importance of making good choices. Your child represents your family at school. He/she is your family's ambassador!
- Make sure that your child arrives at school at least 07:25. A learner that arrives late at school influences the smooth running of the school, delays approximately 1521 fellow learners and 50 educators in starting the learning process!
- Check your child's school bag daily for letters, stationary, etc. Be interested in your child's school day!
- Realize when you are contacted by the class teacher that your child has a serious behavioural problem. Your child continuously made bad choices that cannot be tolerated. Contacting a parent is time consuming, influences the learning environment negatively and wastes the time of learners and educators and we are sure your time is also precious. The fact that you are contacted means that you must help your child to make the correct choices!

Other relevant documents

- The School Discipline Policy should be considered in conjunction with the following legislation, DBE policies and action plans:
- Education Act (SA 1972) and Regulations under the Act
- DBE Administrative Instructions and Guidelines
- Equal Opportunity Act (SA, 1984)
- Disability Discrimination Act (Commonwealth, 1992)
- DBE policies:
- Child protection (1990)
- Antiracism (1990)
- Parents and schools (1991)
- Learners with disabilities (2006)
- DBE Procedures for suspension, exclusion and expulsion of learners from attendance at school (1995).
- Local Management and site governance
- Protective Practices for Staff in their interaction with learners
- Reducing Bullying in Schools
- National Safe Schools Framework
- Mandatory Notification

NAME	DESIGNATION	DATE	SIGNATURE
N V ERASMUS	PRINCIPAL		
A C TSHIVHASE	CHAIR PERSON SGB		
T MMUTLANA	IDSO		
R MEKWA	DISTRICT TSHWANE WEST: DIRECTOR		