

POTCHEFSTROOM CENTRAL SCHOOL



CODE OF CONDUCT

The Code of Conduct at Potchefstroom Central School is based on a few essential principles:

Respect myself:

By striving to realize my talents and having pride in my thoughts, actions, and dress.

Respect others

By being polite, considerate, and helpful at all times, giving others an opportunity to reach their full potential in school life and encouraging those who are weaker by giving them assistance and support.

Respect the environment:

By consciously caring for and protecting my natural surroundings.

Accept responsibility:

By completing whatever tasks have been set for me and recognizing that with every responsibility comes accountability.

School rules are clearly set out together with disciplinary procedures covering all aspects of school life governed by the few principles stated above. Misdemeanours range from minor offences through to serious offences and major offences and cover such behaviour as grooming, general behaviour, theft, offensive materials, punctuality, and substance abuse.

The purpose of any disciplinary procedure that is applied to learners, who violate the Code of Conduct, is to rehabilitate unacceptable behaviour rather than punish the offender.

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1. TITLE OF THE POLICY: CODE OF CONDUCT FOR LEARNERS

2. EFFECTIVE DATE: 1 May 2026

3. DATE OF NEXT REVIEW: November 2026

4. REVISION HISTORY

As amended on: (Specify dates)
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 taking into account the diverse cultural beliefs, religious observances and medical circumstances of the learners at the school.

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

No	Term	Definition
		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 (Name of School)
10	School Governing Body	Is the body responsible for Governance issues at the (name of 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 our 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 Regulations for Misconduct of Learners at Public Schools and Disciplinary Proceedings, 2001 (General Notice 2591 of 2001).

9.7 Regulations for Safety Measures at Public Schools Government Notice No. 1040, October 2001, as amended.

9.8 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 Potchefstroom Central 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 Potchefstroom Central 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 must 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 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.

HAIR - GIRLS:

- * Hairstyles should always be neat.
- * Long hair must be tied back with the approved accessories.
- * Short hair must not touch the shoulders.
- * Hair may not be coloured / highlights are not allowed.
- * Hair accessories must be white, bottle green, black, or navy.
- * No exotic hairstyles. E.g., no beads.
- * Hair must be kept out of the eyes.
- * Braids must be manageable.

HAIR - BOYS:

- * Hair must be kept short and evenly cut and neat.
- * No exotic hairstyles.
- * No long fringes.
- * Hair may not touch the collar or cover the ears.
- * No colouring or highlights.
- * No gel, braids, or beads
- * No lines cut into the hair.

A written request addressed to the School Governing Body is required for any other hairstyles not mentioned above.

School Uniform:

- * The correct school uniform must be worn every day. When wearing your school uniform in public, your behaviour must be exemplary. For example, boys must not walk around with their hands in their pockets. School uniform rules apply outside the school as well.
- * Jewellery: Girls may only wear one signet ring and **stud earrings (silver or gold no coloured stones.)** Jewellery worn for religious reasons may only be worn with written permission from the SGB. Boys may not wear any jewellery. Jewellery will be confiscated and only returned at the end of the term.
- * Nails clipped, short and cared for NO nail polish / no henna.

SUMMER UNIFORM:

GIRLS: PT shorts, PT shirt (short / long sleeved depending on weather), navy ankle socks or navy long socks, white or black school takkies on the days that are allocated for such, NO sneakers or high tops.

Only a tracksuit jacket, school jersey or school drimac is allowed if cold.

BOYS: PT shorts, PT shirt (short / long sleeved depending on weather) PT shirt, navy school socks, white or black school takkies to be worn according to the days allocated to such, NO sneakers. Only a tracksuit jacket, school jersey, or school drimac is allowed if cold.

WINTER UNIFORM:

GIRLS: School tracksuit, long sleeved PT shirt, navy socks, white school takkies, NO sneakers. School jersey may be worn under tracksuit jacket.

BOYS: School tracksuit, long sleeved PT shirt, navy socks, white school takkies, NO sneakers. School jersey may be worn underneath tracksuit jacket. Navy scarves may be worn. Only NAVY beanies allowed. No brand name beanies allowed.

ALL CLOTHES MUST BE CLEARLY MARKED

Not on the outside of the uniform for the safety of the learners.

Learners are permitted to wear civvies on their birthdays. Should their birthday fall on a weekend or during the holidays they may wear civvies the following Monday.

If a learner has achieved Provincial or National colours, they are allowed to wear said uniform on a Friday.

HOMEWORK POLICY

The Homework Policy for the school is quite simple. Whatever classwork is not completed during the school day is to be completed at home. When an educator gives homework to the class, it is the learner's responsibility to write it down in their diaries. Foundation Phase learners receive homework sheets weekly.

There are, however, some additional tasks that the educators may wish to give the children, for example, in the Foundation Phase there are usually some consolidation exercises in phonics, reading, spelling and number work. No child in the Foundation Phase (Grades 1-3) should have to spend more than 30 min on homework each day.

In the Senior Classes (Grades 4 - 7) children may be asked to do some consolidation of work covered in class, or research or collecting of items for specific tasks in the various classes and preparing a little each day for tests/exams. Here again, time spent on homework should be approximately 45

minutes. Children should organise their time and spread their tasks out and should not leave work till the last minute.

Not doing homework is more than just an act of disobedience. It is an act of disrespect focused at the educator. As “respect” forms the basis of our Code of Conduct, any acts where the necessary respect is not shown will be severely dealt with. A disciplinary hearing may be called and a report of such a hearing will be placed in the child's permanent record. Sadly, this is the only recourse we have regarding effective discipline where children choose not to cooperate in respect of what their educators are trying to do for them.

Parents are requested to assist their children in this regard. It is the parents' responsibility to ensure that homework is done. Should you wish to communicate with us on this matter, please e-mail us at admin@potchcentral.co.za

11.3.2 School Attendance

- a) All learners are expected to attend school every day.
- b) Learners are to be at school by 07:20 as the bell rings at 07:30.
- 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.
- e) Should your child be absent due to illness or death in the family, the educator will ensure that the child gets the work they missed. However, should parents take their child out of school for a holiday, then it remains the parents' responsibility to get the work missed.
- f) If a learner, is absent for 3 consecutive days without a valid reason the teacher will report it to the principal.
- g) The principal will report to the governing body for further intervention.

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:

- * 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, Disciplinary committee and SMT 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.
- * An educator's instruction must be followed at all times. Under no circumstances will the undermining/disregard of an educator be tolerated.
- * Classrooms may only be left with the permission of an educator.

- * Always be busy with schoolwork or reading. Leave distractions at home. All belongings should be marked. Belongings that are not marked and that disappear will be deemed to have been lost by the learner.
- * Sport bags and belongings must be taken home every day. Take responsibility for belongings!
- * Speak with respect to the educator and other learners. Be silent when there is a visitor in the classroom.
- * Raise your hand when you want to speak to an educator.
- * Follow the class rules according to each individual educator.
- * No scratching or writing on desk surfaces / textbooks (vandalism).
- * Homework is compulsory for Grades 1 – 7.
- * Learners must be at school when class tests are being written.
- * When a child has been absent from school, a written note from the parent is compulsory on returning to the school.
- * Physical Education is a compulsory subject, and all children must participate. A medical certificate is required when a child continuously excuses himself/herself. The compulsory uniform for P.E. is navy shorts and a school PT-shirt or school navy/black swimming costume and cap.
- * No writing of rude or nasty letters.
- * No bullying in class.
- * No littering in the classrooms.
- * No eating/chewing in class.
- * Always get to your class on time. No dawdling.
- * No running on the Corridors.

11.3.4 Care of the School Property

School Hall:

- Line up quietly and in an orderly manner outside the hall.
- Lead in quietly.
- Learners are only allowed into the hall when an educator accompanies them.
- No talking during Assembly.
- Respect all furniture in the hall.
- No food or drinks allowed in the hall at any time!
- Assembly Mondays: 7:30 - 08:10

Playgrounds/Buildings:

- 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.

The playgrounds are demarcated for various Grades.

- * The grass in the quad is out of bounds unless learners are given permission to meet or walk on the lawn.
- * The quad area is out of bounds during break and before school (except to place your suitcase).
Corridors are out of bounds during breaks.
- * No ball games in the quad area or near windows or cars.

- * Walk on the corridors. Walk briskly and quietly. No running.
- * Silence when the bell rings.
- * No writing on the walls.
- * Leave toilets, as you would like to find them.
- * All litter to be placed in a dustbin.
- * No spitting.
- * No bullying / sexual harassment / intimidation/ threats / fighting.
- * Jungle gym and swings Grade 1 and 2 learners
- * Children (Foundation phase) may play on them while under supervision.
- SIT on the benches!
- Listen to the leaders.

Extra-curricular Activities:

- Make a commitment to the activity you participate in.
- Be punctual for all practices and matches.
- Show appreciation by thanking your coach, teammates, and opposition.
- Apologise to the educator/coach if you could not attend a practice.
- Wear the correct sport uniform.
- All boys and girls must wear caps in the swimming pool.
- Respect the decisions of the umpires.
- Self-discipline is required at all activities.
- Spectators sit on the stands and behave courteously.
- No screaming and shouting unless you have been given permission to do so.
- No chewing gum.
- Non-sportsmanship and misbehaviour on or next to the sports' fields or at cultural activities could lead to exclusion from the activity or sport. * No littering on sports' fields.

11.3.5 Drug, Alcohol and Weapon Free Zone

- a) Smoking, alcohol, drug use is not permissible at the school.
- b) Possession of cigarettes, nicotine products, vapes, 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 leave during school hours must supply the office with a letter from the parent requesting permission for leave.
- d) A learner who falls sick during school hours must report to the class teacher, who will contact the parent / Send a written note to the secretary to 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 or SMT
- 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.
 - Greet each other at school activities.
 - Visitors to the school should be treated with respect. A standard greeting:
 - “Good morning, ma'am.” “Good morning, sir.”
 - No learners may leave the grounds during school time or while waiting for extra-mural activities without the permission of the principal, teacher, or sports' coach.
- Be on time for school. **School starts at 07:30.** School closes:
 - Grade R: 12:30
 - Grades 1 & 2: 12:55
 - Grade 3: 13:35 (Mon to Thurs)
 - Grades 4 - 7: 13:35 (Mon to Thurs)

 - Fridays: 12:45

NO SUPERVISION BEFORE 06:45

- Going home after school:

- If there are no extracurricular activities, there will be no supervision after 14:00

- No cheating in tests/exams.
- School grounds, buildings and pool are out of bounds during holidays.
- **Any learner suffering from a contagious disease may not attend school until a letter has been received from a medical doctor declaring a clean bill of health.**
- Learners may not operate any electrical apparatus.
- Suitcases must have firm partitions to keep books secure. No soft bags or rucksacks.
- **No Cadies will be allowed.**
- No cell phones are allowed. If a cell phone has to be brought to school for an emergency or transport issues, it must be accompanied by a letter from the parents/guardians. The phone is then locked in the safe for the day.

11.4 Disciplinary Rules

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 Minor Offences

a. The following acts are considered as Ordinary offences:

- Failure to complete schoolwork (class work and homework) given.
- Arriving late for school or an activity
- Playing truant or bunking periods.
- Littering anywhere on the school premises.
- Use of foul language.
- Incorrect uniform
- Minor disruptive behaviour
- Non-stop talking in class.
- Reply slips not returned to school.
- Books, equipment forgotten.

b. **First Offence**: Warning in the monitor book, verbal warning, break detention or demerit.

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. A demerit may be given to the learner.

c. **Second Offences**: Social skills training, school service, time-out, etc. appropriate to the offence. Parents will be notified about the punishment and will be expected to assist with improving the behaviour of the child.

Parents will be notified if there is no improvement on the matter reported to them.

- d. After three ordinary offences have been recorded against a learner the matter must be referred to the Discipline committee 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.
- e. 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.

GRADE R - 3 FOUNDATION PHASE

CLASS 1 Foundation Phase:

5 verbal warnings which are recorded in the discipline book.

A written warning (yellow letter) will be sent home.

- Failure to complete schoolwork (class work and homework) given.
- Arriving late for school or an activity
- Playing truant or bunking periods.
- Littering anywhere on the school premises.
- Use of foul language.
- Incorrect uniform
- Minor disruptive behaviour
- Non-stop talking in class.
- Reply slips not returned to school.
- Books, equipment forgotten.

CLASS 2

5 written warnings which are recorded in the discipline book will result in an afternoon detention.

Foundation Phase:

An immediate written warning will be issued for the following.

- * Dishonesty
- * Swearing
- * Disruptive behaviour in or outside the classroom
- * Back chatting

- * Disrespect to educators / learners

CLASS 3

After 3 afternoon detentions a meeting will be held with the parents.

After 2 meetings with the parents a meeting will be held with the Disciplinary committee, principal, and DH.

If there is no improvement in behaviour further disciplinary action will be taken which may include the Disciplinary committee, SGB and or the Education Department.

Foundation Phase:

An immediate afternoon detention will be given for ...

- * Bullying
- * Hitting or hurting other learners
- * Cheating during assessments
- * Vandalism
- * Stealing
- * Offensive letters
- * Cell phone offences
- * Truancy
- * Substance abuse
- * Pornography
- * Sexual harassment
- * Weapons

All warning must be recorded in the discipline book.

DISCIPLINE PROCEDURE

Grades 4 – 7

- Break detention, break isolation, verbal warnings, name recorded in the monitor book.
- Once **30 demerits** are given, a **possible detention** letter will go out

- At **50 demerits**, **detention** will be given to the learner.
- Should bad behaviour continue, then a **2nd detention** will be given (**100 Demerits**)
- When a learner reaches **130 Demerits**, parents will then be called in for a meeting with the class teacher, grade head and discipline head (Internal Meeting)
- Should this still not work, an Internal Hearing will take place (**150 Demerits**). This will involve the class teacher, grade head, discipline heads and the SMT (School Management Team)
- At **180 demerits**, a Disciplinary Hearing will take place. This will involve the class teacher, grade head, discipline heads, the SMT (School Management Team) and the SGB Chairperson or Representative.

11.4.2 Schedule 1 - Misconduct

a. A learner will be guilty of Schedule 1 misconduct if he/she:

- (i) threatens, disrupts, or frustrates teaching or learning in a class; (serious misconduct)
- (ii) stealing if proven, in addition to a final warning, the case could be referred to the police.
- (iii) Vandalism (damaging school property): In addition to a final warning, the matter could be reported to the police and the parents or guardians will be compelled to replace or pay for the damaged property.
- (iv) engages in a conspiracy to disrupt the proper functioning of the school through collective action.
- (v) insults the dignity of or defames any learner or any other person, which includes racist remarks.
- (vi) 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; (serious misconduct)
- (vii) cheats in a test or examination or any other form of assessment such as assignments.
- (viii) engages in any act of public indecency.
- (ix) sexually harasses another person; (serious offence)
- (x) Any form of harassment, including sexual harassment of a learner, employee or other person related to the school, including harassment using electronic and or social media.
- (xi) is found in possession of or distributes pornographic material; (serious offence)
- (xii) Smokes or is in possession of cigarettes; vapes or banned substances or
- (xiii) is under the influence or in the possession of alcohol. (serious misconduct)
- (xiv) truancy
- (xv) Harassment and abuse (sexual, physical, emotional, verbal): Repeated misbehaviour, which causes disruption of classes, is a serious offence. Harassment of fellow learners (including

bullying) and intimidation of educators will lead to suspension and expulsion after a final warning has been given.

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.

The police may be called to search a learner or learners if Educators suspect any illegal activities without the consent of the parent. Charges may be made if a learner is found guilty.

11.4.3 Schedule 2 and 3 – 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 / vandalism 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.

In the event of the above offences, a final warning and suspension, a criminal charge could be laid with the police where applicable.

11.5 Responsibilities of Learners

- a) Sign 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 must attend meeting convened by the Governing Body, Disciplinary Committee, Principal or SMT for them.

11.7 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 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 disciplinary committee.
- 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.

11.8 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.

11.9 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.

11.10 **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.

GENERAL PRINCIPLES

Subject to the School Act (1996), the decision to expel, and/or to suspend a learner after a fair hearing, rests with the Governing Body. The Governing Body will suspend the learner as a corrective measure for a week. If the decision is taken for expulsion, a recommendation will be sent to the Head of the Department, who makes the final ruling. While awaiting the decision of the Head of the Department, the period of suspension may be longer than one week but can only be up to 14 days in total. The parties involved in the disciplinary proceedings may lodge an appeal within 48 hours against the decision of the Head of Department.

The provisional suspension and/or expulsion will only be considered when sufficient grounds exist that the presence of the learner at school would disrupt the discipline, and/or for his/her protection.

11.11 Disciplinary Committee (DC) for Serious Misconduct

The educator(s) after exhausting all possible options (as indicated above) to ensure discipline will refer the matter to the Disciplinary Committee. The Committee will comprise of the Governing Body and educators. This Committee shall always be fair and consistent in the handling of matters referred to it. All the steps taken will be solely based on maintenance of standards, correction of behaviour and upholding human values.

- 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.

11.12 **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, 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.

11.13 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 regarding 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 available on the school website and available at school.
- b) This policy will be made available to each learner in the official language of teaching and learning.
- 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:
- e) Each learners will have access to a copy of the code of conduct it will be signed by learners, younger learners in Foundation Phase to be informed verbally.
- f) Classroom rules and the consequences for breaking these rules may be displayed in the class.

13. SHORT TITLE

This policy shall be called (Code of Conduct for Learners of POTCHEFSTROOM CENTRAL SCHOOL)

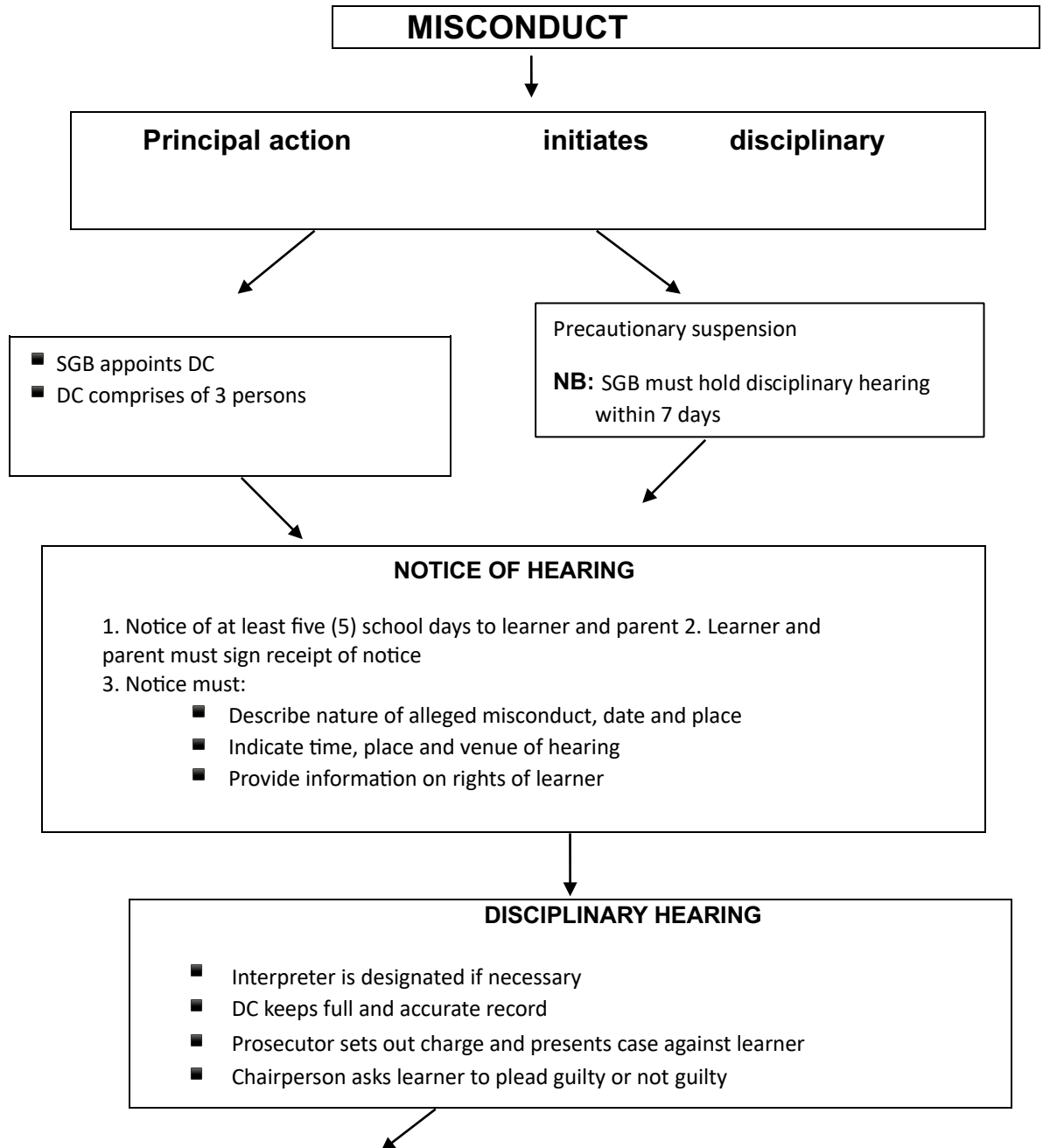
14. APPROVAL:

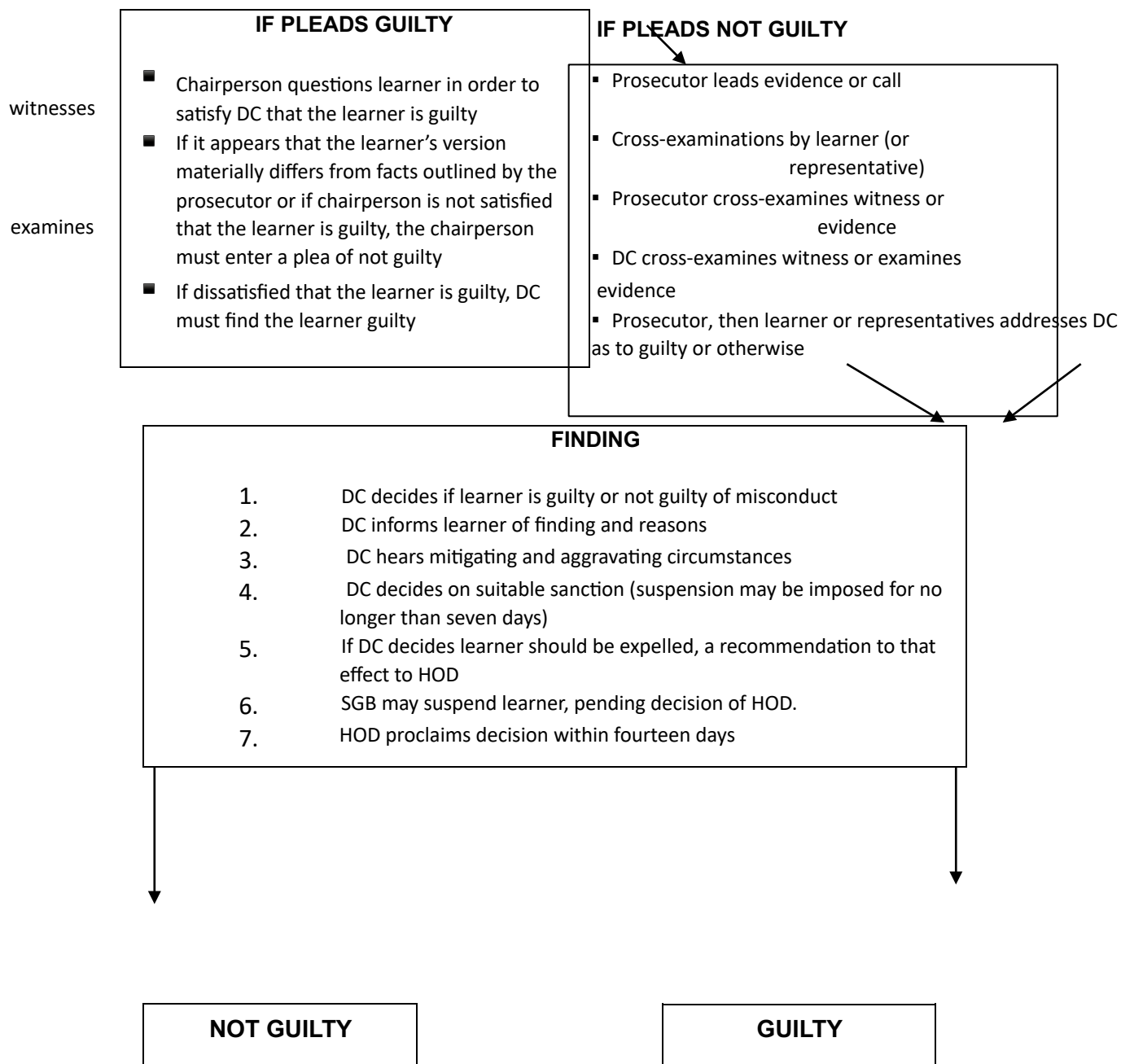
Recommended by: (Principal) (print name)		Signature:	
Date:			
Approved by: (SGB Chairperson) (Print name)		Signature:	
Date:			
Verification by GDE: (District Director) (Print Name)		Signature:	
Date of Verification			
Certified by : (Print Name)		Signature:	
Date			

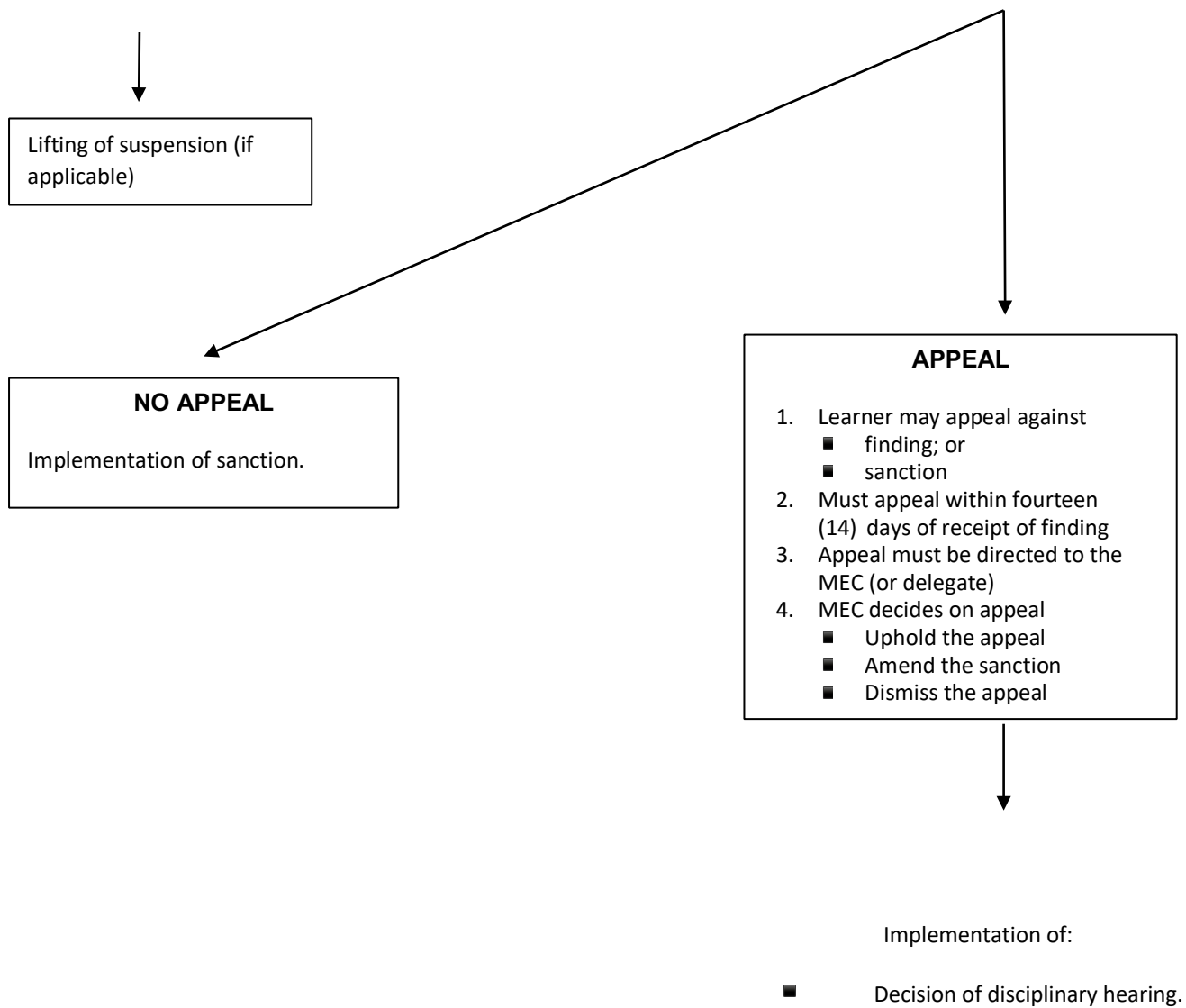
15. ANNEXURE A:

SCHEMATIC EXPOSITION: MISCONDUCT PROCEDURE FOR			
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
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97	98	99	100

LEARNERS AT PUBLIC SCHOOLS (SASA AND THE REGULATIONS)







16. ANNEXURE B

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 OF 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 EARNING 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 _____

Approved by:

School Governing Body of Potchefstroom Central School

**ACCEPTANCE OF SCHOOL RULES /
CODE OF CONDUCT**

_____ (Name of learner) undertake

to abide by and respect the rules laid down by the school.

As educators have undertaken to be educators in both guiding and imparting knowledge to the best of their ability, so I in turn will always strive to co-operate and assist the educator in his or her endeavour to successfully carry out that role.

I will be courteous to those with whom I come into contact, both in the classroom and on the playground.

I will accept the disciplinary code of conduct set out by the teachers to maximize learning opportunity.

I acknowledge that I too have problems and face difficulties from time to time, and will therefore show understanding and compassion, and be sensitive to the needs of those around me.

Only as I become a totally disciplined person, can I develop my personality to the full, learn the respect of my peers and gain sufficient knowledge to prepare me for life.

I accept and will abide by the rules of Potchefstroom Central School as set out in the Code of Conduct

Learner's Signature

Parent's Signature

Date