

MURIEL BRANDSKOOL / SCHOOL



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1. **TITLE OF THE POLICY:** The **CODE OF CONDUCT** for **LEARNERS** of Muriel Brand School.
2. **EFFECTIVE DATE:** 01 April 2016
3. **DATE OF NEXT REVIEW:** May 2025
4. **REVISION HISTORY**

As amended on: (Specify dates)
31 May 2024

5. PREAMBLE

In terms of the South African Schools Act (Act No 84 of 1996) hereafter referred to as SASA, it is the duty and responsibility of the School Governing Body to develop and adopt a Code of Conduct for learners. Such policy must be in line with the provision of the Provincial Gazette, relevant National Education Legislation as well as the Constitution of the Country. In a case where the Code of Conduct is in contrast with any provincial or national legislation then such legislation shall take precedence.

6. PURPOSE OF THE POLICY

The purpose of the policy is to set out the parameters within which learners should behave in order to protect and promote the integrity and security of each learner and all members of the school community.

6.1. Objectives

- a) To ensure that no learner is unlawfully and unfairly treated;
- b) To foster mutual respect and establish a culture of tolerance and peace amongst learners and educators in the school.
- c) To ensure that the administrative procedures are clearly defined;

7. DEFINITIONS AND ACRONYMS

7.1. Definitions

No	Term	Definition
1	District Director	Is the officer of the department responsible for the administration of education in a particular educational district
2	Educator	Means any person, excluding a person who is appointed to exclusively perform extracurricular duties, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and education psychological services at school.
3	Expulsion	Means the permanent removal of a learner from a school.
4	Grade	Means that part of an educational programme which a learner may complete in one school year, or any other education programme which the Member of the Executive Council may deem to be equivalent thereto
5	Head of Department	Refers to the head of a provincial department of education.
6	Learner	Means any person receiving education or obliged to receive education in terms of relevant legislation.
7	Parent	means – a) the parent or guardian of a learner; b) the person legally entitled to custody of a

No	Term	Definition
		learner; or c) the person who undertakes to fulfil the obligations of a person referred to in paragraph (a) and (b) towards the learner's education at school.
8	Principal	Refers to an educator appointed or acting as the head of a school.
9	School	Refers to Muriel Brand School
10	School Governing Body	Is the body responsible for Governance issues at the Muriel Brand School.
11	Suspension	Means the temporary refusal of admission to a learner to a school, usually suspension precedes expulsion.

7.2. Acronyms

No.	Acronyms	Explanation
1.	DC	Disciplinary Committee
2.	MEC	Member of Executive Council of a province who is responsible for education in the province.
3.	RCL	Representative Council for Learners
4.	SASA	South African Schools Act
5.	SGB	School Governing Body
6.	SMT	School Management Team

8. APPLICATION AND SCOPE OF THE CONSTITUTION

The policy shall apply to all learners registered in Muriel Brand School.

9. LEGISLATIVE FRAMEWORK

- 9.1 Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), as amended.
- 9.2 South African Schools Act, 1996 (Act No. 84 of 1996), as amended.
- 9.3 National Education Policy Act, 1996 (Act No. 27 of 1996), as amended.
- 9.4 Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
- 9.5 Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- 9.6 The Gauteng Schools Education Act, 1995 (Act No.6 of 1995).
- 9.7 Regulations for Misconduct of Learners at Public Schools and Disciplinary Proceedings, 2001 (General Notice 2591 of 2001).
- 9.8 Regulations for Safety Measures at Public Schools Government Notice No. 1040, October 2001, as amended.
- 9.9 Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners, General Notice 776 of 1998.

10. RELEVANT POLICIES AND PROVINCIAL CIRCULARS

Circular 74/2007

11. POLICY STATEMENTS

11.1 The Principle and Values: The Rights of the Learners

- a) At Muriel Brand School all learners shall have the democratic right to due process, participation in decision - making on matters affecting them and a method of appeal. The school prides itself on its record of allowing learners to express and resolve school-related grievances together with the SMT and SGB.
- b) Any form of discipline embarked upon by the school is underpinned by dignity and respect.
- c) Corporal punishment is prohibited at Muriel Brand School.
- d) The school will endeavour to provide learners with a clean, safe, healthy environment with access to clean running water and toilets and an environment that protects them

from harassment and intimidation from attending classes and writing tests and examinations thereby creating an atmosphere conducive for teaching and learning.

- e) Learners have the right to expect educators to maintain high standard of professional ethics.

11.2 The Legal Authority for the Control and Discipline of Learners

- a) The South African Schools' Act empowers a governing body of a school to maintain discipline in a school. The Code of Conduct must prescribe behaviour that respects the rights of learners and educators.
- b) The school will make every effort to ensure that learners understand that action may be taken against them if they contravene the Code of Conduct. In cases where action has to be taken the school will inform the learners why:
 - (i) Their conduct is considered as misbehaviour or misconduct.
 - (ii) They are to be disciplined or punished.
- c) All learners at the school are subject to the Code of Conduct without exception. The learners will be informed about its contents on enrolment at the school.
- d) An educator at the school shall have the same rights as a parent to control and discipline the learner in accordance with the Code of Conduct during the time the learner attends the school or school related activities.
- e) The Principal or an educator, upon reasonable suspicion, has the legal authority to conduct a search of any learner or property in possession of a learner for a dangerous weapon, firearm, drugs, or harmful dangerous substance, stolen property or pornographic material brought onto the school property.

11.3 Muriel Brand School Rules:

INTRODUCTION

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

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

Muriel Brand School's Code of Conduct spells out the rules regarding learner behaviour at the School and describes the disciplinary system to be implemented by 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. All learners attending the School are expected to sign a statement of commitment to the Code of Conduct (Annexure A). The administration of the Code of Conduct is the responsibility of the Disciplinary Committee of the School.

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

PART 1: MURIEL BRAND SCHOOL RULES

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

A. GENERAL PRINCIPLES

1. Learners are always expected to behave in a courteous and considerate manner towards each other, the Learner Councillors, Learner Representative Council (LRC), all members of staff and visitors to the School.
2. Learners are expected to abide by the School rules regarding 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 learner activity of any learner 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.

B. 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. If a learner does not attend School regularly, the relevant register teacher will report the absence of the learner to the parent, Psychologist, HOD and Principal.

2. All learners are to arrive at School before the official starting time. Learners who are late for School will be marked absent as registers are completed at the beginning of each school day before 8:15.
3. Absence from a class, without the permission of the relevant register or subject teacher, is prohibited. Demerits will be given to the learner.
4. Any absence from school must be covered by an absentee note from a parent / guardian.
5. Should a learner be absent from school for a period of three days or longer, this leave of absence must be supported by a letter from a medical doctor / traditional doctor / registered herbalist.
6. Any absence from a formal SBA task, test or examination must be supported by a letter from a medical doctor / traditional doctor / registered herbalist. The SBA task, test or examination will be scheduled for either the first date of learner attendance after being absent or as organised with the subject educator.

All tasks, tests and examinations must be completed for formal assessment marks for the SBA – no ‘a’ can be reflected on the marks sheet for the subject. A learner will be given an opportunity to rewrite the SBA task, test, or examination- if the learner does not write the test on the scheduled date – the learner can be given a ‘0’ as an assessment mark.

7. 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 HOD from whom an exit note must be obtained or letter from parent/guardian should be signed. All learners sign out at the front office-MRS Cathy. During period the educator must sign exit note and learner has to be signed out at the front desk in the exit book.
8. Truancy from school is prohibited.

C 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.
2. No earrings, jewellery, accessories, coloured contact lenses or visible tattoos are allowed.
3. No colouring of hair or wearing of exotic hairstyles is allowed.
4. Fingernails must be kept always trimmed short and clean.
5. During events that allow the wearing of casual wear, learners should wear neat, presentable clothes, or blue denim jeans, white tekkies and the school civvies T-shirt. 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 I paragraph I of this Code of Conduct.

D VALUABLES AND PERSONAL BELONGINGS

The School will not be held responsible for theft of or damage to personal belongings on School premises (e.g. cell phones, bags, books, and clothing).

1. Learners should avoid bringing cell phones, electronic tablets or laptops, large sums of money and valuables to School. If the learner brings a cell phone or electronics to School, the learner must carry a written request from the parent, which must provide for an indemnification against loss of or damage to the cell phone or electronics by the Deputy Principal (Gr 7-12).
2. If a parent requests a learner to pay School fees on his/her behalf, such School fees should be paid at the start of the School day during register period. However, the school is now digital – please pay electronically to ensure that money is not lost by learner.
3. Learners may not bring computer games, iPods, or similar electronic devices to School. Only laptops allocated as educational assistive devices are permitted for certain learners as agreed upon after a panel discussion. A consent form needs to be signed for the use of electronics at school by the Deputy Principal (Gr 7-12)

E GENERAL RULES

1. Loitering and/or playing in and around the corridors 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 SBA assessment tasks, formal assessment tests or internal or external examinations is prohibited. Furthermore, copying of/ 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, class work, homework, preparation of formal assessment SBA tasks is the responsibility of each learner.
7. **Learners who fail to produce a medical certificate on absenteeism during formal examinations/ tests/SBA assessment tasks will obtain a '0'(nought) for the examination/tests/SBA 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, religion, or disability 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 of 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.

She/he will respect the rights of other learners and will not abuse such authority bestowed upon him / her through his/her position.

13. The carrying, copying and / or reading of offensive material is prohibited.

14. Learners must keep clear of areas that are indicated as out of bounds. These include:

- The School motor vehicles parking area.
- The playgrounds prohibited for certain grades and the swimming pool.
- Electrical mains distribution boxes, fire extinguishers and hoses.
- The hostels during school hours.

F RULES GOVERNING PUBLIC PLACES

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

1. No dangerous objects or illegal drugs as defined in the SA School's 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 is prohibited.
3. Alcohol is not permitted on School premises or during any School activity.
4. The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.

G TRANSPORT

Learners wishing to park motorcycles / motor vehicles on the School grounds must first obtain permission from the Deputy Principal (Gr 7-12), 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 vehicle and provided extreme caution is exercised. Reckless behaviour is forbidden. A copy of the driver's license must be submitted to the Deputy Principal (Gr 7-12). A disk will then be issued to obtain entry to the school grounds.
4. The School Code of Conduct is applicable when making use of public transport to and from School. **If a learner does not obey the School Code of Conduct on the buses, the parents will be notified, and the learner will not be transported on the bus anymore. School bus transport must be safe at all times for all learners – learners misbehaviour cannot put any other learners or bus drivers at risk.**
5. Learners may not hitchhike while in School uniform, whether formal or sports uniform.

H SCHOOL ENRICHMENT PROGRAMME

Involvement in activities making up the School Enrichment Programme forms a valuable and integral part of the holistic education of every learner.

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, she/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 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 an 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 fixtures.
7. Learners travelling to an away fixture will travel in full School uniform, unless other arrangements have been made by a staff member.
8. Sports and other kit must be carried in an appropriate bag.

I ACCOMMODATION OF RELIGIOUS OR CULTURAL RIGHTS

Religious practices, conduct or obligations that relate to the core values and beliefs of a recognised religion and that are in conflict with any rule contained in this Code of Conduct will be accommodated by a deviation from this Code of Conduct by the 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 she/he belongs to that specific religion and that the religious practices, rules, and obligations that are in conflict with the School's Code of Conduct are his/her true beliefs and commitments.
5. The religious conduct or practice must be lawful.
6. The Governing Body must consider the application and, if it is satisfied that application is justified in terms of Constitutional principles, the application will be granted in writing.
7. When the Governing Body allows for deviation 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. wearing of a head scarf, including

colours and details of design; 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.
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 that that contained in subparagraph 1-8 above.

PART 2: SCHOOL RULES – DETAILED

1. SCHOOL PREMISES

BEFORE SCHOOL AND DURING BREAK

- After learners have arrived at the school, they should place their school bags at their assembly points and then go to their playground.
- No learner may be in classes, passages or on the bus platform before school or during breaks, unless going to or from the toilets.
- Only hostel learners are allowed to move through the passages to the playgrounds.
- Only disabled learners are allowed in classrooms during break and before school if they have special permission.
- No learner may linger in front of the staff room before school or during breaks.
- Learners may not be near staff vehicles, or the bicycle shed during the school day.
- All injuries must be reported immediately to the staff member on playground duty.
- Keep the school grounds clean and tidy. Do not litter.
- If it should rain, learners should go to their register classes, under the supervision of the councillors and the staff member on duty.
- **Smoking is prohibited at all times on any school property – buses included!**

No vapes or any other devices may be in a learner's possession or be used on a bus. If found – it will be confiscated, and learner will not be transported on school bus.

2. CLASSES

- Enter the classroom quietly. Go directly to your seat and take out the correct books.
- No-one is permitted to tamper with class equipment.
- No-one may eat or drink in class, except during class parties.
- Rowdiness is not prohibited in class.
- No learner is allowed in the computer centres without supervision.

3. TOILETS

- Visit the toilets before school and during breaks only.
- No food is permitted in the toilets.
- Do not play with the toilet paper.
- Flush the toilet after use.
- The toilets are not a social venue.
- No paper, food or foreign objects may be thrown into the toilets or basins.

- **KEEP THE TOILETS CLEAN AT ALL TIMES.**
- Staff members' toilets may not be used.

4. WAITING CLASS

- Learners making use of private transport, are to wait at the waiting area. Learners waiting at the back of the school, will be taken to the waiting class 15 minutes after the last bell, should their transport not be on time to collect the learners. [ONLY Gr RRR-GR 6]
- No learner may leave the school premises without permission.
- Learners must be collected no later than 30 minutes after the school day has ended.

5. AFTER SCHOOL

- Only councillors, nursery school learners, foundation phase learners and learners with physical disabilities, may go to the buses when **the first bell rings**.
- After the **second bell**, the rest of the learners will move to the bus platform under the supervision of the teacher.
- No physical contact is permitted when learners greet one another.
- Good behaviour is expected at all times from learners whilst waiting for the bus driver.

6. ASSEMBLY

- Immaculate behaviour is expected during assembly.
- Enter and leave the hall in an orderly manner, accompanied by the teacher.
- An atmosphere of respect is expected in the hall. Learners are therefore not permitted to talk or move around.
- No learner is permitted in the hall without supervision. The piano, projector room and other electronic equipment may not be used without permission.
- No food or drinks are allowed in the hall.

7. SUITCASES

- **TYPE:** a sturdy navy and black bag with hard partitions in order to protect the schoolbooks. No canvas or material bags, graffiti or stickers on bags are permitted.
- **CONTENT:**
- Sandwiches should be stored in containers and not wrapped in plastic or paper.
- No glass cold drink bottles – only spill-proof bottles.
- Pack school bag according to timetable.
- When it rains, bags should be placed in the register class (before school), or in the subject teacher's class (breaks).

8. MOVEMENT BETWEEN CLASSES

- Movement between classes should take place quickly and in an orderly manner.
- Learners may not talk in the passages during this time.
- Learners should keep left and move in a single file.

- No-one is permitted to run in the corridors.
- The passages in the paramedical and pre-school departments may not be used unless learners are moving to a class in one of those areas.
- The therapy corridor may only be used under the supervision of a teacher.

9. MOVEMENT OF LEARNERS

- Learners who must go to Therapy, Psychology, Sister or to the toilet, MUST first report to the next teacher in order to obtain written permission.
- Learners are not allowed to move around during periods without a note of permission. The note must be signed by the person who the learner visited, as well as by the educator when he returns to class.
- Scheduled therapy time should be indicated on the learner's own timetable.
- Learners are not permitted to go to the hostels during the course of the school day, unless written permission has been obtained from the Deputy Principal (hostels).

10. MEDICAL SISTER

- Except for emergencies, the nursing sister may only be visited during the first period and after break with a letter of permission from the teacher.
- Learners who are ill, may report to sister. She will determine whether the learner is ill enough to go home.
- **NO LEARNER IS PERMITTED TO PHONE PARENTS TO COLLECT HIM/HER FROM SCHOOL.**
- Should a learner be absent during formal assessment tasks, tests or examinations, a medical certificate will be required by the school and the assessment task will be re-scheduled.

11. CONDUCT WHILE IN SCHOOL UNIFORM

- While learners are in their school uniforms, all relevant school rules apply.
- During visits to institutions or schools, learners should still obey the relevant school rules as well as the specific institution or school's rules.

12. TAKING CARE OF SCHOOL PROPERTY

- Learners must at all times treat school property with care and respect.
- If any school property is damaged deliberately or negligently by learners, the cost will be recovered from the learner's parents, including textbooks.
- Under no circumstances may learners play with wheelchairs or other medical equipment.
- Wheelchairs and medical equipment should be handled with care when learners assist disabled friends.

13. RULES FOR BUSES

- All school rules relating to behaviour will apply on the buses.
- Any behaviour which, according to the judgement of the driver or teacher on the bus, may endanger the safety of the vehicle or the passengers, is prohibited.
- Fighting, wrestling, smoking, dangerous weapons, pornography, alcohol, drugs, smoking, vaping, screaming, limbs outside the windows, are strictly prohibited.
- Earphones must be used when listening to music.
- Swearing at and disrespecting the bus driver, will not be tolerated.
- Older learners may not take younger learners' food or exchange food.
- Learners may not eat on the buses.
- Only spill-proof water or cold drink bottles may be used.
- Bubble gum is prohibited.
- No papers or any other objects may be thrown out of the bus windows.
- Learners are not permitted to move around while the bus is in motion.
- No remarks may be made, or signs shown to pedestrians or occupants of other vehicles.
- Vandalism and damaging of the bus property is strictly forbidden.
- Learners will not be permitted to make use of bus transport, should poor behaviour not improve after a warning has been given.
- Day and hostel learners are not permitted to travel on buses to visit friends. It remains the parents' responsibility to make alternative arrangements for transport.
- **NO SMOKING OR VAPING ON BUSES- it will be confiscated, and learner will not be permitted to make use of bus again.**
- A learner will be returned to school, should parents not be at the drop-off points to collect their child.

14. UNIFORM AND APPEARANCE

- Learners should be clean and neatly dressed at all times.
- Learners must attend school dressed in the full school uniform. Parents will be notified of change of uniform at the start of each season.
- The wearing of any items of clothing other than the school uniform, will not be permitted.
- Grade 7-12 learners will receive -2 demerits and will spend break in the isolation class if their appearance and uniform is not according to the school's Code of Conduct.

15. SCHOOL UNIFORM: GRADE 4-12 AND THE SENIOR SPECIAL CLASS

Summer uniform: Boys

- Grey shorts or trousers with a black belt.
- White short sleeved shirt.
- Navy Muriel Brand School socks.
- Black school shoes.
- A School tie is not compulsory if wearing a white long-sleeved shirt or school blazer.

- Muriel Brand pullover, school jersey, school fleecy top, school tracksuit top or navy Drimac.

Winter uniform: Boys

- A white long-sleeved shirt.
- Grey trousers with a black belt.
- Black school shoes and school socks.
- School jersey, navy Drimac, school blazer, school navy fleecy top or tracksuit top.
- Sport uniform may only be worn on official sport days with white tekkies– days will be announced.

Summer uniform: Girls

- Navy school skirt and a short sleeved white shirt. Skirts may not be shorter than 4 cm above the knee. Short white socks and black shoes. Navy school socks are only permitted during the winter.
- Grey trousers with short sleeved shirt.
- Disabled girls in wheelchairs are permitted to wear sport uniform as school uniform with white tekkies.
- Sport uniform may only be worn on official sport days with white tekkies– days will be announced.

Winter uniform: Girls

- Navy school skirt with long sleeved shirt and school tie. Short white socks, Muriel Brand navy school socks or navy 'lycra' pantyhose.
- Black school shoes.
- School jersey, school navy fleecy top, school tracksuit top, navy Drimac or school blazer.

OR

- White long-sleeved shirt with school tie, gray trousers, white socks or Muriel Brand navy socks, black shoes.
- Sport uniform may only be worn on official sport days – will be announced.
- Suppliers of school uniforms: ADNO'S, Voortrekker Street, Brakpan. Tel. 011 740-9123.

SENIOR LEARNERS (GRADE 11 – 12):

- School uniform as for the other learners, but with a senior tie (available at ADNO'S).

16. HAIR

16.1 GIRLS

- Fringe may not touch the eyebrows.
- Hair is not permitted to touch the collar of the shirt, unless it is tied up with white or blue ties.
- Hair has to be tied up or tucked behind the ear if it touches or hangs over the ears.
- Short hair is not permitted to be cut in the 'spikes' fashion.
- Hair may be braided, provided it is kept near and clean. Hair pieces may be worn, provided it is the girl's natural hair colour, neat and tidy – no drastic styles.
- Hair should always be neat and clean.
- If you have to ask about a style – it's not permitted!
- **Hair may not be coloured.**

16.2 BOYS

- Hair should be short and neat on the top and on the sides without touching the eyebrows, ears or collar.
- No steps, mushrooms, Mohawks, or other fashion styles are permitted.
- 'Brush and trim' is accepted.
- Braiding will be permitted for boys if neat and against the head without spikes sticking out.
- **Hair may not be coloured.**
- Hair may be worn very short, provided it is even, or clean shaven.
- If you have to ask if the style is permitted – it's not permitted!

17. JEWELLERY, MAKE-UP, AND NAILS

- Girls: Only 1 earring per ear permitted. Only gold or silver studs or sleepers are allowed.
- Girls: only signet rings are permitted. No bangles or necklaces. No tongue or eyebrow rings permitted.
- Only Medic-Alert bangles or necklaces are permitted.
- Religious symbols or jewellery are only permitted if accompanied by a letter from a religious order.
- No wearing of make-up is permitted – even on 'civvies' days.
- Only colourless nail varnish. Nails should be short. No false nails.
- Boys must be clean shaven at all times.

18. 'CIVVIES DAYS'

- No nose-, eyebrow-, tongue- or belly rings to be worn.

- No open waists, open backs, or spaghetti straps.
- No make-up.
- Gel only on hair shorter than 2 cm. long.
- Girl's hair must be tied up.
- Grade 7-12 learners only permitted to wear an ordinary blue denim, tekkies and the school's green golf shirt or blue civvies shirt.

19. CELL PHONES / ELECTRONIC DEVICES

- Learners' cell phones / electronic devices seriously disrupt classes.
- Cell phones / electronic devices are brought to school at the learner's own risk.
- The school will not entertain any claims relating to lost, stolen or damaged cell phones/electronic devices, regardless of the cause of the problem.
- Strict action will be taken with the abuse of the use of cell phones / electronic devices.
- Learners' cell phones / electronic devices must be switched off or switched on 'silent' during classes.
- Learners may not play with cell phones or SMS/BBM/WhatsApp etc. during periods. Cell phones / electronic devices used in class, will be confiscated, and placed in the school's safe. The learner may claim the phone back at the end of the school day with proof of ownership.
- There are rules and regulations that learners have to follow when they have complaints about other learners or staff. **LEARNERS MAY NOT MAKE USE OF THEIR CELL PHONES TO CONTACT PARENTS DIRECTLY AND IN THIS WAY CIRCUMVENT THE SCHOOL RULES.**
- Learners who feel ill must consult with Sister, who will determine whether the learner's parents should be contacted.

20. MERITS AND DEMERITS

- Merits and demerits are issued to learners for positive and negative behaviour.
- An original of the behaviour note is given to the learner for the parents' signature / a new electronic copy of merit/demerit will be completed by educator and then sent to Mr Rossouw and Mrs Hugo who will be responsible for the administration.
- Learners will have to attend a weeklong Detention during first break for every -10 demerits received.
- All learners with any appearance misconduct will be referred to an isolation class for both breaks on that particular day and the learner will receive a -2 demerit.
- At a total of -30 demerits, a Disciplinary meeting will be held with the learner by the Disciplinary Committee.
- A Governing Body Hearing will be conducted when a learner has a total of -50 demerits.
- Positive merits do not cancel demerits.

21. GENERAL

- Crude language, bullying, aggression, stealing, bringing pornography to school, deliberate damage to school property, etc. will be regarded in a very serious light.
- All sport and school uniform must be marked.
- Keep your eyes open for strange objects and unfamiliar people. Report immediately.
- Skateboards and 'heelies' are forbidden.
- Do not tamper with fire extinguishers.
- No items may be sold to other learners on the school premises.
- Parents are requested not to confront other learners. Please follow the correct procedures to contact the school.
- No physical contact is permitted on the school grounds or on the buses.

22. SCHOOL ATTENDANCE

- According to the 'Policy on Learner Attendance', a learner's record in the school register must be cancelled if the learner is absent for 20 consecutive days without a valid explanation.
- a) All learners are expected to attend school regularly and punctually.
 - b) All learners are required to assemble in designated areas by 7h40 daily.
 - c) Should a learner be absent from school, his/her parent is required to notify the school in writing.
 - d) Learner truancy/absence from class/bunking will not be tolerated.

23. FORMAL SCHOOL ASSESSMENT TASKS, TESTS AND EXAMINATIONS

- Examinations to be written twice a year i.e. June and November [or as instructed by District Curriculum Assessment Guidelines per subject]
- Formal assessment tasks and tests are written during the terms in class.
- Copying during the formal assessment tasks, tests and examinations will result in a zero mark.
- When a learner arrives an hour late for an examination paper – he/she will not be permitted to write the examination paper.
- No extra time is allowed after arriving late for an examination paper.

24. ABSENTEEISM:

- **1. DURING EXAMINATIONS:** It is compulsory to submit a doctor's letter, if not, the learner is given a zero for the examination paper.
- **2. DURING TESTS / EXAMINATIONS AND FORMAL ASSESSMENT TASKS:** A doctor's note must be provided. It is compulsory for the learner to write the test on the first opportunity after the learner returns to school.
- **3. CLASS WORK:**

- 3.1. **GROUP WORK:** Group work is to be forfeited as it will be impossible to complete this component at a later stage for an individual learner.
- 3.2. **INDIVIDUAL WORK:** The learner will be permitted ONE opportunity to complete the task. If the learner should not pitch for the completion of the task, a note will be signed by the learner and a '0'(zero) mark will be awarded. This arrangement also app to all oral assessment.

25. ASSESSMENT MARKS

- The marks for each term is determined separately according to individual subject requirements.
- At the end of the year the final year mark is determined by the whole year's assessment marks as per requirements from District on Assessment Criteria.

26. CIRCULARS / SMS

Parents are requested to please read all the circulars sent by the school on a regular basis.

Parents are requested to read and take note of all SMS sent home.

Please ensure that your child also takes note of the content of circulars/SMS.

27. CLASSROOM RULES

It is expected that each educator will together with the learners develop their own classroom rules. The following rules are applicable to all classes:

- Every educator is responsible for discipline at all times at the school and at school related activities. Educators have full authority and responsibility to correct the behaviour of learners whenever such correction is necessary at the school.

Serious misconduct must be referred to the CODE OF CONDUCT processes of the school.

- Learners must commit themselves to do their schoolwork during classes, complete assigned homework and catch up on work missed because of absence.
- a) An educator's instruction must be followed at all times. Under no circumstances will the undermining/disregard of an educator be tolerated.
 - b) Classrooms may only be left with the permission of an educator.

28. CARE OF THE SCHOOL PROPERTY

- a) Every learner is expected to protect and use all school equipment and facilities with care.

- b) Vandalism will not be tolerated.
- c) Any learner who intentionally misuses, damages or defaces any school property should replace it or pay for the damage to property.

29. DRUG, ALCOHOL AND WEAPON FREE ZONE

- a) Smoking, alcohol, drug use is not permissible at the school.
- b) Possession of cigarettes, cigarette lighters, matches, drugs, alcoholic drinks, pornographic material, firearms, knives and other dangerous weapons is prohibited at the school.

30. VIOLENCE, BULLYING AND FOUL LANGUAGE

- a) No violence, bullying, intimidation or threatening of any kind is allowed at the school.
- b) Learners are not allowed to swear or use foul language.

31. PROPERTY OF LEARNERS

- a) Learners are not allowed to bring computer games, CD players, radios, cell phones, iPods, etc to school unless permission to do so has been obtained from the Principal.
- b) Learners are encouraged not to bring valuable items to school. In cases where such items must be brought to school they should be handed in to the office for safekeeping.
- c) Stealing/Theft is prohibited at the school.

32. EARLY DEPARTURE FROM SCHOOL

- a) No learner may leave the school premises without permission from the office during school hours.
- b) The school prefers that appointments to e.g. doctors, dentists, etc be made after school hours or over the holidays.
- c) A learner who needs leave during school hours must supply the HOD or EDUCATOR with a letter from the parent requesting permission for leave.
- d) A learner who falls sick during school hours must report to SISTER DALEEN, who will contact the parent.

33. GENERAL BEHAVIOUR

- a) Under no circumstances will learners be allowed to sell anything at the school, unless it relates to school fundraising or a project for which a teacher has sought the necessary permission.

- b) Dishonesty, telling of lies, indecency or an act which in the opinion of the principal is condemnable will be acted upon by the Deputy Principal or Principal
- c) Disrespect towards the national symbols (national flag, anthem, etc) of the Republic of South Africa as well as the school flag and anthem will not be tolerated.
- d) Any ill-disciplined behaviour in the classroom, on the school premises, during school trips/excursions or any school function, including any action that brings the school into disrepute will not be tolerated.
- e) All litter must be thrown in the bins provided and not thrown around the class or school.
- f) Learners must not disregard/undermine the authority of the Principal or staff of the school.
- g) Disruption of classes or school by learners is unacceptable.
- h) Learners are not allowed to enter areas restricted by the Principal/SMT.

34. RESPONSIBILITIES OF LEARNERS

- On acceptance of the Code of Conduct by parents and the RCL (Schools with Gr.8 or higher), learners must implement the Code of Conduct.
- a) The RCL should promote the code of conduct for learners but does not have the authority to punish other learners.

35. RESPONSIBILITIES OF PARENTS REGARDING THE CODE OF CONDUCT

- a) The ultimate responsibility for learner behaviour rests with the parent who is expected to support the school and ensure that learners observe the school rules and regulations and accept responsibility for their misbehaviour.
- b) Parents/Guardians should attend meeting convened by the Governing Body/SMT for them.

MURIEL BRAND SCHOOL DISCIPLINARY SYSTEM
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INTRODUCTION

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 disciplinary system that has been developed to assist and guide learners. Muriel Brand 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.

Muriel Brand School's Code of Conduct spells out the rules regarding learner behaviour at the School and describes the disciplinary system to be implemented by 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. All learners attending the School are expected to sign a statement of commitment to the Code of Conduct (Annexure A). The administration of the Code of Conduct is the responsibility of the Disciplinary Committee of the School.

A. GRADING OF THE OFFENCES

Offences are graded according to the nature and degree of seriousness of the offence, of which Grade (level) 4 offences are the most serious.

B. DISCIPLINARY PROCEDURES

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

1. Grade (level) 1 offence:

- a verbal warning: educator
- -2 demerits: educator
- continued offence: SMS sent to parents: educator.

2. Grade (level) 2 offence:

- -5 demerits: educator
- SMS sent to parents: educator.
- Continued offence: Written warning by HOD- SMS sent by HOD.
- Continued offence: -10 demerits: educator
- Detention
- SMS to parents: educator
- Continued offence: Final written warning by HOD- SMS sent by HOD.

3. Grade (level) 3 offence:

- -20 demerits: Educator co-signed by HOD.
- Detention
- SMS to parents: Educator
- Continued offence: Deputy Principal (GR 7-12) Phone parents
- -30 demerits: Educator & co – signed by HOD.
- Detention
- Disciplinary Committee meeting with learner
- Deputy principal (Gr 7-12) - phone parents

4. Grade (level) 4 offence:

- - 50 demerits: Educator co – signed by HOD
- Principal/Deputy Principal - Phone parents
- Governing Body hearing
- Further steps taken by district.
- Legal procedures taken.

11.3.1 Schedule 1 – Misconduct (Could lead to suspension)

- a. A learner will be guilty of Schedule 1 misconduct if he/she:
- 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, which includes racist remarks;
 - 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;
 - cheats in a test or examination or any other form of assessment such as assignments;
 - engages in any act of public indecency;
 - sexually harasses another person;
 - is found in possession of or distributes pornographic material;
 - Smokes or is in possession of cigarettes; or
 - Is under the influence or in the possession of alcohol.
- b. After Schedule 1-misconduct has been noted against a learner's name, the matter should be referred in writing to the Principal of the school. Following a

thorough investigation and confirmation of the allegation a written warning, the Principal will send a written warning to the parent.

- c. A further offence in this category will be dealt with as per serious misconduct.

11.3.2 **Schedule 2 – Serious Misconduct (Could lead to Expulsion)**

- a. The following acts are considered as Serious Misconduct:

- i) Rape;
- ii) Indecent assault;
- iii) Sexual harassment with aggravating circumstances;
- iv) Assault with the intention to do grievous bodily harm;
- v) Common assault of an educator;
- vi) Serious intimidation of the other learner, teaching, and non-teaching staff;
- vii) Malicious damage of the state property;
- viii) Theft with aggravating circumstances;
- ix) Robbery;
- x) Possession of dangerous weapons on school premises;
- xi) The possession, sale, or abuse of illegal substances;
- xii) The possession of obscene material including;
material depicting sexual images in all its forms;
- xiii) Being on the school premises or at a school function outside the school premises while under the influence of intoxicating liquor or illegal substances;
- xiv) The theft of examination papers or the possession or sale of such stolen examination papers; and
- xv) Repeated Ordinary Offences and Schedule 1 Misconduct

- b. After a serious misconduct has been noted against a learner's name, the matter should be referred in writing to the Principal of the school. Following a thorough investigation and confirmation of the allegation the matter must be referred to the Disciplinary Committee.

PROCEDURES:

In accordance with Government Gazette 189 of 1990 and Provincial Gazette 236 of 1997, the following procedure will be followed in the event of serious misconduct in order to ensure a fair hearing of the case. The penalties of suspension or expulsion can only be imposed after the due process described below has been followed.

1. Demerit documentation

- Completed on electronic format.
- **Electronic demerit document [Google form] submitted to Mr F Rossouw**

2. Detention

- All learners with more than **-10 demerits** will be sent to a **Detention class for the entire week at first break.** (Detention determined per term – demerits aren't carried over for detention from one term to the next).
- Supervision: Staff according to duty timetable worked out by Ms EE Rossouw.
- Attendance is taken daily and indicated on the Detention class list.
- Learners have to sit in detention the full first break.
- No walking around or talking permitted.
- SBA assessment tasks can be completed, if the learner is behind in his / her work, but this should be organised with the staff member on Detention duty.
- **Mr Rossouw will provide the names of learners who must sit for detention the next week from the electronic demerits submitted.**

3. Written warnings and final warning documentation issued by HOD:

- Completed **in duplicate.**
- Original document given to learner to take home and to be signed by parents.
- **Copy document – sent to Ms EE Rossouw** to file written warning in Disciplinary file.
- The HOD sends an SMS home to notify the parents of a written warning or of a final written warning.

4. Deputy Principal's meeting with learners – GR R-12 Ms EE Rossouw

- Minutes of meeting completed **in duplicate.**

- Original document given to learner to take home and to be signed by parents.
- The Deputy Principal- Ms EE Rossouw – GR R-12, phones the parents and keeps a record in duplicate of the phone conversation.

5. Disciplinary Committee meetings with learner.

- All learners **with – 30 demerits** are called in for a disciplinary meeting with the Disciplinary Committee.
- Learner signs a document that states all demerits and punishment measures taken.
- Original document is given to learner to take home and to be signed by parents.
- The Deputy Principal- Ms EE Rossouw – GR R-12, phones the parents and keeps a record in duplicate of the phone conversation.

Punishment measures taken by Disciplinary Committee:

- No school privileges
- No dances
- No civvies
- Community service – e.g. picking up of litter accompanied by a councillor.

Disciplinary Committee members:

- Deputy Principal and administrator - Ms EE Rossouw – Gr R-12
- Register staff member.
- Psychologist responsible for learner [when available]
- Learner

6. Principal's meeting with learners.

- Minutes of meeting completed **in duplicate**. Minutes kept by Ms Rossouw or any of the HODs, if Ms Rossouw isn't available.
- Original document given to learner to take home and to be signed by parents.
- **Copy document sent to Ms Rossouw** to capture information on computer disciplinary programme.
- Principal phones parents.

C DISCIPLINARY INTERVENTIONS

The following list of interventions and corrective measures used by the School are aimed at correcting behaviour before suspension and expulsion:

1. Disciplinary interventions

- A verbal warning or reprimand to express disapproval
- Demerits
- Isolation class for incorrect appearance and uniform and -2 demerits
- Detention for every -10 demerits – Detention class during first break
- Homework break detention by educator – to complete all outstanding homework for a subject.

- SBA break detention to complete outstanding SBA formal assessment tasks by educator.
 - SMS to parents
 - Written warning by HOD
 - Final written warning by HOD
 - Phone call to parents by Deputy Principal
 - Removal from classes to the exclusion area by Deputy Principal or Principal
 - Disciplinary meeting with learner by Disciplinary Committee
 - Community service to improve the physical environment within and around the School property – e.g. picking up of litter on school grounds.
 - Exclusion from School activities and functions, e.g. school outings, academic award ceremony
 - 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.
 - Temporary suspension of school-related privileges, e.g. school outings
 - Withdrawal of recognition e.g. award
 - Temporary suspension from class or School, pending disciplinary hearing by School Governing Body
 - School Governing Body hearing or meeting
2. Failure to comply with interventions and corrective measures will lead to further interventions and may lead to the offence being categorised at a higher grade or level of offence.
 3. Expulsion may be recommended for a Grade (level) 4 offence.
 4. Conduct that may lead to suspension / exclusion includes, but is not limited to, the following:
 - Conduct that violates the rights and 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).
 5. 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.

6. A School Governing Body hearing will be convened with a view to recommend expulsion, In such instances the recommendation for expulsion will be submitted to the Provincial Head of Education to approve the decision.
7. 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 area in the interim to continue with schoolwork until they have completed the series of counselling sessions or the stipulated life skills programme.

D SUSPENSION OF A LEARNER BY THE PRINCIPAL OR DEPUTY PRINCIPAL AS A PRECAUTIONARY MEASURE

1. Before a learner is suspended, the learner and his/her parents must be given an opportunity to indicate why the suspension should be considered.
2. The disciplinary proceedings must commence within one week after the suspension. If the proceedings do not commence within one 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 guilty, until the appropriate sanction is announced.

E DISCIPLINARY AND SCHOOL GOVERNING BODY HEARING

1. The following forms will be used for misconduct and disciplinary hearings or meetings:
 - 1.1. Written warning (disciplinary warning form) - Annexure B
 - 1.2. Final written warning – Annexure C
 - 1.3. Notice of disciplinary meeting with Disciplinary Committee – Annexure D
 - 1.4. Notice of disciplinary School Governing Body - Annexure E
 - 1.5. Record of disciplinary hearing - Annexure F
 - 1.6. Notice of placement in exclusion area – Annexure G
 - 1.7. Written warning by Deputy Principal – Annexure H
 - 1.8. Written warning by Principal – Annexure I
 - 1.9. Review form (lodge of appeal) – Annexure J
2. The Disciplinary Meeting Committee will consist of the following members:
 - Deputy Principal and Disciplinary Committee administrator – Ms EE Rossouw (minutes of meeting)
 - The Grade HOD
 - The register teacher
 - Psychologist responsible for learner
 - Learner
3. Disciplinary measures that a Disciplinary Committee may impose include:
 - Demerits
 - Revoking of School privileges e.g. school dances or outings
 - Wearing of civvies
 - Attending functions

- Community service e.g. picking up of litter on school grounds.
 - Progress monitoring process initiated for a minimum of 2 weeks, followed by a progress report.
 - Payment to cover costs of repair or replacement of the damaged or lost or stolen items.
 - A written conduct and behaviour warning issued. A signed copy of acknowledgement will be kept on record.
 - (A written notice of a disciplinary meeting will be given to learner 1- 2 days prior to a Disciplinary Committee meeting with a copy of demerits documentation.
 - When a notice is issued to a learner the learner must acknowledge receipt of notice by signing for it. This is not an admission of guilt.)
4. Written notice of a disciplinary or SGB hearing will be given at least 5 School days before the hearing, which could imply temporary suspension from classes, excluding formal scheduled SBA assessment tasks, tests and examinations which count towards the year mark.
 5. When a notice is issued to a learner the learner must acknowledge receipt of notice by signing for it. This is not an admission of guilt.
 6. If a learner does not appear at a hearing, the hearing will be conducted in his/her absence.
 7. A written verdict of the hearing will be issued to the offender. The offender must acknowledge the content by signing the document.
 8. A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist. Disregard of punishment of the Disciplinary Committee will lead to temporary suspension pending a hearing.
 9. The Disciplinary hearing conducted by School Governing Body will consist of the following members:
 - The Governing Body Chairperson
 - 2 Parent representatives from the Governing Body
 - The Principal
 - Deputy Principal and Disciplinary Committee administrator – Ms EE Rossouw (minutes of meeting) (or an HOD to take down minutes of meeting)
 - Witnesses
 - Parents
 - Learner
 10. Disciplinary measures that a Disciplinary Hearing by Governing Body may impose include:
 - Revoking of School privileges e.g. Attending functions – Matric farewell
Attending award ceremony
Tours, etc.
 - Community service
 - Progress monitoring process initiated for a minimum of 2 weeks, followed by a progress report.
 - Payment to cover costs of repair or replacement of the damaged or lost or stolen items.
 - A written conduct and behaviour warning issued. A signed copy of acknowledgement will be kept on record.
 - Suspension from School for a minimum of 2 days up to a maximum of 5 days, ratified by the Governing Body, to be effective immediately.

This will be put in writing and a copy kept on record.

- Recommendation with respect to counselling / attendance of a life skills programme.

11. The principal and disciplinary administrator will keep on record copies of all documentation to the offence, the conducting and findings of the hearing, and the disciplinary measures imposed.
12. The principal and disciplinary administrator will furnish the relevant Grade HOD and register teacher with all the information necessary for their records.

11.4 Due Process in the Event of Serious Misconduct

- a) In accordance with Government Gazette 189 of 1990 and Provincial Gazette 236 of 1997, the following procedure will be followed in the event of serious misconduct in order to ensure a fair hearing of the case. The penalties of suspension or expulsion can only be imposed after the due process described below has been followed:
 - i) Any learner alleged to have violated any rule that may require suspension or expulsion must be brought to the principal. The principal shall hear the evidence and then decide on the action to be taken.
 - ii) In the event that the learner is to be charged with serious misconduct, the principal must inform the learner's parents in writing of the proposed action and arrange for a fair hearing by a small disciplinary committee consisting of members designated by the SGB.
 - iii) The principal must write a written report of the case to the District Director explaining the decision to charge the learner.
 - iv) A copy of written charges shall be delivered to the learner concerned and his/her parents/guardians by handing it over to him/her personally; and forward it by prepaid registered post to the parents or guardians last known residential address.
 - v) If the learner admits the charge, either in writing or orally in person before the principal, he or she shall be deemed guilty of serious misconduct as charged.
 - vi) At the hearing, the principal of a Public School which a learner attends, or an official appointed in writing by the Head of Department shall be the presiding officer.
- vii) In the case where a learner admits his or her guilt on a charge of serious misconduct, the principal or the appointed official should make recommendation/s on the correctional measures to be imposed, to the District Director, or in the event that expulsion of such

learner is recommended to the Head of Department, or the presiding officer shall in writing appoint an educator at the school concerned, to act as prosecuting officer in the hearing.

viii) In the case where the learner denies his/her guilt on a charge of serious misconduct, hears the charge in the set out below and, upon a finding of guilty, makes a recommendation on the correctional measures to be imposed.

ix) For the hearing learners must be informed and understand the charge, with five (5) days' notice, indicating time, place and date.

x) At the hearing the prosecuting officer may present facts by the way of adducing oral written statements or documentary evidence.

xi) At the hearing the learner shall have the right to be personally present and to be represented by his/her parents/guardians or a person nominated by the learner or his/her parents/guardian who shall have the right:

- be heard by impartial persons.
- treated with dignity during the process.
- to present facts from the learner by adducing his/her statement, either in writing or orally or documentary evidence in defence of the learner.
- to question any witness called in support of the charge.
- to have access to documentary evidence produced in support of the charge.
- be informed in writing of the decision if it is suspension or expulsion.

xii) The School Governing Body is obliged to keep a complete record of proceedings and outcome of the disciplinary hearing.

xiii) In the event of the learner being found guilty, the presiding officer may impose the following correctional measure upon the learner found guilty or deemed to be guilty of the charge:

- caution or reprimand the learner.
- direct his/her detention after school hours for a specific period.

- Suspension of up to one week or for a reasonable period while awaiting the approval of the Head of Department for expulsion.

xiv) The disciplinary proceedings contemplated here shall be conducted in a fair, equitable, open, and transparent manner.

Suspension of a Learner for Serious Misconduct

- a) According to Section 9(1) of SASA, a School Governing Body (SGB) may, on reasonable grounds and as a precautionary measure, suspend a learner who is suspected of serious misconduct from attending school, but may only enforce such suspension, after the learner has been granted a reasonable opportunity to make representations to it in relation to such suspension.
- b) If a learner is suspended, the governing body must conduct the disciplinary proceedings within 7 (seven) days of the suspension, failing which, the governing body must obtain the approval of the HOD for the continuation of the suspension of such a learner.
- c) According to Section 9(1)(C) of SASA, a governing body may, after a fair hearing, suspend a learner from attending school, as a sanction for a period not longer than 7 (seven) school days.
- d) According to Section 9(1)(E) of SASA, a governing body may suspend or extend the suspension of a learner for a period not longer than 14 days, pending a decision as to whether the learner is to be expelled from the school by the HOD.

11.4 Serious Misconduct and the Law

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

11.5 Institution of which may Lead to Suspension or Expulsion

- a) The learner must be questioned by the principal.
- b) Based on evidence collected, the principal may institute a disciplinary hearing.
- c) Only the principal may institute disciplinary action against a learner in respect of serious misconduct.

- d) The principal may institute disciplinary action against a learner in respect of serious misconduct only if:
 - i) there is sufficient evidence to institute such proceedings; and
 - ii) the principal considers it to be the interest of the school and its community that such disciplinary action should be instituted.

11.6 Disciplinary Committee (DC) for Serious Misconduct

- a) Upon the advice of the principal, the SGB must appoint a DC to adjudicate the allegation of serious misconduct.
- b) The DC appointed by the SGB must comprise of three persons who are members of the SGB or are nominated by the SGB.
- c) The DC is subjected to the following conditions:
 - i) The chairperson of DC must be a parent member or community member of the SGB.
 - ii) The two remaining members of the disciplinary committee may not be the principal or a learner at the school.
 - iii) No person may be appointed to the disciplinary committee if he or she has personal knowledge of any matter that may be in dispute at the hearing.
- d) In appointing members of the disciplinary committee, issues of representivity in terms of gender and race must be reflected in the composition of the panel.
- e) Only Grade 12 members of the RCL may be allowed to observe the disciplinary proceedings.

11.7 Procedure for Hearing of Serious Misconduct

- a) Regulation 5 of the Notice outlines the procedures for hearing of serious misconduct and other steps to be followed to ensure that the process is fair and transparent.

- b) The principle of FAIRNESS is expected to apply during the disciplinary proceedings:
- i) The principles of fairness require that the accused person understands all the allegations against him or her and is given a fair opportunity to respond to those allegations.
 - ii) This would therefore require that an opportunity be provided for the cross-examination of a person making allegations by the person against whom the allegations are made.
 - iii) The learner has the right to be represented by the legal representative.
 - iv) The evidence before the DC must be fairly evaluated and considered, and a decision must be taken without bias, malice, or prejudice against anyone.
 - v) The circumstance of the accused person must be considered, and mitigation factors (such as the matter being a first offence) should be considered.
 - vi) Equality before the law requires that there be no unfair discrimination, directly or indirectly, based on *inter alia* race, gender, age or religion.
 - vii) It also requires that like cases should be treated alike.
- c) The SGB makes a recommendation for expulsion to the HOD after a fair hearing.
- d) This recommendation of the DC must be forwarded to the HOD in writing.
- e) The parents of the learner must be notified in writing of their right to forward an accompanying letter with the recommendation, stating their position on the incident, if they so wish. This letter may serve as a part of the appeal process.
- f) The HOD then investigates the procedural and substantive aspects of the guilty verdict and the sanction recommended.
- g) The HOD's decision, after due consideration of the reports and the record of proceedings from the DC, together with the optional letter from parent, is final.

- h) If the HOD expels a learner who is of compulsory school age, he/she must ensure that the learner is admitted to another school.
- i) If the HOD decides to impose on the learner a lesser punishment, other than expulsion, he/she may, after consultation with the SGB, impose a suitable sanction on the learner, or if he/she decides not to impose a sanction on the learner, he/she will refer the matter back to the SGB for an alternative sanction.

11.8 Appeal Procedures

- a) A learner or the parent(s) of a learner who has been expelled or a representative designated by him/her may appeal against the decision of the HOD to the MEC, within 14 (fourteen) days.
- b) Alternative arrangements for the continued education of the learner who has appealed must be made by the HOD, until the appeal has been finalised.
- c) The MEC must, within 5 (five) days notify the HOD and SGB that the appeal has been lodged and furnish them with a copy thereof, and request them, within 5 (five) days after receipt of the appeal, to make comments with regard to the appellant's reasons for the appeal and any other information relevant to the appeal.
- d) After consideration of all the information, the MEC must, within 5 (five) days of receipt of the documentation, provide the learner with the decision regarding the appeal.
- e) If an appeal by a learner who has been expelled from a public school is upheld by the Member of the Executive Council, the Member of the Executive Council must ensure that a suitable sanction is then imposed on the learner within 14 days of the date on which the appeal was upheld.

12. PROMOTION OF CODE OF CONDUCT

- a) This policy will be displayed openly in the school.
- b) This policy will be made available to each learner in the official language of teaching and learning on registration.

c) This policy shall clarify in positive terms what the expectations of the school are.

d) The following actions shall be taken to clarify the expectation of the school to learners:

- i) Each learner to be given a copy of the code of conduct at the beginning of each year, younger learners at primary to be informed verbally.
- ii) Classroom rules and the consequences for breaking these rules must be displayed in the class.

13. SHORT TITLE

This policy shall be called (**Code of Conduct for Learners of Name of School**)

14. APPROVAL:

	Print Name		
Recommended by: PRINCIPAL		Signature:	
Date			
Approved by: SGB CHAIRPERSON		Signature:	
Date			
Approved by: CLUSTER LEADER		Signature:	
Date			
Approved by: CIRCUIT MANAGER		Signature:	
Date			
Verification by GDE DISTRICT DIRECTOR		Signature:	
Date			

Next date of revision: May 2025