



education

Department: Education

GAUTENG PROVINCE

LAER VOLKSKOOL HEIDELBERG

CODE OF CONDUCT FOR LEARNERS



TABLE OF CONTENTS

1.	TITLE OF THE POLICY: CODE OF CONDUCT FOR LEARNERS	3
2.	EFFECTIVE DATE: 01 April 2024	3
3.	DATE OF NEXT REVIEW: March 2027	3
4.	REVISION HISTORY	3
5.	PREAMBLE	3
6.	PURPOSE OF THE POLICY	3
6.1.	Objectives	3
7.	DEFINITIONS AND ACRONYMS	4
7.1.	Definitions	4
7.2.	Acronyms	5
8.	APPLICATION AND SCOPE OF THE CONSTITUTION	5
9.	LEGISLATIVE FRAMEWORK	6
10.	RELEVANT POLICIES AND PROVINCIAL CIRCULARS	6
11.	POLICY STATEMENTS	6
11.1	The Principle and Values: The Rights of the Learners	6
11.2	The Legal Authority for the Control and Discipline of Learners	7
11.3	School Rules	7
11.3.1	School Wear and General Appearance	7
11.3.2	School Attendance	8
11.3.3	Classroom Rules	8
11.3.4	Care of the School Property	9
11.3.5	Drug, Alcohol and Weapon Free Zone	9
11.3.6	Violence, Bullying and Foul language	9
11.3.7	Property of learners	9
11.3.8	Early Departure from School	9
11.3.9	General Behaviour	10
11.4	Disciplinary Rules	10
11.4.1	Ordinary Offences	11

11.4.2	Schedule 1 - Misconduct	11
11.4.3	Schedule 2 – Serious Misconduct.....	12
11.5	Responsibilities of Learners	13
11.6	Responsibilities of Parents Regarding the Code of Conduct.....	13
11.7	Due Process in the Event of Serious Misconduct	13
11.8	Suspension of a Learner for Serious Misconduct.....	16
11.9	Serious Misconduct and the Law.....	16
11.10	Institution of which may Lead to Suspension or Expulsion	16
11.11	Disciplinary Committee (DC) for Serious Misconduct.....	17
11.12	Procedure for Hearing of Serious Misconduct	17
11.13	Appeal Procedures	18
12.	PROMOTION OF CODE OF CONDUCT.....	19
13.	SHORT TITLE	21
14.	APPROVAL:	24
15.	ANNEXURE A.....	26
16.	ANNEXURE B.....	28

1. **TITLE OF THE POLICY:** **CODE OF CONDUCT FOR LEARNERS**
2. **EFFECTIVE DATE:** 01 June 2024
3. **DATE OF NEXT REVIEW:** March 2027
4. **REVISION HISTORY:**

As amended on: 6 May 2024
4.1
4.2

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 learner; or c) the person who undertakes to fulfil the obligations of a person referred to in paragraph (a) and (b) towards

No	Term	Definition
		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 LAER VOLKSKOOL HEIDELBERG
10	School Governing Body	Is the body responsible for Governance issues at the LAER VOLKSKOOL HEIDELBERG
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 a 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:

- 10.1 Circular 74/2007.

11. POLICY STATEMENTS:

11.1 THE PRINCIPLE AND VALUES: THE RIGHTS OF THE LEARNERS

At LAER VOLKSKOOL HEIDELBERG 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.

- a) Any form of discipline embarked upon by the school is underpinned by dignity and respect.
- b) Corporal punishment is prohibited at Laer Volkskool Heidelberg.
- c) 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.

- d) 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 is in attendance at 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 SCHOOL RULES

11.3.1 School Wear and General Appearance

- a) Learners should be neatly dressed in their school uniforms daily, unless otherwise determined by the principal.
- b) Learner's hair
- c) Girl's hair must have a neat appearance. If long, the hair must be neatly tied with the approved accessories.

- i) Boy's hair must be short and evenly cut.
 - ii) Highlights and coloured hair are not allowed.
- c) Jewellery
 - i) All learners are allowed to wear a wristwatch.
 - ii) Earrings, necklaces and bangles are prohibited for boys and girls.
- d) Learners' nails
 - i) Nails of both boys and girls must be short and well cared for.
 - ii) Polished nails are not allowed.

11.3.2 School Attendance

- a) All learners are expected to attend school regularly and punctually.
- b) All learners are required to assemble in designated areas by 7h30 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.

11.3.3 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:

- a) 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 principal of the school.
- b) Learners must commit themselves to do their schoolwork during classes, complete assigned homework and catch up on work missed because of absence.

- c) An educator's instruction must be followed at all times. Under no circumstances will the undermining/disregard of an educator be tolerated.
- d) Classrooms may only be left with the permission of an educator.

11.3.4 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.

11.3.5 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.

11.3.6 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.

11.3.7 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.

11.3.8 Early Departure from School

- a) No learner may leave the school premises without permission from the office during school hours.

- b) The school prefers those appointments to e.g., doctors, dentists, etc be made after school hours or over the holidays.
- c) A learner who needs to leave during school hours must signed out by his/her parent/grandparent
- d) A learner who falls sick during school hours must report to the class teacher, who will contact the parent.

11.3.9 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 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.

11.4 DISCIPLINARY RULES

In an effort to maintain discipline at the school and ensure that teaching and learning is not disrupted through behavioural problems, the SGB puts forwards the disciplinary rules described below.

11.4.1 Ordinary Offences

- a) The following acts are considered as Ordinary offences:
 - (i) Late coming
 - (ii) Failure to complete schoolwork (class work and homework) given.
 - (iii) Playing truant or bunking periods.
 - (iv) Littering anywhere on the school premises.
 - (v) Use of foul language.
 - (vi) Incorrect uniform
 - (vii) Minor disruptive behaviour
- b) Educators will resolve the above stated offences and keep records of the date of offence, type of offence, name of learner and how the matter was resolved. The educator may counsel the learner, use verbal warnings or written reprimand to resolve the problem.
- c) After three ordinary offences have been recorded against a learner the matter must be referred to the principal who together with the educator shall implement one of the following measures:
 - (i) Give the learner supervised schoolwork, ensuring that parents are informed timeously.
 - (ii) Suspend the learner from some school activities e.g., sport, cultural activities.
- d) Should the learner continue to commit ordinary offences, a warning letter will be sent to the parent, if the behaviour persists the parent will be called to school to discuss the matter and the likelihood of serious action being taken by the school.

11.4.2 Schedule 1 - Misconduct

- a) A learner will be guilty of Schedule 1 misconduct if he/she:
 - (i) seriously threatens, disrupts or frustrates teaching or learning in a class.
 - (ii) engages in a conspiracy to disrupt the proper functioning of the school through

- collective action.
 - (iii) insults the dignity of or defames any learner or any other person, which includes racist remarks.
 - (iv) 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.
 - (v) cheats in a test or examination or any other form of assessment such as assignments.
 - (vi) engages in any act of public indecency.
 - (vii) sexually harasses another person.
 - (viii) is found in possession of or distributes pornographic material.
 - (ix) Smokes or is in possession of cigarettes; or
 - (x) 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.

11.4.3 Schedule 2 – Serious Misconduct

- 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.

11.5 RESPONSIBILITIES OF LEARNERS

On acceptance of the Code of Conduct by parents, learners must implement the Code of Conduct.

11.6 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.

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 E Mail to the parents or guardians.
- 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 of time.
 - 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.

11.7 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.

11.8 SERIOUS MISCONDUCT AND THE LAW

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

11.9 INSTITUTION OF WHICH MAY LEAD TO SUSPENSION OR EXPULSION

- a) The learner must be questioned by the principal.
- b) On the basis of 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.

11.10 DISCIPLINARY COMMITTEE (DC) FOR SERIOUS MISCONDUCT

- b) 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.

11.11 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 taken into account.
 - vi) Equality before the law requires that there be no unfair discrimination, directly or indirectly, on the basis of *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.

11.12 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.

Informal disciplinary system in school.

1. At Laer Volksskool Heidelberg the principle of positive feedback and rewards are more important than focusing on the negative. Although negative behaviour must be address, the focus must be to recognise the positive behaviour of our learners.

2. Foundation phase:

Each grade in the foundation phase develop their own positive structure to enhance positive behaviour.

Learner rewards

Every learner receives an amount (e.g. R30) behaviour bucks (play money) in a bag. It is made up of R1 and R2 paper coins. Money is added for positive behaviour, positive attitude, obedience, commitment, clean up of terrain, learning for spelling tests, learning of times tables. Every learner also receives money for every ticket sold for an entry in the draw of the car competition.

Learners will lose money for negative and / or inappropriate behaviour.

Options available to Grade 1's

R10	R20	R25	R30
Lollipop	Cooldrink / Milo with teacher	Small presents can be bought from the "Box of Surprises"	Cooldrink / Milo with Mr Piet in his office

Options available to Grade 2's

R10	R20	R30	R50
Lollipop	Cooldrink / Milo with teacher	Sit next to your favourite friend in class for a day	Plush toy secured to the desk

Options available to Grade 3's

R50
Learners save their money for a fun water play day at the end of the year

Other rewards available according to teacher's discretion:

1. Lollipop
2. Sit next to a friend for a whole period.
3. Star chart on table – star for each small success. Two winners are allowed to take a plush toy home for the weekend.

3. Intersen Phase:

In the Intersen phase a combined system are used to captured positive and negative points and remarks on an app develop by Mr. Badenhorst and Mr. Van der Hyde.

SHORT TITLE: **Laer Volkskool Heidelberg**

Laer Volkskool Heidelberg Disciplinary system

Negative behaviour

The new disciplinary system aims to make our recognitions and violations digital, which will be easier and quicker for teachers to use and record ensuring disciplinary action is taken immediately where necessary.

The system follows five different levels, where learners can accumulate points for negative behaviour. The points are then added up, and an appropriate punishment is given to a learner.

Level 1 offences – Learner is assigned 1 point:

Homework / classwork not done or incomplete

Copying of homework

Late for class without a valid reason / leaving class without permission

Untidy / incorrect appearance of hair / school clothes / civvies day

Trespassing class rules and violating school terrain rules

Littering in classroom or terrain

Playing around school halls

Unbecoming behaviour, e.g. spitting, swearing, rudeness

Insubordination towards prefects

Level 2 offences – Learner is assigned 3 points:

Serious disruptive / unacceptable behaviour

Inappropriate behaviour during assembly / changing of classes / line-up

Insubordination and refusal to execute commands

Ignoring scholar patrol / traffic rules around the school

Tampering with / hiding property belong to someone else

Writing notes on legs or arms

Inappropriate behaviour in school bus

Using electronic devices

Wearing prohibited objects (jewellery / armbands / smart watches, etc.)

Level 3 offences – Learner is assigned 5 points

Undermining authority / disrespectful towards authority figures
Inappropriate comments in an insulting / demeaning way
Poor behaviour in bathroom
Extreme vulgar / deviant / swearing language use
Obscene behaviour between girls and boys
Lying

Level 4 offences – Learner is assigned 7 points

Vandalism (graffiti) on desks / walls / doors / windows
Bullying: aggression towards peers (swearing / taunting, teasing) at school or via electronic media
Smoking / possession of cigarettes – on or off school property when wearing a school uniform
Major vandalism / damage to property
Possession of dangerous weapons / dangerous objects
Prefects – not showing up for duties (without an acceptable excuse)

Level 5 offences – Learner is assigned 12 points (disciplinary hearing)

Dishonesty in test / cheating in test
Theft: in possession of another person's property without their consent, sale of another person's stolen property
Racism
Inappropriate sexual behaviour
Sexual harassment
Possession / storage / creation of pornography / obscene / offensive material or distribution thereof
Serious fighting with the use of physical assault with the objective to intentionally injure someone seriously

Punishment for points accumulated over a period of time. Schedule 5 offences immediately leads to a disciplinary hearing.

Level 1 – Level 4

7 points	Telephonic contact with parents by guardian / register teacher
15 points	Letter from Disciplinary Head – notice of detention to parents
20 points	Letter from Disciplinary Head – notice of detention to parents as well as community service at school
25 points	Telephonic contact by Disciplinary Head – notice of detention to parents as well as community service at school as well as the loss of all benefits

Level 5

Immediately contact with parents to discuss detention and punishment.

Such actions may lead to a disciplinary hearing.

Community service at school

Sweeping of classroom floors

Scrubbing desks

Walking around during break time and picking up any and all litter

Washing of school hallways

Washing of classroom windows

Help school ground maintenance workers to maintain school gardens / lawns

Community service in the community, e.g. SPCA

Loss of benefits:

Civvies day

Volkie-friends day

Entrepreneur day

Barefoot day

Boxcar day

Arbor day

Gr 7 outing

Withdrawal of sports teams

Prefects

Grade 7

In the event of a grade 7 learner accumulating 25 points, he / she will lose their prefect badge as well as all prefect benefits.

If it is a level 4 / 5 offence, the Principal and the Disciplinary Head will discuss the incident and make a decision if the prefect will lose his / her badge.

After a period of time the prefect's behaviour will be reviewed and he / she may receive their badge again.

Grade 6

If a grade 6 learner accumulates a total of 25 points, he / she will not be eligible to be a prefect in their grade 7 year.

Positive behaviour

We are considering digitalizing the disciplinary system as this will ensure a fast and convenient way for teachers to enforce positive behaviour and to record it timeously.

It works on one level where learners accumulate points for positive behaviour. The points then accumulate to a level where learners qualify for certain privileges.

Level 1 – Learners receive 1 point

Good behaviour / outstanding basic manners

Help a fellow learner / teacher

Work is neat and all activities complete

Picking up money / lost goods

Picking up litter

Showing respect for other learners / teachers.

Books are signed by parents

Cut-off slip handed in to teacher

Living the values of a true Volkie

Showing sport behaviour at sporting events

Standing up for what is the right decision

Positive points

10 points Tuckshop voucher

20 points Tuckshop voucher + ice cream / hot chocolate with a friend in the office of Mr Piet (principal) in his office

30 points Tuckshop voucher + civvies for one week

35 points Leaving school earlier on a Friday

40 points Outings

50 points Principal for a whole day

13. SHORT TITLE : LAER VOLKSKOOL HEIDELBERG

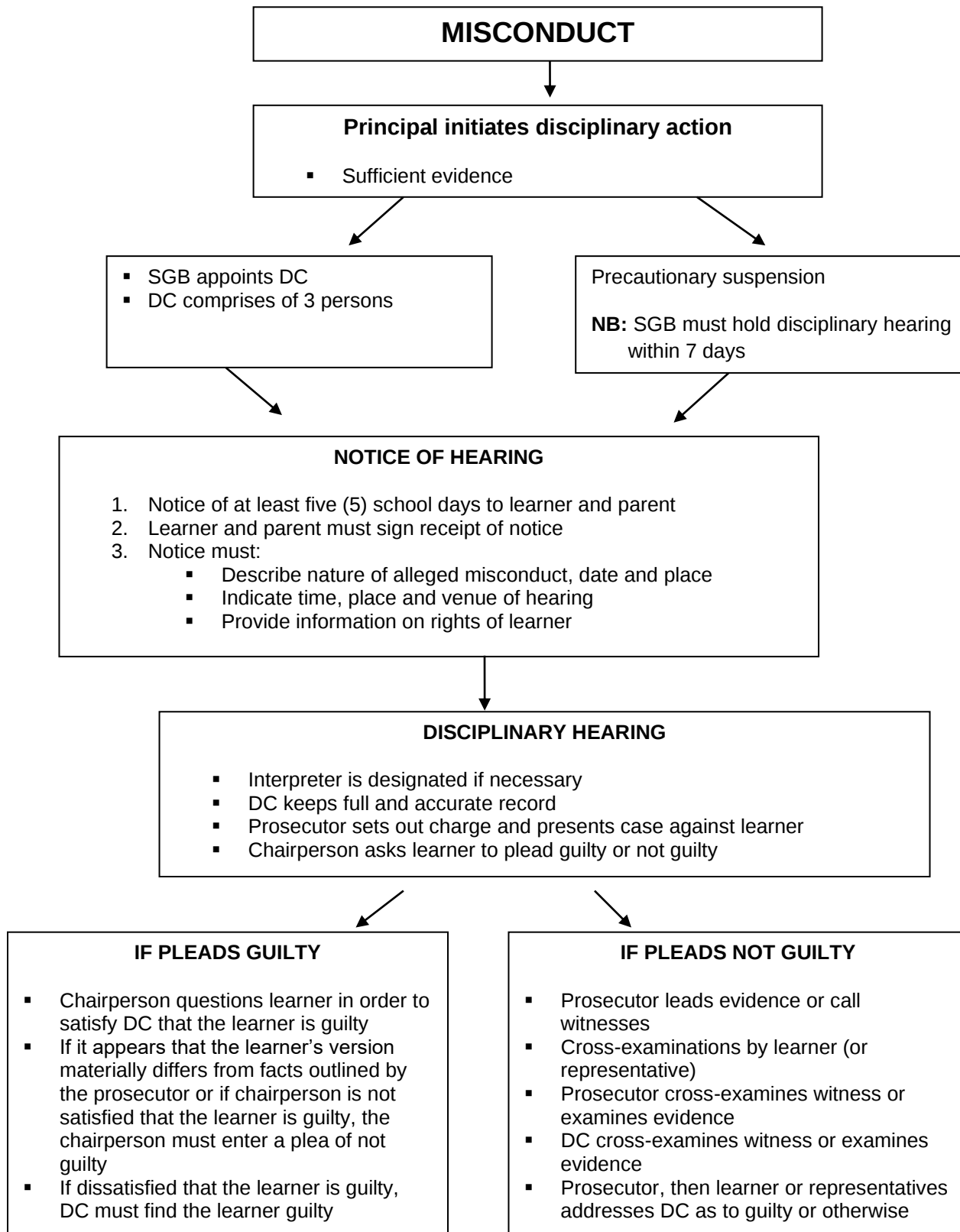
This policy shall be called **Code of Conduct for Learners of LAER VOLKSKOOLHEIDELBERG**.

14. APPROVAL:

Recommended by: (Principal) (Print name)	P Strydom	Signature:	
Date:			
Approved by: (SGB Chairperson) (Print name)	C Krugel	Signature:	
Date:			
Verification by GDE: (District Director) (Print Name)		Signature:	
Date:			
Certified by: (Print Name)		Signature:	
Date:			

15. ANNEXURE A

SCHEMATIC EXPOSITION: MISCONDUCT PROCEDURE FOR LEARNERS AT PUBLIC SCHOOLS (SASA AND THE REGULATIONS)



FINDING

1. DC decides if learner is guilty or not guilty of misconduct
2. DC informs learner of finding and reasons
3. DC hears mitigating and aggravating circumstances
4. DC decides on suitable sanction (suspension may be imposed for no longer than seven days)
5. If DC decides learner should be expelled, a recommendation to that effect to HOD
6. SGB may suspend learner, pending decision of HOD.
7. HOD proclaims decision within fourteen days

NOT GUILTY

Lifting of suspension (if applicable)

NO APPEAL

Implementation of sanction.

GUILTY

APPEAL

1. Learner may appeal against
 - finding; or
 - sanction
2. Must appeal within fourteen (14) days of receipt of finding
3. Appeal must be directed to the MEC (or delegate)
4. MEC decides on appeal
 - Uphold the appeal
 - Amend the sanction
 - Dismiss the appeal

Implementation of:

- Decision of disciplinary hearing.

14. ANNEXURE B:



APPEAL TO THE MEMBER OF THE EXECUTIVE COUNCIL

A learner or representative may appeal against the following:

Appeal against any finding of guilt by the Head of Department in respect of which a penalty of expulsion has been imposed.

Appeal against a penalty of expulsion imposed by the Head of Department.

Appeal against an order made by the Head of Department who has expelled a learner of compulsory school age and admits such learner to another school or centre of learning within the province.

Appeal against an order made by the Head of Department who has expelled a learner of compulsory school age and requires that such learner attends counselling and procures regular progress reports in respect of such counselling.

Please note such an appeal against any of these decisions must be lodged with the Member of the Executive Council within 14 days. The notice of appeal together with the grounds for the appeal must be hand-delivered to the office of the Member of the Executive Council.

I. DETAILS OF THE LEARNER

NAME:

AGE IN YEARS:

DATE OF BIRTH:

IDENTITY NO:

ADDRESS:

(IF NOT LIVING WITH THE PERSON LODGING THE APPEAL)

POSTAL CODE:

II. DETAILS OF PERSON LODGING THE APPEAL (IF NOT THE LEARNER)

NAME:

RELATION TO THE LEARNER (E.G. FATHER, MOTHER, GUARDIAN, CUSTODIAN OR PERSON RESPONSIBLE FOR THE EDUCATION OF THE LEARNER)

ADDRESS:

POSTAL CODE:

TELEPHONE:

NAME OF PRINCIPAL:

III. NATURE OF THE APPEAL

IN THE EVENT OF THE APPEAL LODGED IN TERMS OF IV (1) IV (2) IV (3) OR IV (4), BELOW THE REASONS FOR THE APPEAL ARE (PLEASE TICK IN THE APPROPRIATE BOX)

1. AGAINST ANY OF FINDINGS OF GUILTY BY THE HEAD OF DEPARTMENT IN RESPECT WHICH A PENALTY OF EXPULSION HAS BEEN IMPOSED. ☐
2. AGAINST A PENALTY OF EXPULSION IMPOSED BY THE HEAD OF DEPARTMENT. ☐
3. AGAINST AN ORDER MADE BY THE HEAD OF DEPARTMENT WHO HAS EXPELLED A LEARNER OF COMPULSORY SCHOOL GOING AGE AND ADMITS SUCH LEARNER TO ANOTHER SCHOOL OR CENTRE OF LEARNING WITHIN THE PROVINCE. ☐
4. AGAINST AN ORDER MADE BY THE HEAD OF DEPARTMENT WHO HAS EXPELLED A LEARNER OF COMPULSORY SCHOOL AGE AND REQUIRES THAT SUCH LEARNER ATTENDS COUNSELLING AND PROCURES REGULAR PROGRESS REPORTS IN RESPECT OF SUCH COUNSELLING. ☐

IV. REASONS FOR THE APPEAL

IN THE EVENT OF AN APPEAL BEING LODGED IN TERMS OF IV (1), IV (2), IV (3) OR IV (4), THE REASONS FOR THE APPEAL ARE [PLEASE TICK IN THE APPROPRIATE BOX (ES)]:

1. THE GOVERNING BODY OF THE SCHOOL DID NOT APPOINT A DISCIPLINARY COMMITTEE. ☐
2. THE GOVERNING BODY OF THE SCHOOL DID NOT DESIGNATE ONE OF THE MEMBERS OF THE DISCIPLINARY COMMITTEE AS CHAIRPERSON TO ADJUDICATE THE ALLEGATIONS OF SERIOUS MISCONDUCT. ☐
3. THE DISCIPLINARY COMMITTEE DID NOT COMPRISE THREE PERSONS WHO WERE EITHER MEMBERS OF THE GOVERNING BODY OR PERSONS WHO ARE ELIGIBLE TO BE ELECTED AS MEMBERS. ☐

4. THE CHAIRPERSON OF THE DISCIPLINARY COMMITTEE WAS NOT A PARENT OR COMMUNITY MEMBER OF THE GOVERNING BODY. ☐
5. THE PRINCIPAL OF THE SCHOOL WAS A MEMBER OF THE DISCIPLINARY COMMITTEE. ☐
6. A LEARNER AT THE SCHOOL WAS A MEMBER OF THE DISCIPLINARY COMMITTEE. ☐
7. A MEMBER OF THE DISCIPLINARY COMMITTEE HAD PERSONAL KNOWLEDGE OR INTEREST IN THE MATTER. ☐
8. AN EXECUTIVE COMMITTEE MEMBER OF THE REPRESENTATIVE COUNCIL OF LEARNERS WAS NOT PRESENT AT THE DISCIPLINARY HEARING, ALTHOUGH THIS WAS REQUESTED. ☐
9. THE LEARNER WAS NOT GIVEN AT LEAST FIVE SCHOOL DAYS WRITTEN NOTICE OF THE DISCIPLINARY HEARING. ☐
10. THE NOTICE OF THE DISCIPLINARY HEARING DID NOT CONTAIN SUFFICIENT PARTICULARS OF THE DATE, PLACE, TIME OR NATURE OF THE CHARGES TO ENABLE THE LEARNER TO IDENTIFY THE INCIDENT IN QUESTION AND TO RESPOND TO THE CHARGES. ☐
11. THE NOTICE OF THE DISCIPLINARY HEARING DID NOT INFORM THE LEARNER OF HIS OR HER RIGHTS. ☐
12. THE LEARNER WAS NOT GIVEN A COPY OF THE NOTICE OF THE DISCIPLINARY HEARING. ☐
13. A COPY OF THE NOTICE OF THE DISCIPLINARY HEARING WAS NOT DELIVERED TO THE PARENT. ☐
14. AT LEAST ONE OF THE PARENTS OF THE LEARNER, WHO IS YOUNGER THAN 18 YEARS OF AGE, DID NOT ACCOMPANY THE LEARNER AT THE DISCIPLINARY HEARING. ☐

15. AN INTERPRETER WAS NOT PRESENT AT THE DISCIPLINARY HEARING, ALTHOUGH REQUESTED BY THE LEARNER. ☐
16. THE DISCIPLINARY COMMITTEE DID NOT KEEP A FULL AND ACCURATE RECORD OF THE PROCEEDINGS OF THE DISCIPLINARY HEARING. ☐
17. THE LEARNER WAS NOT ASKED TO PLEAD GUILTY OR NOT GUILTY TO THE CHARGE(S) ☐
18. THE LEARNER, OR HIS OR HER REPRESENTATIVE, WAS NOT PERMITTED TO QUESTION ANY WITNESS OR EXAMINE ANY EVIDENCE PRESENTED BY THE PROSECUTOR ☐
19. THE LEARNER, OR HIS OR HER REPRESENTATIVE, WAS NOT PERMITTED TO ADDRESS THE DISCIPLINARY COMMITTEE AS TO THE GUILTY CHARGE OR NOT GUILTY CHARGE OF THE LEARNER. ☐
20. THE LEARNER WAS NOT GIVEN A FAIR HEARING. ☐

ADDITIONAL INFORMATION RELATING TO THE CHARGES SHOULD BE GIVEN IN THE SPACES BELOW.

IN THE EVENT OF AN APPEAL BEING LODGED IN TERMS OF IV (3), THE REASONS FOR THE APPEAL ARE (PLEASE TICK IN THE APPROPRIATE BOX):

1. THE LEARNER IS NOT SATISFIED WITH THE SCHOOL RECORD OR CENTRE OF LEARNING WITHIN THE PROVINCE. ☐

REASONS FOR THE DISSATISFACTION MUST BE GIVEN IN THE SPACES BELOW.

IN THE EVENT OF AN APPEAL BEING LODGED IN TERMS OF IV (4), THE REASONS FOR THE APPEAL ARE [PLEASE TICK IN THE APPROPRIATE BOX (ES)]

1. THE LEARNER DOES NOT REQUIRE COUNSELLING.

☐

2. THE LEARNER DOES NOT FEEL THAT THE HEAD OF DEPARTMENT NEEDS TO PROCURE REGULAR PROGRESS REPORTS IN RESPECT OF SUCH COUNSELLING.

☐

REASONS MUST BE GIVEN IN THE SPACES BELOW.

V. ADDITIONAL INFORMATION

PLEASE GIVE ANY ADDITIONAL INFORMATION WITH REGARD TO THIS APPEAL IN THE SPACES PROVIDED BELOW.

VI. DOCUMENTATION TO BE SUBMITTED

CERTIFIED COPIES OF ALL THE RELEVANT DOCUMENTATION AND CORRESPONDENCE MUST BE SUBMITTED WITH THIS APPEAL.

VII. DECLARATION

I DECLARE THAT ALL THE INFORMATION SUPPLIED IN THIS DOCUMENT IS TRUE AND ACCURATE.

SIGNATURE

DATE