

# PROTEA HEIGHTS ACADEMY

## PROTEAHOOGTE AKADEMIE

### LEARNER CODE OF CONDUCT



#### POLICY REGISTER DETAILS

TITLE OF POLICY	Learner Code of Conduct
COMPILED BY	D. Tucker (in collaboration with all relevant stakeholders)
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AMENDMENT HISTORY	

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## SECTION A: INTRODUCTION

### 1. Extract from the preamble of the South African Schools Act – Act No. 84 of 1996

"WHEREAS this country requires a new national system for schools which will redress past injustices in educational provision, provide an education of progressively high quality for all learners, and in so doing, lay a strong foundation for the development of all our people's talents and capabilities, advance the democratic transformation of society, combat racism and sexism and all other forms of unfair discrimination and intolerance, contribute to the eradication of poverty and the economic well-being of society, protect and advance our diverse cultures and languages, uphold the rights of all learners, parents and educators, and promote their acceptance of responsibility for the organisation, governance and funding of schools in partnership with the state"

WHEREAS it is necessary to set uniform norms and standards for the education of learners at schools and the organisation, governance and funding of schools throughout the Republic of South Africa;

### 2. The Constitution of South Africa - Act 108 of 1996

Find below, the inclusion of a few of the more relevant Constitutional extracts:

#### 2.1 Founding Provisions

The Republic of South Africa is one, sovereign, democratic state founded on the following values *et al* (and others):

- Human dignity, the achievement of equality and the advancement of human rights and freedoms;
- Non-racialism and non-sexism;
- Supremacy of the Constitution and the rule of law.

#### 2.2 Bill of Rights

##### Subsection 7: Rights

This Bill of Rights is the cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.

##### Subsection 8: Application

Point (4): A juristic person is entitled to the rights in the Bill of Rights to the extent required by the nature of that juristic person.

##### Subsection 9: Equality

Point (1): Everyone is equal before the law and has the right to equal protection and benefit of the law.

##### Subsection 10: Human Dignity

Everyone has inherent dignity and the right to have their dignity respected and protected.

Subsection 11: Freedom and Security of the person

Everyone has the right to freedom and security of the person.

Subsection 15: Freedom of Religion, Belief and Opinion

Point (1): Everyone has the right to freedom of conscience, religion, thought, belief and opinion.

Subsection 36: Limitation of Rights

The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors, including: the nature of the right; the importance of the purpose of the limitation; the nature and extent of the limitation; the relation between the limitation and its purpose; and less restrictive means to achieve the purpose.

### 3. The Protea Heights Academy Mission Statement

The mission of Protea Heights Academy is to provide a rigorous and technologically enhanced curriculum, to inspire creative, critical and analytical thinking, to prepare learners to be productive and successful citizens, with higher-level critical-thinking skills needed to solve problems in the real world.

### 4. Terms of legislation

The Code of Conduct for Learners, at Protea Heights Academy, has been drawn up in terms of the following legislation:

- **The Constitution of the Republic of South Africa** (Act No.108 of 1996 - including the Bill of Rights, Chapter 2 of the Constitution)
- **South African Schools Act** (Act No. 84 of 1996, as amended)
- **Guideline for the consideration of Governing Bodies** in adopting a Code of Conduct for Learners (Government Gazette No. 18900)
- **Regulations Relating to Disciplining, Suspension and Expulsion of Learners at Public Schools in The Western Cape** published in Provincial Gazette No. 6939 dated 15 December, 2011. (excluding public schools for learners who were referred or transferred to such schools in terms of the **Child Care Act** (Act 74 of 1983), and/or the **Criminal Procedure Act** (Act 51 of 1977))

### 5. Legal Authority

The South African Schools Act, number 84 of 1996, section 8(1), empowers a Governing Body of a school to maintain discipline in a school. The Code of Conduct must prescribe and reinforce procedure and behaviour that respects the rights of learners and educators.

- 5.1 An educator at the school will act “in loco parentis” to manage and discipline a learner according to the Code of Conduct during the time the learner attends the school, in any classroom, at any school function or school excursion or other school related activities.
- 5.2 Subject to subsection (3), the principal or his or her delegate has the legal authority to conduct a search of any learner, any group of learners, or the property of a group of learners, or property in possession of a learner for a dangerous weapon, firearm, drugs, or harmful, dangerous substances, stolen property, or pornographic material brought onto the school property. During a search, human dignity shall be observed and learners shall be searched in private by persons of their own gender, in the presence of at least one other person. A record must be kept of the search proceedings and the outcome.

## **6. Preamble to the Code of Conduct**

- 6.1 The Code of Conduct is aimed at establishing a disciplined and purposeful environment, dedicated to the improvement and maintenance of the quality of the learning process at Protea Heights Academy.
- 6.2 The South African Schools Act does not contain any clause by which a learner is exempt from complying with the Code of Conduct for the school which they attend.
- 6.3 While the State has an obligation to make education available and accessible, this must be complemented by the commitment and acceptance of responsibility by the other partners in education, namely the learners, educators and parents.
- 6.4 The Code of Conduct should promote a culture of reconciliation, teaching, learning and mutual respect, and the establishment of a culture of tolerance and peace in the school.
- 6.5 The Code of Conduct must be read in conjunction with the Drug policy, ICT policy, Extramural policy and Learner Attendance, Early Leavers and Late Coming policy and the

## **SECTION B: RIGHTS, OBLIGATIONS AND RESPONSIBILITIES**

### **1. Learners**

#### **1.1 Expectations for learners**

The school has pastoral care over its learners, both in and out the school, in the form of guidance, counsel, discipline and especially when there is misbehaviour, anti-social, or illegal behaviour.

The school’s structure consists of four pillars, which provide a framework for the learners’ life in the school:

Pastoral

Learners are expected to:

- maintain a high standard of behaviour and courtesy both inside and outside the school;
- be loyal to the school, and to enhance the reputation of the school, for the benefit of all at the school; and
- to display integrity and honesty in their actions and attitudes.

### Academic

Learners are expected to:

- try their best to fulfil their academic potential at school;
- be accountable and recognise that each member of the school has the right to unhindered teaching-and-learning, in a safe and secure environment; and
- respect the rights of the individual to a full education.

### Extramural – Cultural

Learners are expected to:

- be members of a society;
- be involved in a cultural activity, appreciate beauty and their heritage;
- behave in an appropriate manner at cultural events; and
- attend cultural events when possible.

### Extramural – Physical

Learners are encouraged to play one winter and one summer sport offered by the school. Only a medical certificate will excuse a learner from sport and then the learner must offer a service to the school (First Aid, lab service, lost property, service to sport, etc.) *in lieu* of a sport.

Learners are expected to:

- display sportsmanship of the highest order, on and off the field; and
- support matches.

## **1.2 Learners' rights**

Learners should be entitled to:

- educational facilities and resources necessary for effective learning;
- be taught in a clean, safe and orderly environment;
- be taught each lesson in an atmosphere conducive to learning and free from interruptions by other learners;
- be treated as an individual, enjoying the respect of others, and treated in a fair and dignified manner;
- be able to express themselves, to ask questions and to be heard;
- be taught in a disciplined environment in which punishment is fair and consistent;
- be recognised for their achievements; and
- the democratic right to due process and to have their views heard.

### **1.3 Leadership positions and awards**

All leadership positions and awards will be withdrawn from and/or not considered for, any learner who has been found guilty of a Level 3 or 4 offence, or of serious misconduct in a calendar year.

## **2. Educators**

### **2.1 Educators' rights**

Educators should:

- be able to teach in a safe, orderly, clean and quiet environment in which the necessary; materials and equipment are provided and maintained;
- expect learners to be prepared for lessons, having completed all homework assignments;
- expect learners to be punctual, courteous and respectful
- be treated fairly and be respected as professional persons;
- be supported by parents and colleagues and receive the support of those in authority;
- be able to teach without interruption; and
- enjoy privacy in their private lives, with the assurance that their personal property at school will be respected.

### **2.2 Educators' obligations**

Educators must:

- be professional in appearance and approach, and provide an environment which is conducive to effective learning;
- be well prepared for each lesson, teach each lesson effectively, and effectively evaluate work done;
- maintain a clean, disciplined and safe environment in the classroom;
- be punctual, consistent and fair, and sensitive to the needs of learners;
- treat learners as individuals, respecting their rights, and encouraging each learner to reach his/her full potential in all spheres of school life;
- guide learners, help them to identify problems that they have, and help them to resolve such problems;
- communicate with parents and keep them informed of the progress of learners; · keep up to date with developments in education, in the subjects taught, and in the teaching of the subjects;
- set the correct example as a professional person; and
- keep up to date with all administrative duties and attend all official school functions.

### **3. Parents**

#### **3.1 Parents' expectations**

Parents expect from the school:

- educators who are well-qualified and competent to teach their subjects of instruction;
- a school that respects cultural diversities and which is non-discriminatory;
- educators who are professional in their approach to their work and who set and maintain correct standards;
- the promotion of high moral standards and good ethics, with learners being taught in a disciplined environment that is conducive to learning;
- that they will be treated fairly and as individuals; and
- support from approachable educators who communicate with parents on work and behaviour problems.

#### **3.2 Parent obligations**

Parents should:

- support and encourage their children in their involvement in all spheres of school life
- ensure that learners attend school regularly, that they are correctly dressed, are properly equipped, and are punctual;
- support the school, the staff, the Code of Conduct and school rules, and ensure that their children do likewise;
- inform the school of any problem areas and communicate with individual educators where this is necessary or desirable;
- pay school fees on time; and
- fetch their children on time after school functions, and attend official school functions, such as PTA meetings.



## SECTION C: CODE OF CONDUCT

### 1. Conduct

#### 1.1 General rules

- a) Learners are to ensure that their parents or guardians are conversant with the requirements of the School's Code of Conduct.
- b) Learners are to carry out all instructions given to them by any person in authority.
- c) Learners are to assist in keeping the buildings and grounds neat and clean. All litter is to be deposited in refuse/recycling bins.
- d) Learners must draw up a cleaning roster for their register class.
- e) Where learners are identified as learners of Protea Heights Academy, they are accountable for their actions even if the activity is an out-of-school one.
- f) Behaviour in the corridors and on the stairs must be orderly. Keep to the left when walking in the corridors.
- g) Eating or drinking is **not** permitted in the classrooms.
- h) The **chewing of gum** is **prohibited** at all times when in school uniform or when taking part in any school activity.
- i) No visible tattoos allowed.
- j) Learners must line up quickly and quietly before entering the hall for assembly. No talking is allowed on entering the hall for assembly.
- k) Learners may not put up non-school related posters or circulate pamphlets without the permission of the Principal. All posters must be signed by the Principal. Posters may only be put up on the face brick and not on the painted walls.
- l) Learners may not touch or tamper with any possessions belonging to staff or other learners. Learners are responsible for their belongings and should label all clothing, equipment, books and suitcases clearly. No valuable items should be brought to school. Learners are responsible for all such items.
- m) Vandalism will not be tolerated and any form of damaging or defacing of property such as furniture, walls, equipment, books will be regarded as a most serious offence.
- n) Unsupervised ball games are allowed on the field only. Ball games may not take place within the school building.
- o) Notices and newsletters are essential methods of communication between the school and the home. Learners are to ensure that notices handed out at school are given to parents/guardians and that the reply slips are returned on the specified date.
- p) Out of bounds areas on The School grounds have been declared to protect learners from harm. These areas must be observed for the safety of all staff, learners, and private and school property. Learners are not allowed in these areas unless supervised by an educator:

Always	Breaks	Before/after school
<ul style="list-style-type: none"> <li>● Behind the school building.</li> <li>● Refuse room.</li> <li>● Staffroom and kitchens</li> <li>● Hall - including the area in front of the hall looking onto the court</li> <li>● Back of the WHC</li> <li>● All staff parking areas</li> <li>● Balcony area looking out onto the field</li> <li>● Sitting on the fence surrounding the field.</li> <li>● The area surrounding the tank farm and the cell phone tower.</li> <li>● The workers staffroom</li> </ul>	<ul style="list-style-type: none"> <li>● Upstairs balcony outside the Life Science laboratories.</li> <li>● Hall, area looking onto Helling street</li> <li>● School corridors</li> <li>● The side of the WHC and bottom campus (Tulip street)</li> </ul>	<ul style="list-style-type: none"> <li>● School corridors</li> </ul>

- q) No learner may loiter in and around the houses surrounding the school.
- r) Learners may not meet visitors at school without permission. Visitors are to report to the secretary's office and obtain permission and a visitor's card.
- i) Learners must request permission from the Principal if they wish to bring a guest to school. This must be done in writing by the parent of the learner and the letter must be given to the Principal the day before the visit.
- ii) Learners are responsible for the behaviour of any guest they bring to school for any function.
- s) No "Karrimor" or "Karrimor"-type rucksacks allowed. No bags on wheels allowed without the permission of the Head of Discipline. Only the official school bag and sport bag are allowed. Learners should purchase these official school bags from the school's suppliers. The official tog bag or specialised sports bag must be used for sports equipment. No graffiti is allowed on the bag.
- t) Learners/parents/guardians are responsible for the replacement of lost/damaged textbooks and stationery.
- u) Learners may not sit/congregate in front of the gates, in the car park or on the road. Learners may not stand or sit on the road.
- v) Learners may not engage in any actions which are regarded as intimate and would cause embarrassment to others. Learners must maintain an appropriate distance from each other and should not "hang" on each other in an intimate way.

- w) After any extended special function, e.g. tour or musical, learners must provide a doctor's certificate if they are absent the day following the extended function.
- x) If a learner is absent on the day of an extra-mural function, they may not attend the function
- y) If a learner is absent from school on the Friday, they may not take part in any extramural activity on the Saturday or Sunday of that weekend.
- z) The name badge must be worn at all times while in uniform. It is worn on the collar of the summer shirt and on the collar of the blazer with the winter uniform. If you have lost your name badge you must pay for a new name badge at the bursar.

## **1.2 Courtesy**

- a) Staff members are referred to by name i.e. Mr. Smith, Mrs. Brown or as Sir or Ma'am as applicable.
- b) Learners must greet staff members when meeting or passing each other during the day.
- c) Adults on the school grounds, particularly parents and visitors must be afforded the utmost courtesy.
- d) If a member of staff passes along the corridor or through a doorway, learners are expected to stand back to allow the person to pass.
- e) If a learner is sitting down when an adult enters the room he/she is to stand up to greet the person.
- f) Disrespectful behaviour or impertinence directed at any adult is totally unacceptable.
- g) The ground staff and the administration staff are integral to the school and courtesy is to be extended to them.

## **1.3 Extra-mural (Physical Sport, Sports of the mind and Culture)**

- a) Learners are to furnish the educator in charge with a letter from their parents explaining their absence from practice. The letter must be given to the educator in charge on the day preceding the practice day.
- b) Learners are to furnish the educator in charge with a letter from their parents explaining their unavailability for selection for a specific match/function. The letter will be given to the coach on the Monday preceding the event. Learners representing a school team must purchase the official school tracksuit, tog bag and wear the correct kit for that specific sport. Cultural and other extra-mural activities must be done in the correct dress code.

## **1.4 Cell phones:**

Read in conjunction with the ICT policy.

- a) The school will not accept any responsibility for the loss or damage to any electronic device on the school premises.
- b) If a learner is seen with a cell phone in their hand, during teaching time without an educator's permission, whether it is on or off, the phone and SIM card will be

confiscated for a period of **5 school** days.

- c) Cell phones may not be taken into any examination or test venue. If a cell phone is found on a learner during an exam or in a test venue (whether on or off), the learner may be given zero for that examination or test. (See Assessment policy.)

## **2. Uniform regulations**

### **2.1 Hair**

- 2.1.1 The basic rule is that hair must be neat and tidy and not draw undue attention.
- 2.1.2 Hair may not be tinted, washed with a colour rinse dyed or highlighted. Any learner who violates this rule will be required to restore their hair to its original natural colour.
- 2.1.3 Headgear is not permitted.
- 2.1.4 Mohawks, mullets, undercuts/ 'step' cuts or shaved-in paths are not permitted.
- 2.1.5 No coloured bands, slides, clips, bows etc. other than white, navy blue, light blue, black or, in cases of slides, the colour of the individual's hair.
- 2.1.6 No beads or decorative hair jewellery allowed of any kind.
- 2.1.7 Hair must be out of the learner's face at all times as it should not obstruct learning. This means that hair is tied up; or pushed back with an Alice band or clipped back or the fringe is above the brow.
- 2.1.8 Hair must be tied up if below the collar.
- 2.1.9 Facial hair is not permitted.
- 2.2.10 Sideburns may not extend below the middle of the ear hole.

### **2.2 Shirts/Dresses/Pants**

- 2.2.1 The top button of the shirt is to be fastened at all times when wearing the winter uniform and the tie must be worn with the knot pulled up against the collar of the shirt.
- 2.2.2 Summer shirt collars are worn over the blazer collar. Branded and unbranded shirts are permitted (refer to point 2.5 blazers/ jerseys and pullovers)
- 2.2.3 Shirts must be tucked in at all times.
- 2.2.4 T-shirts must not be visible under the shirt.
- 2.2.5 Undergarments should not be visible at any time.
- 2.2.6 Dresses must not be shorter than 5 cm above the knee.
- 2.2.7 If shorts are worn, they must be of conventional shape and size. No cut-off, longs or baggies are acceptable.
- 2.2.8 If shorts are worn, long grey school socks are to be worn and pulled up.
- 2.2.9 Alterations to school pants may only be made to the length of the garment, but not the shape/ style.
- 2.2.10 Belts must be black and made of leather or synthetic leather with no branding on them.
- 2.2.11 Belts with shiny badges/ornaments are not permitted.

### **2.3 Socks and Stockings**

- 2.3.1 Blue school pants are to be worn with black socks.
- 2.3.2 Grey school pants are to be worn with grey socks.

- 2.3.3 In winter, dresses are to be worn with only school regulation blue stockings or thick wool stockings.
- 2.3.4 No patterned stockings allowed.
- 2.3.5 In summer dresses are to be worn with white socks with the school colours in the turn-over – these may not be rolled down or pulled up.
- 2.3.6 Stockings may not be worn with the summer uniform.

## **2.4 Shoes**

- 2.4.1 Black conventional lace-ups or “Baby-doll” shoes must be worn. No boots, slippers, side-laced shoes, veldskoen, suede etc.
- 2.4.2 All shoes must be polished regularly.
- 2.4.3 Shoes should be laced up or buckled in the conventional manner and may not be worn loose.
- 2.4.4 No tippex or graffiti is allowed on the shoes.

## **2.5 Blazers/ Jerseys and Pullovers**

- 2.5.1 Blazers must have silver blazer dress buttons.
- 2.5.2 Blazers must be worn to and from school as well as in the school building at all times in winter. They may be removed in class, with the permission of the educator.
- 2.5.3 Blazers, jerseys and pullovers are optional with the summer uniform.
- 2.5.4 If wearing an unbranded shirt, learners must wear a blazer, jersey or pullover.
- 2.5.5 Jersey sleeves may not be pushed up.
- 2.5.6 Blazer sleeves may not be pushed up and the collar may not be worn “popped” up.
- 2.5.7 Blazers are not to be draped over the shoulder.
- 2.5.8 Only approved badges may be worn– no decorative badges are permitted
- 2.5.9 Uniform items may not be tied around the waist.

## **2.6 Raincoats:**

- 2.6.1 Only the official raincoat is allowed to be worn to and from school.
- 2.6.2 No track suit tops, dry-macs etc. may be worn with uniform.
- 2.6.3 The rain jacket must be worn over the blazer and NOT under the blazer and must be unzipped at all times.

## **2.7 Scarves, Jewellery and Make-up**

- 2.7.1 Only the official school scarf may be worn. It may only be worn with the winter uniform.
- 2.7.2 A Hijab or Kufi must be navy or cerulean.
- 2.7.3 Only watches and Medic-Alert bracelets may be worn. Watches are permitted for practical purposes and therefore elaborate designs, styles, fashion statements are not permitted. Any other jewellery will be confiscated for **5 school** days.
- 2.7.4 No chains, or any other ornaments, are to be worn around the wrist, or ankle,

etc. Neck chains: Only small, discreet, medical or religious medallions may be worn under a learner's uniform.

No other form of necklace may be worn, even under the school shirt.

Chains may not be visible at any time.

2.7.5 Learners with pierced ears may wear the following:

- a) gold or silver studs, or plain sleepers;
- b) studs which are small and round - no coloured studs, pearls or diamantés allowed;
- c) sleepers – no big or thick rings – only up to the current R1.00-coin size;
- d) only one earring per ear: if learners have more than one piercing in their ear, the earring must be in the bottom hole (the lobe only).
- e) when earrings are worn, they must be worn in both ears (not just in one ear).

2.7.6 Tongue and/or nose piercings are not allowed.

Learners will be asked to remove the jewellery item immediately, and it will be confiscated.

2.7.7 All other visible piercings, not prohibited according to 2.7.5, may not contain a retaining bristle. The additional piercing should be healed and, therefore, not require a retaining bristle.

2.7.8 No make-up (including colour lip-gloss) is allowed with school uniform.

2.7.9 Nail polish – only clear, natural, colourless nail polish is allowed.

No glossy or pearly shades, or French manicures, are allowed.

2.7.10 No henna is allowed without the permission of the Head of Discipline.

Henna will only be permitted in the instance of a religious or cultural observance.

2.7.11 Nails are to be kept short and clean, at all times: no longer than 1mm over tips of fingers (as viewed from the palm-side of the hand).

## **2.8 Spectacles/Contact Lenses**

2.8.1 The frames of spectacles must be functional, and not fashionably decorative.

2.8.2 No coloured contact lenses are allowed.

2.8.3 No sunglasses are allowed.

## **2.9 Physical Education (PE) Uniform**

2.9.1 Learners may only wear the official sports uniforms, or practice uniforms, to sports events and practices, and for physical education.

The permitted combinations of options are as follows:

- a) blue shorts, skort, or tracksuit are to be worn with the sport golfer or t-shirt (all official PHA-branded items only);
- b) only the PHA-branded socks (white or grey), or white, unbranded short socks.

2.9.2 The formal procedure for changing into the sports, or physical education (PE), uniform is as follows:

- a) Learners may only change from their school uniform into their physical education uniform during their allocated lesson time for PE;
- b) Learners may not change into their sports uniforms until after school, unless special permission has been given by the Head of Sport;
- c) No learner may leave the school premises after, or during, sport or culture, unless properly dressed in either their full school uniform, or their regulation school sports kit (any combination included in 2.9.1).

2.9.3 Cultural uniforms must be appropriate for the occasion, and the combination thereof must have been approved by the Head of Culture in advance.

The official uniform may not be mixed with casual wear.

2.9.4 The school tracksuit may be worn to matches and cultural events.

No other tracksuit may be worn, by itself, or in conjunction with any PHA-branded uniform item.

2.9.5 Additional, or sponsored, kit items are regulated as follows:

- a) No kit may be organised for any team, unless it has been approved by the Head of Sport, the Executive (Senior Management Team - SMT), and the School Governing Body (SGB).

This additional kit must adhere to the branding guidelines of the school.

- b) If additional kit items have been approved for a tour, they may not be worn for any other practices and matches, as they do not form part of the official uniform.

### 3. General

#### 3.1 Procedures in the event of an unavoidable uniform, or appearance deviation

*[e.g. If a learner's school shoes are being mended, suitable replacement shoes are to be worn.]*

3.1.1 An email, or letter, must be provided, by a parent or guardian, to the Grade Head of the learner.

3.1.2 Upon the provision of a valid reason, the Grade Head will provide the learners with an official PHA deviation note, which needs to be carried with the learner at all times, for the period of the specific deviation.

- a) The deviation note will indicate the reason for, as well as the expiry date of, the deviation.
- b) Deviation requests will only be processed during the register period each day.

3.1.2 The onus is upon the learner to approach each of his educators, at the start of the lesson, so as to apologise for his/her appearance, and to present the deviation note.

Educators should not have to ask a learner why his/her appearance deviates

from the uniform code.

### **3.2 Learners seeking exemption from the Code of Conduct**

In the event of a learner seeking exemption from the regulations of the Code of Conduct, the following procedure is to be followed:

3.2.1 A learner/parent/guardian must submit a completed request form (see attached form) to the Principal, furnishing reasons why he/she should be exempt from parameters of the standard regulations.

3.2.2 The Principal can either refer the matter to one, or both, of the following regulatory bodies:

- the school council, and/or management council, and/or SMT;
- the SGB.
  - If required, the learner and his/her parents/guardians may appear before the SGB, to substantiate the written submissions.
  - The SGB are allowed, and may take the opportunity, to put questions to the learner/parents/guardians.
  - The SGB may prescribe certain conditions as deemed necessary, in the event that the exemption is approved.



## SECTION D: GRADING OF MISDEMEANOURS

Offences are categorised and ranked according to the nature and degree of seriousness of the offence, of which Level 4 is the most serious. The level of the offence will determine the disciplinary procedure to be followed. An offence that is not listed may be classified at the reasonable discretion of the educator.

<b>This is the list of offences which give an indication of the level of a particular offence. This list is not exhaustive.</b>			
<b>LEVEL 1</b>	<b>LEVEL 2</b>	<b>LEVEL 3</b>	<b>LEVEL 4</b> <b>(to be read in conjunction with</b> <b>Section E - serious misconduct)</b>
<ul style="list-style-type: none"> <li>● littering</li> <li>● excessively noisy or unruly behaviour before school, during change-overs, during breaks, and after school</li> <li>● eating or drinking during any contact time (class and assembly)</li> <li>● chewing gum</li> <li>● misconduct in an assembly</li> <li>● entering an out-of-bounds</li> </ul>	<ul style="list-style-type: none"> <li>● continual interference with another learner, which causes minor physical or mental discomfort</li> <li>● vandalism</li> <li>● interfering with another person's possessions/property, without the owner's consent</li> <li>● forgery: altering of official documents, such as medical certificates and qualifications, and</li> </ul>	<ul style="list-style-type: none"> <li>● damaging another person's possessions/property, as a result of interfering with, or using, said possession or property without the owner's consent</li> <li>● intimidation by verbal or physical threat, to harm the person, or his/her property</li> <li>● bullying</li> <li>● verbal or non-verbal abuse</li> <li>● fighting, common assault,</li> </ul>	<ul style="list-style-type: none"> <li>● racism/ hate speech/ discriminatory remarks of any nature</li> <li>● assault with the intent to do grievous bodily harm</li> <li>● use of weapons that cause physical injury</li> <li>● possession and/or use of a firearm, firearm magazine, ammunition, or a dangerous or lethal weapon</li> <li>● possession of, using and/or dealing in drugs, or alcohol,</li> </ul>

<p>area, classroom, or passage, without permission</p> <ul style="list-style-type: none"> <li>● misconduct or poor sportsmanship during an extra-mural activity, practice, intra- or inter-school competition, or league fixture</li> <li>● infringements of uniform regulations</li> <li>● disruptive behaviour in class</li> <li>● copying another learner's classwork, or homework</li> <li>● cycling or skateboarding on the property</li> <li>● failure to: <ul style="list-style-type: none"> <li>○ submit an absentee note by the stipulated deadlines</li> <li>○ return a library book by the due date, or pay the fine for an overdue</li> </ul> </li> </ul>	<p>fraudulent use thereof</p> <ul style="list-style-type: none"> <li>● forging a parent's or guardian's signature on official communication with the school</li> <li>● defamation/ degradation of a learner (first offence)</li> <li>● swearing, lying or using obscene gestures</li> <li>● inappropriate use of electronic media</li> <li>● disrespect or insolence</li> <li>● insubordination – ignoring, or failing to carry out, a specific and reasonable instruction</li> <li>● public disturbance</li> <li>● gambling</li> <li>● possession of firecrackers</li> <li>● possession of pepper spray/ taser</li> <li>● any action which brings the school's name into disrepute</li> <li>● possession of offensive</li> </ul>	<p>or attempted assault</p> <ul style="list-style-type: none"> <li>● public indecency</li> <li>● truancy from any contact time</li> <li>● use of firecrackers</li> <li>● Unjustified use of pepper spray or a taser, on school property</li> <li>● tampering with safety and other any other equipment on the school premises</li> <li>● possession of weapons, or items that can be used as a weapon, that can cause physical injury</li> <li>● entering the school premises while under the influence of alcohol/drugs</li> <li>● possession of and/ or using cigarettes/ vapes/ e-cigarettes, or being in the company of, a learner smoking cigarettes or</li> </ul>	<p>or any other intoxicating substance</p> <ul style="list-style-type: none"> <li>● theft, robbery, breaking and entering</li> <li>● malicious damage/ injury to property of the school, staff members, fellow learners, or any other person or body</li> <li>● rape, attempted rape, or indecent assault</li> <li>● physical assault that results in bodily harm, sedition, or inciting any form of illegal strike action/ meeting/ campaign on school premises</li> <li>● any offence punishable under the common law of South Africa</li> <li>● unreasonable repetition of a LEVEL-3 offence</li> </ul>
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<p>book/s</p> <ul style="list-style-type: none"> <li>○ attend an extramural practice session without permission from the educator in-charge</li> <li>○ attend a compulsory activity without submitting a written excuse letter, sent prior to the event, to the educator in-charge</li> <li>○ attend an educator-allocated detention</li> <li>○ do classwork, or submit homework, assignments etc.</li> <li>○ bring the required textbooks, notes, stationery, or equipment to a lesson</li> <li>○ hand work in on time</li> </ul>	<p>material, excluding pornographic material</p> <ul style="list-style-type: none"> <li>● inappropriate contact, excluding kissing</li> <li>● unreasonable repetition of a LEVEL-1 offence</li> </ul>	<p>purchasing cigarettes/ vapes/e-cigarette, when identifiable as a learner of the school</p> <ul style="list-style-type: none"> <li>● possession, copying, distribution, use or displaying of pornographic material</li> <li>● truancy from school or leaving the school grounds without the necessary permission</li> <li>● taking part in any form of illegal strike action/ meeting/ campaign on the school premises</li> <li>● deliberate use of any electronic media platform/s against a fellow learner</li> <li>● reckless or negligent driving, whether in school uniform or not, and whether on the school property or not, including driving without a valid</li> </ul>	
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<ul style="list-style-type: none"> <li>● reporting late for class</li> <li>● improper use of electronic devices</li> </ul>		<p>licence</p>	
<ul style="list-style-type: none"> <li>● during contact time</li> <li>● arriving late for school</li> <li>● learners holding hands</li> </ul>		<ul style="list-style-type: none"> <li>● any learner who: <ul style="list-style-type: none"> <li>○ in or outside the buildings, or on or off the premises of the school, while under the supervision or management of the school authorities, intentionally conducts himself in a manner which is, or could be, seriously detrimental to the maintenance of order or discipline at the school;</li> <li>○ violates the rights of other learners to receive education, by disrupting classes, preventing other learners from attending</li> </ul> </li> </ul>	

		<p>classes, preventing teachers from providing teaching;</p> <ul style="list-style-type: none"><li>○ in any other manner, violates the rights of the teacher to carry out his/her tasks, to the detriment of the school, the staff body, the teacher, or any fellow learners, or other stakeholders</li><li>○ is caught cheating, attempting to cheat, or having forbidden material or information in a test venue during controlled testing (class tests, term tests, internal exams); this includes any form of communication, verbal or non-verbal, with another learner</li><li>● unreasonable repetition of a LEVEL-2 offence</li></ul>	
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## SECTION E: SERIOUS MISCONDUCT

(Extracted from:

- regulations Relating to Disciplining, Suspension and Expulsion of Learners at Public Schools in The Western Cape;
- in terms of section 63 (1) (cE) of the Western Cape Provincial School Education Act, 1997 (Act No. 12 of 1997);
- read with section 9 (3) of the South African Schools Act, 1996 (Act No. 84 of 1996);
- the Provincial Minister responsible for education in the Western Cape makes the regulations set out in the schedule (excluding public schools for learners who were referred, or transferred, to such schools in terms of the Child Care Act, 1983 (Act 74 of 1983), and/or the Criminal Procedure Act, 1977 (Act 51 of 1977)), in Circular 0030/99 – Provincial Administration Western Cape – Education Department.)

**Serious Misconduct**, subject to the provisions of the Act, can be identified as a learner who—

- (a) has used, or has in his or her possession, or sells, or distributes, a dangerous object, alcohol or illegal drugs;
- (b) commits an act of bullying, assault, theft, arson or malicious damage to property;
- (c) commits an act of gross insubordination, or engages in immoral conduct;
- (d) is in possession of, or uses, any unauthorised copy of a test or examination question paper, or cheats, distributes, trades, bribes, or attempts to bribe, any person in respect of any test or examination, with the intention of enabling himself or herself, or any other person, to gain an unfair advantage;
- (e) uses hate speech, makes himself or herself guilty of racism, sexism, sexual harassment, possesses or distributes pornographic material, or engages in any act of public indecency;
- (f) endangers the safety of, or threatens, fellow learners or educators, disrupts the school programme, or violates the rights of others;
- (g) falsely identifies himself or herself, or knowingly and wilfully supplies false information or falsifies documentation, to gain an unfair advantage at school;
- (h) has repeatedly been found guilty of transgressing the learner's code of conduct; or
- (i) conducts himself or herself, in the opinion of the governing body, in a disgraceful, improper, or unbecoming, manner.

Such a learner may be guilty of serious misconduct.

## SECTION F: DISCIPLINARY STRUCTURES AT PROTEA HEIGHTS ACADEMY

Every teacher is responsible for discipline and has the full authority and responsibility to correct the behaviour of learners, whenever such correction is necessary.

Any corrective measure or disciplinary action will correspond with, and be appropriate to, the level of the offence.

All learners will abide by the discipline system that has been developed to assist and guide learner behaviour in the school.

<b>LEVEL 1 PUNISHMENT</b>	
<p><b>Staff members</b></p> <p><b>a) General</b></p> <ul style="list-style-type: none"> <li>● Staff are responsible and accountable for the punishment of all level 1 offences.</li> <li>● Punishment administered by the staff member closest to the offence is most effective.</li> <li>● Matters are only referred to the Grade Heads/ Heads of Discipline when all other avenues of punishment have been exhausted.</li> <li>● Examples of a suitable punishment:               <ol style="list-style-type: none"> <li>1. Reprimand;</li> <li>2. Standard method of writing out e.g. Code of Conduct two-page system;</li> <li>3. Keep small groups after school, or during breaks (educator detention).</li> </ol> </li> </ul> <p><b>All infringements are to be journaled.</b></p>	<p><b>RCL/ MLC members</b></p> <p><b>a) General</b></p> <ul style="list-style-type: none"> <li>● RCL (Grade 11) and MLC members are responsible and accountable for the punishment of all level-1 offences.</li> <li>● Punishment administered by the member closest to the offence is most effective.</li> <li>● Matters are referred to an educator/ Grade Heads/ Heads of Discipline if the offence exceeds Level 1, to determine if Friday detention is required.</li> <li>● Examples of suitable punishment:               <ol style="list-style-type: none"> <li>1. Reprimand and report;</li> <li>2. School community service (SCS). Learners must receive a slip, indicating the date and time of SCS.</li> </ol> </li> </ul> <p><b>All infringements are to be journaled by the MIC of SCS.</b></p>



<p><b>b) Latecomers</b></p> <p>Offence: Learners who are late for the start of the school day.  Procedure: Learners must get a late note from the front office.</p> <p>Refer to Learner Attendance, Early-leavers and Late-coming policy.  Learners will be punished for continuous late-coming. In a 10-day school cycle, learners will be punished as follows:</p> <ul style="list-style-type: none"> <li>● 3 – 5 Times late = 1 Friday detention</li> <li>● 6 – 8 Times late = 2 Friday detentions</li> <li>● &gt; 8 times = refer to Head of Discipline for Saturday detention</li> </ul> <p>Parents must be informed if the late-coming is habitual.</p>	
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<b>LEVEL 2 PUNISHMENT</b>	
<p><b>Staff members</b></p> <p>Offence: Learners who have defaulted with regard to a level-1 offence punishment, or who has committed a level 2 offence.  Procedure: Staff member to complete Detention slip (detention books obtainable from front office) – place in DT envelope in staffroom.</p> <p><b>All infringements are to be journaled.</b></p>	<p><b>RCL/ MLC members</b></p> <p>Learners who have committed a level-2 offence, matters are referred to the register educator/Grade Heads.</p>

### **LEVEL 3 PUNISHMENT**

1. Grade Heads must be prominent in the disciplinary process. Educators who feel that the normal "Levels of Discipline" – i.e. first and second level - have been exhausted on the specific learner, without success, OR that the offence is of such a nature that a senior person must deal with it, then such a learner must **first be sent** to the Grade Head.

Grade Heads should pursue one or more of the following measures in dealing with such learners:

- Counselling;
  - Interviews with learners and parents;
  - Refer the learner to the Head of Discipline, or the Principal.
2. Very serious matters, e.g. smoking, bunking etc., must be referred to the Head of Discipline immediately.
  3. The Principal and Head of Discipline counsel the learner and place the learner in Saturday DT and/ or community service.
  4. Parents are informed by letter, which is sent by the Principal/ Head of Discipline.
  5. The investigation report is journaled and communicated to the parents.
  6. The Principal is to be used, in an overall capacity, as required.

#### **Default with regard to Saturday detention:**

The learner's parents are interviewed, with possible Governing Body intervention.

### **LEVEL 4 PUNISHMENT**

1. Saturday detention(s) and/or community service, in consultation with the Governing Body, at the discretion of the Principal.
2. Disciplinary hearing:  
Any learner under suspicion of serious misconduct/ a Level-4 offence may be called for a hearing with the Governing Body. A guilty verdict will result in the Principal reporting to staff, and the school, at an assembly, by giving the name of the learner, the offence committed and the sanction given at the disciplinary hearing.
3. In accordance with the Regulations Relating to Disciplining, Suspension and Expulsion of Learners at Public Schools in The Western Cape, a learner may be suspended as a precautionary measure, in consultation with the Governing Body, in the cases of serious misconduct.

**SECTION G**

This Learner Code of Conduct was approved and adopted by the Protea Heights Academy Governing Body on \_\_\_\_\_ (date).

**SIGNED:**

CHAIRPERSON: \_\_\_\_\_

DATE:

PRINCIPAL: \_\_\_\_\_

DATE:

SECRETARY: \_\_\_\_\_

DATE:



**ANNEXURE A:**

**APPLICATION TO SCHOOL GOVERNING BODY FOR EXEMPTION FROM COMPLIANCE WITH THE CODE OF CONDUCT**

**NAME OF LEARNER:** \_\_\_\_\_ **GRADE:** \_\_\_\_\_

The manner in which the learner wishes to deviate from the code:

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Is the above-mentioned learner a member of an identifiable religion or culture, or is there a medical condition requiring deviation/exemption?

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If so, state the relevant religion/culture or medical condition:

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The substantiated (motivated) basis for this request (supported by documentary evidence):

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Is the cultural or religious practice mandatory, or voluntary?

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Does the requested practice have religious or cultural significance for the above-named individual?

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If YES, provide details:

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Elaborate on how central the requested belief/ practice is, to the learner:

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**NAME OF PARENT /GUARDIAN:** \_\_\_\_\_

**RELATIONSHIP TO LEARNER:**

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**SIGNATURE OF PARENT/GUARDIAN:**

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**SIGNATURE OF LEARNER:**

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**DATE:**

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**PLEASE NOTE!**

*Once this request and information has been submitted, the learner and parent may be called to a meeting/an interview with a sub-committee of the Governing Body to support their request. The decision of the Governing Body will be provided, in writing. Reasons will be provided, should the exemption be refused.*





PROTEAHOOGTE AKADEMIE

**PHA**

PROTEA HEIGHTS ACADEMY

