

# **RAND PARK HIGH SCHOOL**



# **LEARNER CODE OF CONDUCT**

**TITLE OF THE POLICY** : Rand Park High School Learner Code of Conduct  
**EFFECTIVE DATE** : 29 May 2017  
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**REVISION HISTORY**

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## 1. PREAMBLE

Rand Park High School is committed to providing its learners with a holistic education, balancing the academic, physical, emotional and social development of each learner in its care. It hopes to equip learners with the values and skills to live in a just, tolerant, multicultural, democratic society and it respects the religions of all people. The school's motto, "Integrity and Commitment", embodies the values the school wishes to uphold.

Rand Park High School aims to maintain a disciplined and purposeful environment, thus facilitating the learning and teaching in the classroom, on the sports field, in its cultural activities and in all that is part of the life of the school. It is dedicated to the maintenance and improvement of the quality of the learning process.

## 2. THE GENERAL AIMS OF THE CODE OF CONDUCT

The code of conduct is a set of moral values, norms and principles which the school community will uphold; it aims to promote self-discipline, exemplary conduct and positive discipline, to punish wrongdoing and to deter further unacceptable behaviour. By attempting to clarify the roles and responsibilities of the various stakeholders, it wishes to maintain a healthy learning environment. It provides for legitimate disciplinary measures and appropriate mechanisms for airing grievances.

### Legal Authority

The Bill of Rights in the Constitution of the Republic of South Africa 1996, Act No. 108 of 1996, the National Education Policy Act No. 27 of 1996, the S.A. Schools Act, Act No. 84 of 1996 and the Provincial Ordinance No. 602 1995 and regulations promulgated thereunder empower the Governing Body to set and maintain a code of conduct for its learners.

## 3. GENERAL PARAMETERS WITHIN WHICH THE SCHOOL'S CODE OF CONDUCT FUNCTIONS:

This Code of Conduct applies in the following circumstances:

- 3.1 On school property:
- 3.2 On a school outing/excursion off the property:
- 3.3 Representing the school:

- 3.4 All of the above (3.1 - 3.3) apply in or out of school hours and in or out of school uniform.
- 3.5 Out of school, but in school uniform.
- 3.6 Out of school where the behaviour is linked to the name of the school.

#### **4. STATEMENT OF RIGHTS AND RESPONSIBILITIES**

##### **4.1 The Rights of Learners**

###### **4.1.1 Democracy:**

The Bill of Rights in the Constitution of the Republic of South Africa, Act No. 108 of 1996, enshrines the rights of all people and affirms the democratic values of human dignity, equality and freedom.

The school must protect, promote and fulfil the rights identified in the Bill. All learners and stakeholders at a school have the democratic right to due process and a reasonable right to participate in decision-making about matters affecting them at the school.

###### **4.1.2 Non-discrimination and equality:**

No person may unfairly discriminate against a learner.

All learners shall enjoy equal treatment before the law and shall receive equal protection and benefits of the law.

###### **4.1.3 Privacy, respect and dignity.**

Every learner has inherent dignity and has the right to have his/her human dignity respected. This implies mutual respect including respect for one another's convictions and cultural traditions. Every learner also has a reasonable right to privacy, which includes the right not to have his/her person or property searched or his/her possession seized. However, the principal or an educator may search learners based on his/her reasonable suspicion of an offence being committed. Certain items may be confiscated for a period of time (e.g. jewellery) and other items permanently (e.g. cigarettes, lighters, electronic cigarettes, drugs, drug paraphernalia, pornography, satanic material and dangerous weapons). If parents request in writing the return of the item, this may be done provided they collect the item personally.

Moreover, the school's dress code must be upheld and incorrect items may be confiscated for a period of time (usually one term).

The school reserves the right to place any security device (including, but not limited to, closed circuit TV) in any area of the school, if such measures are deemed necessary for the wellbeing of learners, educators and their, or the school's property.

###### **4.1.4 Non-violence and the freedom and security of a person.**

Every learner has the right not to be treated or punished in a cruel, inhuman or degrading manner. Corporal punishment has been abolished.

Educators and learners have to learn the importance of mediation and co-operation, to seek and negotiate non-violent solutions to conflict and differences and to make use of due process of law.

- 4.1.5 Freedom of expression, the reasonable right to demonstrate and present petitions. These rights are not absolute: the dress code must be adhered to; vulgarity, insubordination and insults cannot be tolerated; anything that disrupts the learning activities or operation of the school is unacceptable.

Learners have the right to agreed procedures for expressing and resolving school-related grievances.

- 4.1.6 School environment.  
Learners have the right to a clean and safe environment that is conducive to education.
- 4.1.7 The South African Schools Act provides that education is compulsory for learners from the year in which such learners reach the age of 7 years until the last school day of the year in which such learners turn 15 years or the ninth grade, whichever comes first.

## 4.2 **The Responsibilities of Learners**

- 4.2.1 Learners of Rand Park High School are to conduct themselves in a manner which is fitting for members of a good school. They are to regard their school and educators in high esteem and to be polite, helpful, co-operative, responsible and self-disciplined.
- 4.2.2 Learners are expected to set a good example with regard to appearance and behaviour at all times both in and out of school. Learners need to guard against doing or saying anything that will discredit themselves, their families, educators or their school.
- 4.2.3 Consideration must be shown towards others and respect given to educators, learner leaders and visitors. Instructions must be carried out willingly and promptly. Insubordination cannot be tolerated.
- 4.2.4 No learner has the right at any time to behave in a manner which disrupts the learning of other learners, or which causes another learner physical or emotional harm.
- 4.2.5 Learners must take responsibility for their own learning, be punctual for classes, do their school work during classes, complete assigned homework and catch up on work missed because of absence. Disruptive behaviour is unacceptable.
- 4.2.6 Security and care of school property
- 4.2.6.1 As the school has been developed for the use of all the learners attending the school, it is the privilege and obligation of every learner to protect and use carefully all the facilities and equipment so that others who come after them can also enjoy the privilege. Writing graffiti and destruction of property are punishable offences.

Stakeholders have the duty to report vandalism, or any damage or misuse of school property.

4.2.6.2 School property may not be removed from school premises without written permission from the Principal.

### 4.3 **The Rights and Responsibilities of Parents with respect to the Code of Conduct.**

The ultimate responsibility for learners' behaviour rests with their parents or guardians. It is expected that parents will:

4.3.1 ensure their children conduct themselves according to the accepted norms of controlled, courteous, correct and disciplined behaviour while associated with the school;

4.3.2 support the school, and require learners to observe all school rules and regulations including ensuring that the dress code is upheld and accept responsibility for any misbehaviour on their part;

The school will contact parents whenever a child's behaviour becomes cause for concern and will endeavour, in a spirit of constructive partnership, to resolve the problem. The parents, however, remain the persons ultimately responsible for ensuring that their child complies with the Code of Conduct.

Parents must, on seeking admission for their children at Rand Park High, disclose all relevant information regarding any previous discipline, learning or behavioural problems. This disclosure is requested in order to help the school in its attempts to assist the learner. If this is not done and problems arise the school reserves the right to request that the learner be removed.

4.3.3 provide the necessary equipment and textbooks and take an active interest in their children's schoolwork and make it possible for the children to complete assigned homework;

4.3.4 accept that English is the medium of instruction and therefore learners must be able to benefit from instruction in this medium;

4.3.5 accept that the school will not permit learners to differ from the average age of the grade by more than three years;

4.3.6 pay the school fees as determined annually at the Annual General Meeting in accordance with legislation;

4.3.7 withdraw the learner should the admission documents become invalid due to any non-disclosure or irregularity or if a child who has already been admitted, subsequently does not comply with the admission requirements. The Principal shall forthwith notify the parent of such child in writing that the admission of the child is withdrawn or refused, as the case may be.

4.3.8 ensure a doctor's note is provided if a child is absent for three days or more or misses an examination due to illness.

- 4.3.9 refrain from removing a learner during school hours unless an arrangement is made according to the rules of the school.
- 4.3.10 the parent or legal guardian of any learner who intentionally misuses, damages or defaces any school property or fails to return borrowed property within a reasonable time must replace it or pay for the property so damaged.
- 4.3.11 note that nothing shall exempt a learner from complying with the Code of Conduct of the school and an educator has the same rights as a parent to control and discipline the learner according to the Code of Conduct. Parents may not verbally or physically abuse any member of staff.

#### **4.4 Rights and Responsibilities of Educators with respect to the Code of Conduct**

- 4.4.1 Learners can expect educators to maintain a high standard of professional ethics and to be present to teach their classes, assist them with their learning difficulties, report on their progress and to look after their well-being. There should be a relationship of mutual trust and respect between learners and educators. Victimisation of the one by the other is unacceptable.
- 4.4.2 All educators support the South African Council for Education's Code of Conduct.
- 4.4.3 Educator Rights.  
An Educator has the right to an orderly teaching and learning environment and to the respect and co-operation of learners and their parents.
- 4.4.4 The Educator has the right to control and discipline learners by the reasonable application of the Code of Conduct.

### **5. DISCIPLINE**

- 5.1 Discipline must be maintained to ensure that the education of learners proceeds without disruptive behaviour and offences.
- 5.2 The disciplinary process must be expeditious, fair, just, corrective, consistent and educative.
- 5.3 Restraint is the act of controlling the actions of learners when such actions may inflict harm to others or to the learner, or violate the rights of other learners or educators. Educators may use reasonable measures where necessary to prevent a learner from harming him/herself or others.
- 5.4 The South African Schools Act, 1996 and other applicable legislation empowers school authorities to discipline learners.
- 5.5 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.
- 5.6 If a learner commits an offence as set out in Schedules 1 - 6 the learner will be punished as provided for thereunder.

## **6. DISPUTE RESOLUTION**

Educators as disciplinarians must attempt to resolve disciplinary problems which can then be referred to persons within the school structure.

## **7. PUNISHMENT**

7.1 Punishment is a corrective measure for any learner who has transgressed the Code of Conduct. This is done in order to maintain the orderly society of the school.

7.2 Corporal punishment shall not be administered.

7.3 Group punishments should be avoided in principle; if identified, only the individual culprits should be sanctioned.

7.4 Refer to the schedules for further details.

## **8. INCENTIVES**

The school actively endeavours to encourage good behaviour by having clear expectations and procedures, by treating everyone with respect and without discrimination. By encouraging learners to take responsibility personally, and socially, our learners gain the opportunity to grow. An orderly learning environment will enable learners to succeed.

## **9. GENERAL MISCONDUCT**

### **9.1 GRADE 1 OFFENCES**

#### Academic

9.1.1 Late for class

9.1.2 Books left at home

9.1.3 Not settling down

9.1.4 Classwork not done/not done properly

9.1.5 Homework - not done  
- left at home  
- incomplete  
- copied

9.1.6 No homework diary/not being used

9.1.7 Late for school

9.1.8 Not bringing excuse notes

9.1.9 Not bringing doctor's note for missed exam

#### Personal misconduct

9.1.10 Minor cheek/insolence

9.1.11 Minor defacing desks/books/walls

9.1.12 Minor disruption of lessons. (e.g. by calling out, getting out of desk without permission)

9.1.13 Eating/chewing in class

9.1.14 Foul language towards other learners

9.1.15 Littering

- 9.1.16 Public displays of affection (indicating lack of respect)
- 9.1.17 Failing to fulfil obligations
- 9.1.18 Being out of class without permission
- 9.1.19 Being out of bounds
- 9.1.20 Use of vending machines during lesson time

### Uniform Infringements

Uniform must fulfil the requirements listed in the school rules. Defaulters will be dealt with by the Grade Tutor. A reasonable time will be allowed to rectify the situation. After a warning or announcement learners will be punished. Learners who need a shave will NOT BE ADMITTED TO CLASS/TEST/EXAM until they shave at the office. Nail varnish similarly must be removed. Grade Tutors can carry out uniform checks periodically.

### Latecomers

Learners who arrive at school more than 5 minutes after the warning bell are considered to be late. Immediate punishment may be given during the first period which means learners may miss valuable lesson time. Grade Tutors will contact parents of children who are regularly late.

IGNORANCE OF THE RULES IS NOT AN EXCUSE.

### Recommended Punishment

Punishment meted out at the discretion of the individual educator.

These include, but are not limited to:

- Verbal reprimand
- Written punishment
- Writing out
- Litter collection
- Educator/class apology
- Sanding desks
- Continuous assessment penalty
- Class detention (at break, after school)
- Detention
- Confiscation of improper item
- Learners will be given '0' for missed exams without a Doctor's Note

### Procedures

- i) Grade 1 offences are dealt with initially by the educator concerned. Any single serious offence must be referred to Grade Tutor immediately.
- ii) Records are kept of learners who do not co-operate. (e.g. classroom offence sheet)
- iii) The educator then refers the learner to Grade Tutor who may inform parents telephonically or in writing of the problem and who may punish the learner appropriately.

## **9.2 GRADE 2 OFFENCES**

- 9.2.1 Repeated Grade 1 offences (at discretion of educator)
- 9.2.2 Cheek/Insolence (not minor)
- 9.2.3 Disruption of lessons. (e.g. calling out often, constant talking etc.)
- 9.2.4 Cheating in a class test
- 9.2.5 Minor damage to learners' property/possessions

- 9.2.6 Repeated or extreme dress code infringement
- 9.2.7 Temper tantrum
- 9.2.8 Truancy (Bunking) – either for lesson/s or a day
- 9.2.9 Falsely identifying oneself to avoid punishment
- 9.2.10 Minor vandalism
- 9.2.11 Disregarding educator’s punishment
- 9.2.12 Infringement of exam rules
- 9.2.13 Harmful graffiti, hate speech, sexism, pornography or profanity
- 9.2.14 Smoking (1<sup>st</sup> offence) - Learners found with cigarettes, lighters or matches or in the company of smokers are deemed to be smokers
- 9.2.15 Petty theft e.g. stealing someone’s equipment
- 9.2.16 Sexting
- 9.2.17 Cyber-bullying

Recommended Punishment

Punishment to be applied at the discretion of individual Grade Tutor.

These include, but are not limited to:

- Any mentioned in Grade 1
- Executive detention
- Communication with parents
- Discipline interview with parents
- Demerits
- Daily reports
- Excluded from subject or class for a limited period

Procedures

These are generally referred to the Grade Tutor.

**9.3 GRADE 3 OFFENCES**

- 9.3.1 Refusal to accept Grade Tutor’s authority
- 9.3.2 Fighting (See also Grade 4 and 6 Offences)
- 9.3.3 Racism (see also grade 4 offence)
- 9.3.4 More serious damage to learners’ property and possessions
- 9.3.5 Minor Vandalism to school property
- 9.3.6 Smoking (2<sup>nd</sup> and 3<sup>rd</sup> offence)
- 9.3.7 Cheating in an exam or cycle test
- 9.3.8 Falsely identifying oneself
- 9.3.9 Conduct which brings school into disrepute
- 9.3.10 Consumption of alcohol

Recommended punishment

- Any mentioned in Grade 1 and 2.
- Written apology.
- Exclusion from extra-mural activities, tours and excursions.
- Withholding or withdrawing of awards, including leadership position
- Physical work.

Procedure

These are generally referred to the Deputy Principals and may result in an IDC.

## 9.4 GRADE 4 OFFENCES

- 9.4.1 conduct which endangers the safety and violates the rights of others
- 9.4.2 fighting, assault or battery
- 9.4.3 immoral behaviour or profanity
- 9.4.4 harmful graffiti, hate speech, racism
- 9.4.5 unlawful action, vandalism, or destroying or defacing school property
- 9.4.6 repeated violations of school rules or the Code of Conduct
- 9.4.7 victimisation, bullying and intimidation of other learners
- 9.4.8 infringement of examination rules
- 9.4.9 knowingly and wilfully supplying false information or falsifying documentation to gain an unfair advantage at school
- 9.4.10 smoking - 4<sup>rd</sup> and 5<sup>th</sup> offences
- 9.4.11 seriously threatening, disrupting or frustrating teaching or learning in a class
- 9.4.12 engaging in a conspiracy to disrupt the proper functioning of the school through collective action
- 9.4.13 insulting the dignity of or defaming a staff member
- 9.4.14 distributing any test or examination material that may enable another person to gain an unfair advantage in a test or examination
- 9.4.15 engaging in any act of public indecency
- 9.4.16 sexually harassing another person; this may include, but is not limited to verbal harassment, social media e.g. sexting, stalking
- 9.4.17 being found in possession of or distributing pornographic or satanic material

### Procedures

These are generally referred to the Principal who may involve Governing Body members. Any offence could lead to a formal suspension.

**A WRITTEN WARNING WILL BE ISSUED FOR ANY GRADE 4 OFFENCE.**

The Governing Body may, after a fair hearing, suspend any learner who has been found guilty of contravening stipulations of the Code of Conduct:

- a) for a period of one week or
- b) pending a departmental decision to expel the learner.

## 9.5 SCHEDULE 5 GRADE 5 OFFENCES

Drug, alcohol and other substance abuse.

### 9.5.1 General Principles

The Principal and the Governing Body are of the opinion that the presence in the school of learners who are practising any form of drug or substance abuse is detrimental to the learners themselves, the moral well-being of the learner population as a whole and the image of the school. Such behaviour is therefore strictly forbidden in all circumstances.

- 9.5.2 The Principal and Governing Body accept the responsibility to educate and inform the school community on the dangers of substance abuse.
- 9.5.3 Where a learner is found to be dealing and distributing drugs or alcohol, that learner will not be permitted to remain at the school (see Offence 6).
- 9.5.4 The school reserves the right to involve the law at any stage.

### 9.5.5 Procedures

#### a) Voluntary admission of a drug problem

The parents will be informed and arrangements made for the learner concerned to receive professional counselling (through SANCA or a similar organisation). Costs incurred will be for the parents' account.

The learner must remain within the rehabilitation programme until pronounced free of any symptoms of drug dependency.

The school must be kept informed on a regular basis of the learner's progress within the programme.

Confidentiality will be maintained as far as possible.

The Principal and the Governing Body reserve the right to ask for the learner to be removed from the school with immediate effect if:

i) the learner refuses to enter the rehabilitation programme or drops out before the programme has run its course.

ii) there is evidence of further drug abuse.

#### b) Non-voluntary identification of a drug problem

When a report is received that a learner is involved in some form of drug abuse, the learner concerned will be confronted with this information. A school administered Urine/breathalyser samples may be taken (at the school's cost).

Points above then apply.

### 9.5.6 Possession at school/use at school

If a learner is suspected of these offences, the Governing Body and School Executive may conduct a hearing in accordance with departmental regulations.

Where a learner is found guilty, procedures for Grade 6 Offences will apply.

The law will be permitted to follow its course.

9.5.7 The school may use sniffer dogs and may conduct random urine testing at its discretion to help keep the school drug-free.

## 9.6 **SCHEDULE 6 GRADE 6 OFFENCES**

### Serious Misconduct

A learner will be guilty of serious misconduct if he or she:

9.6.1 is found guilty of serious misconduct as stated in the Grade 4 and 5 Offences after having been found guilty of the same or similar misconduct on TWO previous occasions;

9.6.2 fails to comply with a punishment of suspension as a correctional measure;

9.6.3 forges any document or signature to the potential or actual prejudice of the school;

9.6.4 trades in any test or examination question paper or in any test or examination material;

9.6.5 attempts to bribe or bribes any person in respect of any test or examination to enable himself or herself or another person to gain an unfair advantage therein;

9.6.6 attempts to or engages in fraud;

9.6.7 attempts to or engages in theft, or otherwise acts dishonestly to the prejudice of another person;

9.6.8 attempts to or is in possession of, consumes or deals in any illegal substance;

9.6.9 is in possession of any dangerous weapon;

- 9.6.10 attempts to or does assault or threaten to assault another person with a dangerous weapon;
- 9.6.11 attempts to or does hold any person hostage;
- 9.6.12 attempts to or does murder any person;
- 9.6.13 attempts to or does rape any person;
- 9.6.14 attempts to or does maliciously damage another person's property.

### Procedures

These would generally be referred by the Principal after investigation to the Governing Body for suspension, pending expulsion.

### Expulsion

The Governing Body may, after a fair hearing, suspend any learner who has been found guilty of contravening stipulations of the Code of Conduct for a reasonable period not exceeding one week, pending a decision by the Head of Department of the Gauteng Department of Education on the recommendation of the Governing Body as to whether or not the learner is to be expelled from the school.

A learner who has been expelled, or his/her parent, may appeal against the decision of the Head of Department to the Member of the Executive Council, within seven days of the decision to expel him/her.

In cases of disciplinary transfer, the Head of Department of the Gauteng Department of Education must find a school place for a learner until the learner is beyond compulsory school-going age, as the right of a learner to basic education cannot be violated.

All decisions leading to suspension or expulsion must take cognisance of applicable laws.

## **10. DUE PROCESS**

- 10.1 The South African Schools Act and other relevant legislation makes provision for due process including a fair hearing before a learner may be suspended from the school by the Governing Body. Due process provides a learner with a fair hearing before a learner may be suspended for a period of one week or be expelled from the school by the Head of the Department of the Gauteng Department of Education.
- 10.2 Any learner alleged to have violated any rule that may require suspension or expulsion, must be brought to the Principal who will set in motion the relevant disciplinary procedures as provided for in the relevant legislation.
- 10.3 The disciplinary committee appointed must conduct the hearing in accordance with the provincial regulations laid down by the Member of the Executive Council.
- 10.4 For the hearing, the learner and the Parents/Guardian must -
  - (a) be informed of and understand the charges of which written notice should be given at least five days before the time also indicating the date, time and place of the hearing;
  - (b) receive such particulars on the charges as he/she may be entitled to according to law;
  - (c) get the opportunity to be heard and tell his/her side of the story and to present the relevant facts;
  - (d) not be prohibited from being represented by legal counsel, in which case written explanation of the charges must be given, or, in less serious cases

the learner may be represented by a member of the RCL, parent, guardian or educator;

- (e) be heard by an impartial person(s);
- (f) be treated with dignity during the process;
- (g) be informed in writing of the decision of the Governing Body on whether or not he/she is guilty of misconduct, and the penalty to be imposed in the case of suspension or expulsion; and
- (h) have the right to appeal to the MEC if he/she is aggrieved by the decision of the Governing Body.

10.5 The Governing Body must keep a record of the proceedings of the hearing, and may inform, in writing, the Head of Department of the Gauteng Department of Education of its recommendation to suspend a learner.

10.6 A learner may only be expelled by the Head of Department of the Gauteng Education Department, based on the recommendation of The Governing Body.

#### 11. **SERIOUS MISCONDUCT AND THE LAW**

Serious misconduct involving a criminal offence may be reported to the police and law will take its course. This will not preclude the school from enforcing the provisions of this Code.

#### 12. **MONITORING - EVALUATION STRATEGY**

This Code of Conduct will be reviewed by all the role players on an annual basis and adjustments made as necessary.

#### 13. **APPLICABILITY**

All learners admitted to Rand Park and their parents/guardians are deemed to have read and to have agreed to abide by this Code of Conduct.