



CODE OF CONDUCT FOR LEARNERS

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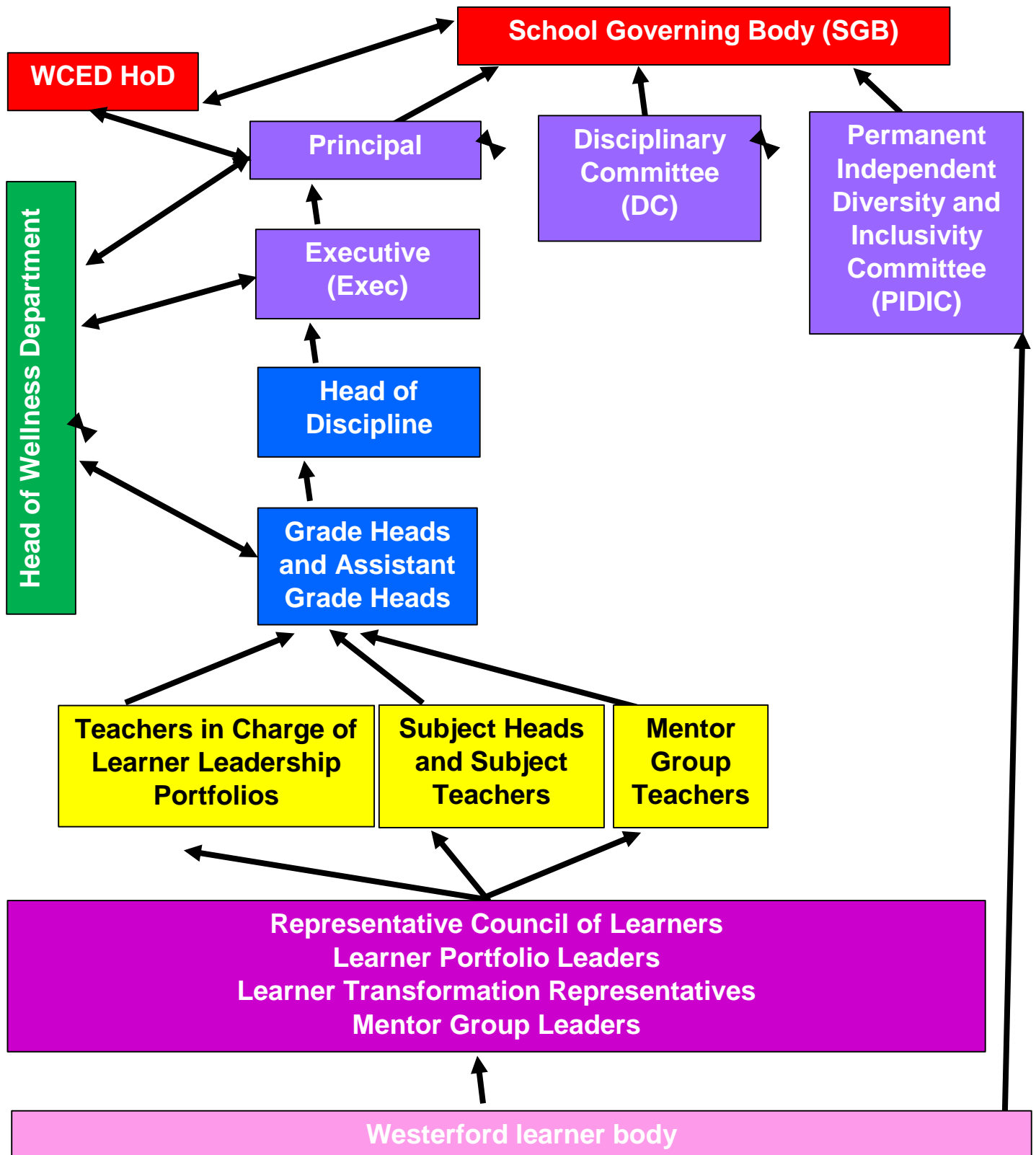


Introduction

1. Westerford High School (the “School”) is committed to providing a supportive environment conducive for attaining academic excellence, social and cultural awareness, and a community that truly values each individual, fosters a culture of mutual respect, kindness and an appreciation and respect for the diverse cultures and backgrounds of everyone at the School. It is important that learners acknowledge their responsibilities to themselves, their fellow learners, their teachers, other staff members and the Westerford community.
2. This Code of Conduct sets out the way in which learners should conduct themselves at School in preparation for their behaviour and safety in civil society. Every attempt is made to promote positive discipline, self-discipline and exemplary conduct. If learners do not adhere to these rules, it affects the entire Westerford community. The Code of Conduct spells out the rules regarding learner behaviour at the School and describes the disciplinary system to be implemented when learners disregard the rules. The Code of Conduct applies to all learners while they are on School premises, outside the School premises and in school uniform or when they are away from the School representing it or attending a School function.
3. The Code of Conduct is underpinned by the relevant legislation including the following:
 - The Constitution of the Republic of South Africa
 - The South African Schools Act No. 84 of 1996
 - The Western Cape Provincial School Education Act No. 12 of 1997
 - Regulations relating to Disciplining, Suspension and Expulsion of Learners at Public Schools in the Western Cape, published in the Western Cape Provincial Gazette Notice 6939 on 15 December 2011
 - 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.
4. As a commitment to fostering courtesy, dignity and respect for diversity, including cultural, religious and gender orientation, the School has adopted a Diversity and Inclusivity Policy, which should be read with the Code of Conduct where applicable.
5. All learners new to the School are expected to sign a Pledge committing to the Code of Conduct and the Diversity and Inclusivity Policy as a reminder of their duties to themselves and the Westerford community (Annexure A).



Discipline Organogram





Definitions

In this Code of Conduct, the following terms have the corresponding meanings unless the context indicates otherwise:

- “Head of Department” means the Head of the Western Cape Education Department.
- “District Director” means the senior officer in a district of the Western Cape Education Department.
- “Internal Disciplinary Committee” means a disciplinary committee comprising the principal, head of discipline, grade head and any other relevant teachers, depending on the offence.
- “offensive material” means material that is any created, published or broadcast content (such as articles, photographs, films, websites or homework assignments) that is likely to be upsetting, insulting, threatening or objectionable to some or most people, with the exception of such material that is sanctioned by the School for educational purposes.
- “Regulations” means the Regulations Relating To Disciplining, Suspension and Expulsion of Learners At Public Schools in the Western Cape, published in Western Cape Provincial Gazette 6939 on 15 December 2011;
- “SGB Disciplinary Hearing Committee” means the Committee established to deal with serious misconduct offences as contemplated in the Regulations and referred to in Part 2 C 2.(1) (c) of this Code of Conduct.



Part 1: School Rules

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

A. General Principles

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

B. General Rules

1. All litter must be placed in refuse bins or recycling bins.
2. Any act of cheating in class work, homework, informal and formal tests or internal or external examinations is prohibited. Cheating and plagiarism Grade 3A serious misconduct, and will be dealt with as such in accordance with Part 2 of this Code of Conduct.
3. Disruptive, unruly, rude and/or offensive behaviour is prohibited.
4. The timeous handing in of work is the responsibility of each learner.
5. Learners will respect the beliefs, culture, dignity and rights of other learners, as well as their right to privacy and confidentiality.



6. Language that is pejorative, discriminatory or racist is prohibited and constitutes a Grade 3A serious misconduct offence, and will be dealt with as such in accordance with this Code of Conduct.
7. Any act that belittles, demeans or humiliates another learner's culture, race or religion is prohibited and constitutes a Grade 3B serious misconduct offence and will be dealt with as such in accordance with the Diversity & Inclusivity Policy.
8. All learners have the right to an education free of interference, intimidation and emotional and physical abuse.
9. Learners will respect those learners in positions of leadership. A learner who is in a position of leadership will conduct themselves in a manner befitting someone in a position of leadership. They will respect the rights of other learners and will not abuse such authority bestowed upon them through their position.
10. The carrying, copying, reading and distribution of offensive material is prohibited.
11. No dangerous objects may be brought onto and/or used on the School property unless authorised by the Principal or their delegate for educational purposes. Dangerous objects include knives, firearms or any item designed to harm a person.
12. The carrying, consumption or distribution of alcohol, illegal chemical substances and drugs, and cigarettes, electronic cigarettes and vaping devices is prohibited:
 - a. on any of the School's premises (including Imhoff sports Complex);
 - b. away from the School while in the School's care or on any School-related activity (national or overseas tours included);
 - c. anywhere if in School uniform; or
 - d. under any circumstances where the School is brought into disrepute.

Contravention of this rule constitutes Grade 3A serious misconduct and will be dealt with as such in accordance with this Code of Conduct.

13. Bullying, whether verbal, written or physical constitutes Grade 3A serious misconduct, and will be dealt with as such in accordance with this Code of Conduct.
14. The use of cell phones and content posted on social media is governed by the Technology Acceptable Use Policy. Refer to this policy in case of infringements.



C. 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. Learners must be punctual and attend School during the prescribed hours. Learners may not leave the School grounds without their Grade Head's or a Deputy's permission.
2. Any absence from School must be covered by an email or telephonic notification from a parent/guardian to the front office at admin@westerford.co.za
3. No learner has the right at any time to behave in a manner that will disrupt the learning activity of another learner, or will cause another learner physical or emotional harm.
4. Should a learner be absent from School for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical practitioner.
5. In the case of absence for a formal assessment, parents/ guardians must furnish a written acceptable reason or a doctor's certificate and a yellow 'Absent for Assessment' form must be completed on return to School, and submitted together with the letter/certificate to the Academic Coordinator.
6. During lesson time, absence from a class, without the permission of the relevant subject teacher or the school counsellor, is prohibited.
7. Truancy from School is prohibited.

D. School Uniform and General Appearance

1. The personal appearance and dress of learners must comply with the regulations as set out in the Uniform Policy.
2. During events that allow the wearing of casual wear, learners should be neat, presentable and wear attire appropriate for an academic institution.
3. Only learners who have applied for, and received, the necessary permission from the Deputy Principal in charge of discipline may deviate from official School uniform for religious and cultural reasons.

E. Valuables and Personal Belongings

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



2. At no time must other people's belongings be interfered with in any way nor borrowed without their permission.
3. Committing acts of theft, arson or malicious damage to School property or the property of others constitute Grade 3A serious misconduct offences, and will be dealt with as such in accordance with this Code of Conduct.
4. Valuables and money may be handed in at the front office or locked away in learner lockers for safekeeping.

F. Transport

1. Learners who park their bikes (pedal or motorised) on the School premises do so at their own risk.
2. Learners may only park their bikes (pedal or motorised) in the designated areas.
3. Learners' motor vehicles may not be driven or parked on School premises.
4. Vehicles parked outside the School remain the responsibility of the driver and the School will not be held liable for any theft or damage thereof.

G. School Enrichment Programmes

Involvement in sporting, cultural and service activities forms a valuable and integral part of the holistic education of every learner. All learners from Grade 8 to 11 are, therefore, obliged to participate in at least one summer and one winter sport. Grade 12 learners may choose either a winter or summer sport, or both. Involvement in cultural and service activities is encouraged.

1. Learners are expected to adopt the correct etiquette pertaining to the specific activity engaged in at all times.
2. Involvement in a particular activity will span the entire season/duration in which that activity takes place.
3. Once a learner has committed themselves to an activity, they will be bound to meet the rules and obligations related to that activity.
4. Attendance of all sports practices and matches is compulsory.
5. Appropriate kit/uniform will be worn to sports practices and matches.
6. Any change or exemption from sport is at the discretion of the Head of Sport.



7. Missing a match without a timeous and valid excuse in writing from the learner's parents/ guardians may result in the learner being suspended from participation in a fixture.
8. Attendance of all cultural / service meetings and/or events is compulsory if a learner has committed themselves to that cultural / service activity. Missing a meeting or event without a valid excuse to the Chairperson or the Teacher-in-Charge of the relevant committee may result in the learner being suspended from participation in that cultural / service activity.

H. Accommodation of Religious or Cultural Rights

Religious and cultural 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 and the Deputy Principal, may accommodate a deviation from this Code of Conduct under the following conditions:

1. The learner must apply in writing to the Deputy Principal for a deviation from the standard School rules if such rules are in conflict with or infringe on any religious or cultural right of the learner.
2. The religious conduct or practice must be lawful.
3. The Deputy Principal must consider the application and, if they are satisfied that the application is justified, grant the application in writing.

I. Diversity and Inclusivity

The School has adopted a Diversity and Inclusivity Policy which applies to all members of the Westerford community. Contraventions of this Policy are viewed as Grade 3B serious misconduct offences and will be dealt with as stipulated in the Diversity and Inclusivity Policy.



Part 2: The Disciplinary System

Every teacher is responsible for discipline and has the full authority and responsibility to correct the behaviour of learners whenever such correction is necessary. Any corrective measure or disciplinary action will correspond to and be appropriate to the offence, taking into account the circumstances and context unique to each case. All learners will abide by the discipline system that has been developed to assist and guide learner behaviour in the School.

A. Grading of offences

Offences are graded according to the nature and degree of seriousness of the offences, of which Grade 3 offences are the most serious. The table of offences is in the table below.



List of offences per grade of offence

| Grade 1 Offences | Grade 2 Offences | Grade 3A General Serious Misconduct Offences | Grade 3B Serious Misconduct Offences related to Contraventions of the Diversity and Inclusivity Policy |
|---|--|--|---|
| <p>Intervention by the relevant Teacher, with, depending on the severity of the offence, possible referral to the Grade Head or Sports Head</p> | <p>Intervention by the Grade Head, with, depending on the severity of the offence, possible referral to the Discipline Head</p> | <p>Intervention by the Principal or the Discipline Head as his delegate, with, depending on the severity of the offence, referral to the Internal Disciplinary Committee or the SGB Disciplinary Hearing Committee</p> | <p>Intervention by the PIDIC (Permanent Independent Diversity and Inclusivity Committee)</p> |
| <ul style="list-style-type: none"> • Disruptive behaviour in class • Display of visible tattoos • Failure to do classwork • Failure to do homework • Failure to bring the required textbooks, notes, stationery, or equipment to a lesson • Failure to hand work in on time • Copying another learner's classwork or homework • Defacing School property • Reporting late for class • Use of offensive material to cover books or files • Use of cell phone or electronic device during contact time without permission • Talkative in class, to such an extent that it | <ul style="list-style-type: none"> • Minor vandalism • Urinating in public • Interfering with another person's possessions/ property without the owner's consent • Swearing, lying or using obscene gestures • Disrespect, insolence or insubordination • Failure to attend detention without prior submission of a written excuse or note • Continuous infringements of uniform regulations • Copying of assignments, projects or any other work intended for the year mark • Truancy from any contact time • Possession or use of fire crackers • Failure to attend an extra-mural activity, fixture or function as a participant or official • Tampering with safety and other equipment on School premises • Has repeatedly been found guilty of Grade 1 offences within that year or | <ul style="list-style-type: none"> • Use or have in their possession or sells or distributes a dangerous object (e.g. a weapon), alcohol or illegal drugs • Commits an act of bullying, fighting, assault, theft, arson, vandalism or malicious damage to property • Endangers the safety of or threatens or incites violence against fellow learners or educators, violating the rights of learners or educators, or disrupts the school programme • Is in possession of or uses any unauthorised copy of a formal assessment, or cheats, distributes, trades, bribes or attempts to bribe any person in respect of any formal assessment, or communicates verbally or non-verbally during a formal assessment, or using a cell phone or electronic device, with the intention of enabling himself or herself, or any | <ul style="list-style-type: none"> • Contravenes the Diversity and Inclusivity Policy |



| | | | |
|---|--|---|--|
| <p>disrupts teaching and learning</p> <ul style="list-style-type: none"> • Littering • Eating, drinking or chewing gum during any contact time (class and assembly) • Misconduct in an assembly • Entering an out of bounds area, classroom or passage without permission • Misconduct during detention • Infringements of uniform regulations • Failure to wear the correct full School uniform when in a public place, including the wearing of unauthorised items • Failure to wear the correct sports kit for a match or practice • Misconduct or poor sportsmanship during an extra-mural activity • Failure to attend an extramural activity's practice or meeting or event without excusing themselves | <p>repeatedly transgressing this Code of Conduct</p> <ul style="list-style-type: none"> • The carrying and/or use of cigarettes, electronic cigarettes and/or vaping devices is prohibited. | <p>other person, to gain an unfair advantage</p> <ul style="list-style-type: none"> • Falsely identify themselves, or knowingly and wilfully supplies false information or falsifies documentation to gain an unfair advantage at school • Contravening the Technology Acceptable Use Policy, sharing and distributing offensive or harmful content on social media, or using social media in a way that brings the name of the School into disrepute • Truancy from School or leaving the School property without the necessary permission • Conducts themselves, in a disgraceful, improper or unbecoming manner, may be guilty of serious misconduct. • Committed an offence punishable under common law • Has repeatedly been found guilty of Grade 2 offences or repeatedly transgressing this Code of Conduct • possesses or distributes pornographic material or engages in any act of public indecency | |
|---|--|---|--|

B. Disciplinary Procedures

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

1. Grade 1 Offences:

All Grade 1 offences will be dealt with by the staff member concerned in accordance with this Code of Conduct.

When a third Grade 1 offence occurs within that year, the matter is referred to either the Grade Head/ Subject Head/ Head of Sport/ the Head of the relevant leadership pillar depending on the nature of the offence. It will be elevated to a Grade 2 offence and dealt with as such in accordance with this Code of Conduct.



2. Grade 2 Offences:

All Grade 2 offences will immediately be referred to the Grade Head and dealt with in accordance with this Code of Conduct. Should the particular Grade 2 offence recur in that year, the matter will be elevated to a Grade 3A – serious misconduct offence and referred to the Head of Discipline.

The Grade Head will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed.

3. Grade 3A – General Serious Misconduct Offences:

All Grade 3A – serious misconduct offences will immediately be reported to the Discipline Head. The Discipline Head will investigate whether there is merit in the matter and determine whether a disciplinary hearing should be convened. Depending on the severity of the offence, the Discipline Head may refer the matter to the Internal Disciplinary Committee, or the SGB Disciplinary Hearing Committee. The process for dealing with Grade 3A General Serious Misconduct offences is detailed in Part 2C of this Code of Conduct.

4. Grade 3B Serious Misconduct Offences related to Contraventions of the Diversity and Inclusivity Policy:

The Committee and processes for Grade 3B offences will be guided by the Policy on Diversity and Inclusivity.

C. Disciplinary Interventions

1. Each case must be evaluated on its own merits and must result in a sanction justified for that specific case. The recommended sanctions provided below are guidelines for the teachers, Grade Heads, Discipline Head and Disciplinary Committees



2. Possible sanctions for Grade 1 offences may include but are not limited to:
 - verbal reprimand
 - written punishment
 - subtracting marks
 - temporary confiscation of devices
 - removing graffiti from desks during break times
 - keeping learner in during break times to complete work
 - temporarily remove learner from class to corridor (from where learner can still participate)
 - temporarily remove learner to Time Out Room
 - informing parents/ guardians

3. Possible sanctions for Grade 2 offences may include but are not limited to:
 - any of the sanctions suggested for Grade 1 offences
 - letter of warning
 - detention
 - awarding 0 marks for cheating or plagiarism
 - repair / replacement of damaged or lost property
 - elevating to disciplinary meeting or hearing with Discipline Head

4. 4. Possible sanctions for Grade 3A and B offences may include but are not limited to:
 - any of the sanctions suggested for Grade 1 and 2 offences
 - final warning
 - Saturday detention
 - referral for counselling
 - referral for mediation
 - community service
 - suspension of no longer than 21 days, inclusive of temporary suspension as a precautionary measure

 - attendance of a relevant life skills programme
 - exclusion from School activities and functions



- withdrawal of recognition, e.g. award
- temporary or permanent suspension of School-related privileges
- exclusion from sports
- temporary or permanent removal from leadership position
- temporary suspension from class or School, pending disciplinary hearing
- recommendation for expulsion
- suspended sanction providing that any subsequent offence may result in an immediate recommendation for expulsion, which may be combined with one or more of the other sanctions

D. Disciplinary Hearing Procedures for Serious Misconduct

1. Investigation of possible serious misconduct

(1) Where it is alleged that the conduct of a learner may constitute Grade 3A or 3B serious misconduct in terms of Part 2A of this Code of Conduct the allegation must be brought to the attention of the Principal or the Discipline Head as his delegate who must-

- (a) investigate or cause an investigation to be carried out to determine whether there are grounds for a disciplinary hearing;
- (b) decide whether there is sufficient evidence to institute disciplinary action against the learner in respect of the serious misconduct and whether or not to report the matter to the governing body.
- (c) refer the matter to the Internal Disciplinary Committee in less severe cases or to the SGB Disciplinary Hearing Committee in severe cases where suspension or expulsion may be considered.

(2) If the matter is referred to the Internal Disciplinary Committee, an appropriate fair and transparent process must be followed.

(3) If the matter is referred to SGB Disciplinary Hearing Committee, the procedure detailed below applies.

2. Notice to learner and parent of disciplinary hearing

(1) The governing body must notify the learner as well as the parents/ guardians of the learner, in writing, that disciplinary proceedings will be instituted against the learner. The notice must—



- (a) provide at least five school days' notice of the disciplinary hearing;
 - (b) inform the learner and the parents/guardians of the learner that disciplinary proceedings will be instituted against the learner;
 - (c) contain sufficient particulars of the date, time, place and the nature of the alleged serious misconduct to enable the learner to identify the incident and to respond thereto at the disciplinary hearing;
 - (d) contain the date, time and venue of the disciplinary hearing;
 - (e) advise the learner of their right to—
 - (i) be accompanied and represented at the hearing, by their parents/ guardians,
 - (ii) request access to documents or information produced in evidence; and
 - (iii) ask questions, cross-examine, lead evidence, call witnesses and produce documentary evidence to clarify issues pertaining to the allegation.
 - (f) inform the learner, where applicable, of the precautionary suspension and the nature of academic support to be provided by the school before the disciplinary hearing and during the period of suspension contemplated in regulation 2(2).
- (2) The principal must give the notice contemplated in sub-regulation (1) to the learner, and deliver a copy thereof to the parents/ guardians of the learner at the address of the learner indicated in the school admission register or the learner profile

3. Precautionary Suspension

- (1) The governing body may, on reasonable grounds, and as a precautionary measure, suspend the learner suspected of serious misconduct from attending school for a period not longer than seven school days.
- (2) The governing body must—
- (a) inform the learner and the parents/ guardians of the learner of the intention to suspend and the reasons therefore;
 - (b) afford the learner and the parents/ guardians of the learner a reasonable opportunity to make representations to the governing body in relation to such suspension; and



- (c) report the decision of the suspension of the learner to the District Director, who must keep a register of all such suspensions.
- (4) The governing body must conduct disciplinary proceedings in the manner contemplated in Part 2D of this Code of Conduct, within seven school days after the suspension of such learner.
- (5) If disciplinary proceedings are not conducted within seven school days after the suspension of the learner, the governing body must obtain the approval of the Head of Department for the continuation of the suspension of such learner.

4. Appointment and composition of SGB Disciplinary Hearing Committee

- (1) The SGB Disciplinary Hearing Committee must preside over the disciplinary proceedings.
- (2) The SGB Disciplinary Hearing Committee must comprise at least five persons, at least three whom must be governing body members.
- (3) The disciplinary committee must be chaired by a member of the governing body, designated by the governing body, who is not an employee or member of staff of the school.
- (4) The disciplinary committee must be impartial, fair and act without favour or prejudice.
- (5) The principal, learners at the school or persons having a conflict of interest are not eligible to be members of the disciplinary committee and may not be present when the governing body discusses the report or recommendations of the disciplinary committee.

5. Disciplinary hearing

- (1) At the commencement of the disciplinary hearing the Chairperson must introduce those present, ensure that witnesses are present only while giving their evidence must inform the learner of their rights including their right to:-
 - (a) a formal hearing;
 - (b) be present at the hearing;
 - (c) be given time to prepare their case;
 - (d) be given advance notice of the charges
 - (e) be represented, to give evidence and either personally or through a representative, to-state their case;



- (f) be accompanied at the hearing by parents/ guardians /guardian if the learner is a minor;
 - (g) put questions to any person called as a witness in support of a charge;
 - (h) inspect documents submitted in evidence;
 - (i) to ask questions on any evidence produced, or on statements of witnesses; and
 - (j) call witnesses to testify on their behalf.
- (2) If the learner or his or her parents/ guardians fail to attend the disciplinary hearing without just cause, and after due notice contemplated in regulation 5, and after such hearing has been convened for the second time, the hearing may be conducted in their absence.
- (3) The Chairperson must explain the reasons for the disciplinary hearing, request the charge or charges to be read, and ask the learner to plead to the charge.
- (4) If the learner pleads guilty, the chairperson must-
- (a) ensure that the learner knows and understands what he or she is pleading guilty to;
 - (b) ask the learner, representative, or parents/ guardians of the learner whether anybody wishes to make representations before a suitable sanction is imposed;
 - (c) ask the learner, representative and parents/ guardians of the learner and any other parties, except the members of the disciplinary committee, to leave the room while the committee deliberates on a suitable sanction;
 - (d) ensure that the disciplinary committee decides on an appropriate sanction;
 - (e) ensure that the disciplinary committee, after finding the learner guilty of serious misconduct, decide if—
 - (i) the learner should be suspended for a period not longer than seven school days;
 - (ii) any other sanction contemplated for serious misconduct in the code of conduct of that school should be imposed on the learner; or



- (iii) the expulsion of the learner should be recommended to the Head of Department; and
 - (f) recall the learner, representative or parents/ guardians of the learner and inform them of the outcome of the recommendations to be submitted to the governing body.
- (5) If the learner pleads not guilty, the chairperson must—
- (a) request the investigation report to be read and evidence adduced in support of the charge, including the calling of the complainant and witnesses;
 - (b) give the learner, representative or parents/ guardians of the learner the opportunity to put questions to the complainant and witnesses with the purpose of refuting evidence;
 - (c) afford the committee members an opportunity to ask questions of clarity, where applicable;
 - (d) afford the learner an opportunity to state his or her case and to call witnesses;
 - (e) allow committee members to ask questions of clarity;
 - (f) excuse the learner, representative and parents/ guardians of the learner while the committee reviews evidence and decides on the verdict;
 - (g) The Committee must discuss and weigh the evidence and come to a decision; and
 - (h) The Chairperson must reconvene all interested parties and inform them of the disciplinary committee's decision and explain the reasons for the decision and the penalty (if any) that has been imposed.
- (6) If the disciplinary committee finds the learner guilty, the chairperson must—
- (a) ask him or her, or his or her representative or parents/ guardians, if they wish to make representations before a decision is made on the appropriate sanction; and
 - (b) ask the learner, representative or parents/ guardians of the learner and any other parties, except the members of the disciplinary committee, to leave the room while the committee deliberates on a suitable sanction.



(7) The disciplinary committee must then decide on an appropriate sanction taking all the evidence and representations into account and decide if—

- (a) the learner should be suspended for a period not longer than seven school days;
- (b) any other sanction contemplated in Part 2 C 4. of this Code of conduct should be imposed on the learner; or
- (c) the expulsion of the learner should be recommended to the Head of Department.

(8) Recall the learner, representative or parents/ guardians of the learner and inform them of the outcome of the recommendations to be submitted to the governing body.

(9) The learner and his or her parents/ guardians must be informed, in writing, of the decision of the governing body on whether or not the learner is guilty of serious misconduct, and the sanction imposed.

6. Corrective Suspension of Learner

(1) The governing body may suspend a learner as a correctional measure, after the learner has been found guilty of serious misconduct as contemplated in regulation 7(4)(e)(i),

- (a) for a period not longer than seven school days; or
- (b) pending the decision of the Head of Department as contemplated in regulation 8(2), for a period not longer than 14 school days.

(2) The total period of suspension of a learner from school shall not be longer than 21 school days.

(3) The governing body must report all the decisions to suspend and the nature of the suspension of the learners to the District Director, who shall keep a register of all such suspensions.



7. Recommendation of expulsion by governing body

- (1) (a) Where the governing body recommends to the Head of Department that a learner be expelled, the parents/ guardians of the learner must be notified, in writing, of the decision of the governing body.
 - (b) Where a governing body suspends a learner from attending school, with the recommendation of expulsion to the Head of Department, the governing body must direct the principal to submit to the Head of Department, within three school days-
 - (i) the minutes of meetings at which the decision was taken;
 - (ii) any written representations submitted by the learner or parents/ guardians of the learner or representative; and
 - (iii) the full record of the proceedings by the disciplinary committee or governing body.
- (2) Pending a decision by the Head of Department the governing body may suspend or extend the suspension of a learner for a period not longer than 14 days.
- (3) In terms of the Regulations (8 and 9),
- (a) The Head of Department must consider the recommendation by the governing body and must decide whether or not to expel a learner within 14 days of receiving such recommendation.
 - (b) If the Head of Department decides not to expel the learner, the Head of Department may, after consultation with the governing body, impose a suitable sanction on the learner, which must be implemented by the governing body.
 - (c) If the Head of Department decides not to impose a sanction on the learner, the Head of Department must refer the matter back to the governing body, for an alternative sanction in terms of Part 2 C 4 of this Code of Conduct.
 - (d) The governing body and the parents/ guardians of the learner must be notified immediately, in writing, of the decision of the Head of Department, with good cause shown.



- (e) If the Head of Department expels a learner, the notice contemplated in sub-regulation (6) must include a reference to the right of appeal to the Provincial Minister.
- (f) A learner who has been expelled from a school, or the parents/ guardians of such learner, may appeal against the decision of the Head of Department to the Provincial Minister within 14 days of receiving the notice of expulsion.
- (g) A copy of the notice of appeal must also be served on the office of the Head of Department and the chairperson of the governing body.

8. Official Forms

The following official forms will be used for misconduct and disciplinary hearings:

- Written warning (disciplinary warning form) (Annexure B)
- Final written warning (Annexure C)
- Notice of disciplinary hearing (Annexure D)
- Rights of Learners facing disciplinary action (Annexure E)



ANNEXURE A: LEARNER COMMITMENT FORM

I, _____, a learner at WESTERFORD HIGH SCHOOL,
understand the rules and their implications and hereby commit to:

- Abide by the Code of Conduct the Diversity & Inclusivity Policy and Disciplinary System.
- Let the School know if I feel my rights have been infringed, or if I experience any other difficulty.
- I accept that social responsibility, honesty, integrity, truthfulness, punctuality, regular attendance and compassion are core values of Westerford High School.
- I undertake to ensure that I will at all times be courteous and demonstrate respect for the beliefs, customs, language, individuality and property of others.
- I undertake to ensure that I do my homework regularly, prepare thoroughly for tests and examinations, submit assignments and other allocated academic tasks timeously.
- I will ensure that my behaviour in the classroom does not negatively impact on an orderly and harmonious learning environment, nor interfere with or disallow others from learning.
- I undertake to ensure that I will use my and the School's resources carefully and wisely.
- I will adhere to the regulations regarding appearance and school uniform and that it is desirable that I appear neatly and appropriately dressed at all times.
- I understand and accept that it is a requirement that I participate fully in the sporting and cultural activities offered at the School.
- I understand that my involvement in any instances of cheating, plagiarism, theft, bullying (verbal or physical), sexual harassment, smoking or substance abuse will be treated as serious misconduct and could jeopardise my continuing at Westerford.
- I accept responsibility for my own behaviour and my own learning.
- I accept that the community at large will regard me as a representative of Westerford High School and I undertake not to do anything to bring discredit to the School or its reputation.

SIGNATURE OF LEARNER

SIGNATURE PARENT/GUARDIAN

DATE:



**ANNEXURE B:
WRITTEN WARNING**

Name of learner: _____

Learner ID number: _____

Nature of Offence: _____

Teacher: _____

The above learner has breached the disciplinary code.

Date of offence: _____

Grade of offence: _____

Sanction imposed: _____

Learner's statement:

Learner _____

Witness _____

Grade Head _____ Date: _____

- One (1) copy to learner, original to be kept by **GRADE HEAD**.
- Learner's signature does not signify admission of guilt, but that charges and action taken have been explained



**ANNEXURE C:
FINAL WRITTEN WARNING**

Name of learner: _____

Learner ID number: _____

Nature of Offence: _____

Teacher: _____

Date of previous warnings: _____

Please take note that this is a final warning. If the disciplinary code is breached again, in any way, it will lead to a disciplinary hearing.

Date of offence: _____

Grade of offence: _____

Sanction imposed: _____

Learner's statement: (May attach separate page if insufficient space)



Learner _____
Witness _____

Grade Head _____ Date: _____

- One (1) copy to learner, original to be kept by **GRADE HEAD**.
- Learner's signature does not signify admission of guilt, but that charges and action taken have been explained



**ANNEXURE D:
NOTICE OF DISCIPLINARY HEARING**

Name of learner: _____

Learner ID number: _____

Teacher: _____

A formal disciplinary hearing will be held and you are obliged to be present.

If you fail to at the hearing without just cause and the hearing has been conducted for the second time, the hearing may be conducted in your absence.

You have a right to:

- (a) be accompanied and represented at the hearing, by your parents/ guardians;
- (b) request access to documents or information produced in evidence; and
- (c) ask questions, cross-examine, lead evidence, call witnesses and produce documentary evidence to clarify issues pertaining to the allegation.

Date of hearing: _____

Venue of hearing: _____

Time of hearing: _____

Date served: _____

The charge against you is as follows:

Date of offence: _____

Nature of offence: (must contain sufficient particulars of the date, time, place and the nature of the alleged serious misconduct to enable the learner to identify the incident and to respond thereto at the disciplinary hearing);



Notice of Precautionary Suspension from class

You are further advised that you have been suspended from class from:

| | | | | | | | | |
|-------|-------|---|---|--------|-------|-------|---|---|
| Time: | Date: | / | / | until: | Time: | Date: | / | / |
|-------|-------|---|---|--------|-------|-------|---|---|

This is a precautionary suspension pending a disciplinary hearing.

During your period of suspension, you will not be permitted on the School premises unless written permission has been given to you by a senior member of management, or for attending this hearing.

Note: Learner receives one (1) copy and the signed copy must be kept and filed.



ANNEXURE E:

Rights of Learner facing Disciplinary Action by SGB Disciplinary Hearing Committee

Learner's rights (to be read by Server)

- The right to a formal hearing.
- The right to be present at the hearing.
- The right to be given time to prepare your case.
- The right to be given advance notice of the charges.
- The right to be represented, to give evidence and either personally or through a representative, to-state their case.
- The right to be assisted at the hearing by parents/guardians if under age.
- The right to ask questions on any evidence produced, or on statements of witnesses.
- The right to call witnesses to testify on your behalf.
- The right to inspect documents submitted in evidence
- If you do not attend, the hearing will be conducted in your absence.