



# **SCHOOL DISCIPLINARY POLICY / CODE OF CONDUCT**

## **Section One: Introduction & Objectives**

The School fully supports the principles of **Fair Discipline** and the consistent application of appropriate and corrective disciplinary measures where necessary. It is Emmanuel Christian Academy's main aim to have an alcohol-, violence- and drug free environment.

This procedure for learners indicates the broad **standards of behaviour** that are expected of all learners at the School, and encourages a responsible and self-disciplined approach, rather than a punitive one based on fear. Should expected norms of conduct not be met by any learner, corrective action will be initiated by the School's management team. Corrective action may or may not include the application of formal disciplinary measures, any formal steps only being applied to prevent further occurrences of unacceptable behaviour or to restore the educator/learner relationship.

Furthermore, the Procedure and Code are documented and issued to ensure that corrective action and discipline are administered consistently, promptly and fairly. This Procedure and Code are considered to be an important element of Emmanuel Christian Academy's Code of Conduct and are applicable to all learners. It should also be noted that this document may also have a bearing on the behaviour of the learner outside of normal school hours, should the learner's conduct impact negatively on the educator/learner relationship or bring the School's reputation into disrepute.

The maintenance of discipline and ensuring orderly classroom behaviour are an integral part of every educator's job. The onus therefore lies with the School's educators and management to apply this procedure in an effective and equitable manner, in the interests of the well-being of the School and all its stakeholders.

This document will be made readily available to every educator at the School, and every learner or parent wishing to view this document.

Please note that this procedure is not intended as an exhaustive guideline to cope with every discipline-related issue. Rather, it is intended to indicate fundamental values and principles according to which corrective action and discipline are to be effectively implemented by the School.

### **Respect for Adults**

- Adults are to be addressed as Sir or Ma'am or Mrs/Miss/Mr... if the person's surname is known.
- Learners are to stand when greeting or addressing adults, and must not have their hands in their pockets.
- Learners are to stand up quietly and to greet any adult who comes into their classroom. This includes the support staff at the ECA.
- Visitors to the College are to be greeted and must be treated with the utmost respect.
- The authority of the educators is to be respected. Any sense of injustice or strong disagreement must be addressed in an appropriate fashion.
- The academic, administrative and support staff are to be treated with the utmost courtesy and respect.

## **Respect for the Image of the School**

- Learners are to wear school uniform at all School functions unless instructed otherwise by the Principal. This includes all public functions associated with the School.
- Learners' hair must be in accordance with guidelines. No outlandish styles. No gel, highlights or dye/colour rinses. Boys' hair is to be short, neat and tidy (not touching ears, not bushy or sticking up on top and in front and not touching collar at the back). Girls' hair is to be tied back and clipped out of eyes. Hair accessories –navy or black hairbands or material scrunchies.
- Jewellery: girls may wear plain silver or gold studs or sleepers (normal size). Only one earring may be worn in each ear. Boys are not permitted to wear earrings. No other jewellery is permitted. Make-up of any nature is not permitted.
- The full Dress Code and Uniform Policy is available from our website or the Office.
- Learners are to strive to achieve their best, both academically and extra-murally and are required to excuse themselves if unable to attend practices/events.
- ECA learners are to accept praise graciously, to give praise generously and to accept constructive criticism.
- The behaviour of our learners towards learners, staff and parents from other schools must be such that the reputation of ECA is never compromised. They are expected to be gracious hosts and courteous guests.
- Intimidation or initiation of any sort (physical or emotional) is a serious offence and will not be tolerated.
- No chewing of gum, swearing, slouching, bullying in all its forms ('dissing' and/or malicious teasing), racism or lack of courtesy is permitted.
- The storage, creation of, sale or distribution of pornographic, obscene or offensive material, publications, symbols, email, text, SMS/MMS/cartoons or objects is not permitted whilst on School property or attending any School-related activity whilst off campus.
- Using email, text, SMS or MMS to abuse another or discredit another person is not permitted.

## **Respect for Others**

Learners are expected to show respect for their educators and their fellow learners by:

- Contributing to a positive working environment: Learners must bring the correct books to school; get their books out quickly and quietly for each lesson; concentrate and participate in the lessons; ask questions; use their homework diaries; do their homework every day; learn thoroughly for their tests.
- Being punctual for all school activities and not being absent unnecessarily: Learners must arrive for school on time and be punctual for all lessons. All learners must remain on the School grounds during School hours and may only leave the School grounds with a parent/guardian or the person designated by the parent/guardian to be responsible for such learner having obtained a gate pass from the relevant educator, or when under School control during any School excursion, sporting event, tour, activity or outing. In the event of illness, the School must be notified before 08h00 that morning or a letter must be sent when returning to School and/or a doctor's note should be sent upon return to School should absences exceed two days. Learners must be present at all lessons and activities, and may only be excused with the express permission of the relevant educator and/or member of staff. A doctor's note is required if a learner misses a summative assessment.
- Complying with the following general requests: All classrooms are out of bounds at breaks and between 15:00 and 07h50 unless an educator is present. There may be no running in the school buildings and along any corridors. Earth, stones or sticks may not be thrown.
- Respecting individual differences: Learners must not reject or denigrate on the basis of differences of race, religion, background, ability or any other factor. Physical or verbal abuse will not be tolerated.
- Respecting people of the other gender: Boys must apply the 'Ladies First' rule and girls must accept this courtesy graciously. Learners must not swear or use foul language. 'Lingering physical contact' is inappropriate when in school uniform, at school, on school outings, or when representing the school in any way.

- Respecting the achievements, interests and convictions of others: Learners should celebrate the success of fellow learners in the classroom and on the sports field and thank educators and coaches.
- Respecting the dignity of others: No insulting the dignity of others via electronic media, for example cell phones, the Internet, or any other means, will be permitted.

### **Respect for Property**

- Tampering with school property, e.g. computer systems, security codes etc. is not permitted.
- Learners must not deface the desks and must leave the toilets and changing rooms spotless. Cloak rooms are not to be loitered in.
- No ball games are to be played in the vicinity of any building or parking area.
- Personal property must be marked and learners must ensure that they do not take the property of another person deliberately.
- Learners must look after their own possessions.
- Learners must not use the property of another person without permission.
- On no account may cell phones, large sums of money, radios, iPods, Mp3 or Mp4 players, tape recorders, computer games, laptops, cameras or any other expensive items be brought to school unless required for School purposes. In the event that a learner brings their cellphone, tablet, etc. to school, this must be handed in at the start of the school day. Should any learner be found in possession of any of the above items, it will be confiscated and a fine of R50.00 will be payable to get the confiscated items back. The School also reserves the right to punish such a learner with Detention. Should this happen repeatedly, parents will be required to collect it from the Principal and a plan of action determined.
- Should learners damage school property, parents / guardians will be liable to pay for replacement / repair of the damaged items.
- Learners must report accidental breakages and hand in lost property immediately.

### **Some General Principles regarding Discipline**

It is not possible or desirable to list all the 'Do's and Don'ts' applicable to learners. The Principal and staff will inform learners from time to time what forms of behaviour and dress are acceptable and what is appropriate. They will, at all times, try to be fair, firm and consistent. Where it is indicated for instance, that boys' hair must be neat and reasonably short, ultimately it will be up to the Principal and Head of the Disciplinary Committee to decide what is acceptable.

- Corporal punishment is prohibited by law.
- Educators have the right to discipline learners for misconduct and to make rules to ensure an environment of learning in their classrooms.
- Punishment should be appropriate and, if possible, have some rehabilitative, remedial or educational value.

We appeal to parents to support the educators in their attempts to create a culture of learning and respect. Should learners or parents feel that a consequence or rule is unfair, they may appeal to the educator concerned. Failing that, they are to make use of the correct channels of communication, namely: Head of Discipline and the Principal.

## **Section Three: Disciplinary Procedures & Processes**

### **General Approach**

To ensure that the School has a consistent and fair approach to learner discipline, the School has developed the following Disciplinary Procedure for learners.

While discipline is intended to correct inappropriate behaviour, positive recognition and reward are acknowledged as the first resort for sustained acceptable behaviour and achieving potential. The School

fully supports the principles of fair discipline and the consistent application of appropriate and corrective disciplinary measures where necessary.

Should expected norms of conduct not be met by any learner, corrective action will be initiated by the School's management team and/or educators as set out below. The Disciplinary Procedure attempts to ensure where at all possible that corrective action and discipline are administered consistently, promptly and fairly.

Corrective action may or may not include the application of formal disciplinary measures; any formal steps only being applied in order to prevent further occurrences of unacceptable behaviour or to restore the educator/learner relationship. It is impossible to list every possible rule infringement in this Policy. The Policy therefore sets out the broad principles of fair discipline at the School.

Various disciplinary measures may be initiated by the School. The severity of the action taken by the School will depend on the circumstances, the seriousness of the infringement and any mitigating or aggravating factors being of relevance.

The disciplinary measure or sanction applied in response to the learner's misconduct will therefore generally require the Educator or Head of Discipline and/or Principal to exercise judgement in deciding on the appropriate and fair action to be taken.

Infringements which are not considered serious, or do not require formal disciplinary action in the opinion of the relevant educator, will be dealt with directly by the educator concerned. These informal disciplinary measures may be implemented by the relevant educator.

The Head of Discipline/Educator/Administrative staff member is required to sign Detention Warning letters and Detention letters in order to keep a record of learners who constantly contravene the Code of Conduct.

Detention takes precedence over any other activity and failure to attend a detention can result in further formal disciplinary action being taken. Detention may be given by any educator or member of staff for serious misdemeanours which are in breach of the Code of Conduct in consultation with the Head of Discipline.

## **Minor Infringements (Level 1)**

### **Level 1 Infringements/misdemeanours include among others:**

*Behaviour that impedes teaching and/or learning such as:*

- Being late for class/school.
- Wearing jewellery to school.
- Being absent without a written note from parent/guardian /a doctor's note.
- Failure to excuse oneself from extramural activities.
- Lack of respect and manners towards adults and/or councillors/peers.
- Tampering with possessions belonging to others.
- Uniform/dress/hair infringements.
- Unacceptable behaviour outside the classroom and/or on the field.
- Minor vandalism.
- Books left at home.
- Rough play (excessive force)/nastiness/minor bullying.
- Littering.
- Being disruptive in class.
- Use of electronic media (cell phones, iPods etc.) at school without permission of an educator.
- Electronic media must be handed in before school.
- Cell phones/electronic devices may not be in possession of a learner during school hours.

- Minor insolence/cheek.
- Minor theft.
- Eating or drinking in class without permission of the educator.
- Failure to fulfil commitments and/or instructions given by educator.
- Inappropriate displays of affection.

Academic diligence infringements such as:

- Incomplete homework, not meeting deadlines.
- Homework etc. left at home.
- Copying of work/minor plagiarism.
- Homework diary not used properly/homework diary not signed.
- Homework/assessments not signed.
- No doctor's note for assessments missed.
- Poor work ethic.
- Homework not done or not completed adequately.
- Incomplete class work.

**Possible sanctions/consequences could include one or a combination of the following:**

Note to inform parents; verbal reprimand; written punishment; educator/class/learner apology; counselling by the educator or School Counsellor; Community Service; Detention. Cell phones, etc. will be confiscated and a fine imposed.

**Serious Infringements/Misdemeanours (Levels 2, 3)**

When a more serious infringement occurs or is alleged, the educator concerned, and the Head of Discipline and/or Principal, should investigate the complaint in order to determine the appropriate disciplinary procedure to be followed.

**Level 2 infringements include:**

- Repeated Level 1 infringements.
- Class work/assignments not completed after 1<sup>st</sup> warning and deadline.
- Major insolence/cheek.
- Plagiarism and/or cheating/serious dishonesty.
- Being in possession of a cell phone during examinations or tests.
- Vandalism to school and/or pupil property.
- Misuse of school property and/or facilities.
- Interfering/tampering with school computer systems/security systems.
- Playing obscene, insulting or demeaning games.
- Swearing/inappropriate comments bringing school into disrepute.
- Misbehaving/rough play (kicking/pushing/shoving of a more serious nature).
- Inappropriate behaviour on sports field bringing the reputation of the School and/or team into disrepute, for example: throwing of tantrums/throwing equipment on the ground/stamping of feet/swearing).
- Bullying of a more serious nature ('dissing'/teasing/verbal/physical/cyber/electronic).
- Truancy from school or any lesson or school activity at which attendance is compulsory.
- Repeated disregard for educator requests/instructions/consequences.
- Major academic diligence issues.
- Lying/forging of signatures/documentation.
- Wilful disruption of school activities.

### **Level 2 actions/sanctions:**

One of, or a combination of, any of the following: Friday Detention; class/learner/educator apology; parental interviews; daily report; detention and daily report; Final Written Warning indicating a Disciplinary Hearing; Disciplinary Inquiry possibly leading to a Formal Disciplinary Hearing; Community service; Counselling (in addition to one or more of others listed); Internal suspension.

Detentions not attended must be referred to the Disciplinary Committee for a possible Disciplinary Inquiry.

### **Level 3 infringements include:**

- Repeated Level 2 and 3 infringements/misdemeanours.
- Serious insubordination/disrespectful behaviour towards an adult.
- Repeated bullying in any form (physical/verbal/non-verbal/electronic).
- Victimisation or initiation of any sort.
- Infringement of assessment rules and/or cheating or assisting another to do so.
- Being in possession of, consuming and/or distributing any illegal substances such as drugs.
- Being in possession of, consuming and/or distributing any alcoholic products.
- Being in possession of and/or smoking and/or distributing/selling cigarettes or tobacco products.
- Being in possession of any weapon, fireworks, explosive, object that could be potentially dangerous.
- Fighting, inciting, or violent behaviour or encouraging others to do so.
- Any 'gang'/cult-related activity and/or behaviour.
- Issuing a bomb threat and/or arson (lighting of fires) – attempted or actual.
- Harassment (sexual, racial, cultural, religious).
- Obscene, indecent or sexually explicit behaviour and/or gestures and/or physical contact.
- Storage, creation, sale or distribution of pornographic, lewd or offensive material via any means (email, SMS, MMS, cartoons, magazines, any electronic media, graphics).
- Conduct that brings the School into disrepute – on or off-site misconduct that damages the School/learner relationship and educational process.
- Knowingly and wilfully supplying false information or falsifying documentation to gain unfair advantage.
- Unsafe acts or behaviour that endangers the safety and welfare of others.
- Seriously threatening, disrupting or frustrating teaching or learning in a class.
- Insulting the dignity of or defaming a staff member through any means (verbal/written/electronic media).
- Distributing any test or examination material that may enable any person to gain an unfair advantage.
- Fraud, including the forging of another person's signature.
- Bringing another person's good name into disrepute through verbal, written or electronic means.
- Theft or attempted theft and other criminal offences.
- Any other misconduct considered very serious and possibly justifying expulsion as a first offence.

### **Recommended Level 3 sanctions/consequences/actions:**

These are of a formal nature and must include: referral to the Head of Discipline/ Principal for Disciplinary Inquiry which could lead to one of or a combination of the following: Final Written Warning; suspension pending a possible Formal Disciplinary Hearing; Expulsion after the conducting of a Formal Disciplinary Hearing.

Discipline must, wherever feasible and effective, be applied progressively. Repeated committing of a similar or related offence will result in progressively more severe action being taken, particularly where

a clear pattern or trend is indicated by the learner's continued misconduct. A serious first incident may, however, justify a severe penalty such as expulsion.

Warnings/misdemeanours issued by the School must be noted in the personal file and parents must be notified of such warnings wherever possible.

Serious misconduct may in certain circumstances lead to summary expulsion. This conduct may include conduct such as being in an intoxicated state, using alcohol or drugs and violence on school premises, which includes premises hired by the school for functions or outings.

#### **Section Four: Formal Disciplinary Process**

The following procedure summarises the Disciplinary Process that will be followed by the School when more *formal disciplinary action* is considered appropriate.

When an infringement occurs which requires formal disciplinary action, the educator concerned (or any third party affected by the alleged infringement) will initiate the disciplinary process by reporting the incident to the Head of Discipline or Principal. It may be in the form of an incident report if necessary. This document may be supplemented by any additional information or statements to clarify or adequately detail the facts surrounding the infringement.

The Head of Discipline and/or any other person delegated by the Principal, if required, must investigate the complaint and alleged infringement to gather information and to decide on the necessity for corrective measures. This assessment generally takes the form of an informal investigation/disciplinary enquiry, which generally includes an opportunity for the learner to "state his/her case" in response to the complaint. If, after investigation, the infringement is confirmed but is considered to be of a nature which does not indicate that more severe action may be appropriate, the Principal may counsel the learner and issue an appropriate WARNING and/or CONSEQUENCE to the learner(s) concerned.

It should be pointed out that the investigation to be conducted is an informal one, and that suspension or expulsion is not considered appropriate action at this point.

When a serious infringement occurs, or in the case of repeated lesser infringements and informal disciplinary action not having its expected effect, a *notification of a DISCIPLINARY HEARING* is given to the parents of the learner concerned. This notification must provide sufficient information to ensure that the learner and parents are properly informed of the alleged complaint, the seriousness of the allegations, and the School's intention to convene a FORMAL DISCIPLINARY HEARING to investigate the infringement.

Please note that:

- The learner's parents should wherever possible be notified of the hearing at least 48 hours (two working days) before the scheduled hearing.
- The learner may be suspended pending the hearing, if this is considered appropriate bearing in mind the circumstances, the right to education and the seriousness of the alleged misconduct.
- The suspension of the learner should be indicated in the notification to the parents, the period of suspension preferably not exceeding a period of five (5) [school] days.
- The learner and his/her parents [or legal guardian] must be advised that they are expected to attend the hearing as their non-attendance may prejudice their case, result in the hearing being held in their absence, and a decision being made without their involvement.
- The learner and parents must also be advised of the serious nature of the allegations, and the possibility of formal and severe disciplinary action being taken should the learner be found guilty of the allegations made against him/her.
- Legal representation at disciplinary hearings is NOT permitted.

The conducting of the Formal Disciplinary Hearing is of great importance and must be chaired by the Principal. The Hearing Chairperson will be responsible for leading and managing the hearing process, and making the critical decisions as to:

- The guilt or innocence of the learner relative to the allegations made; and
- The appropriate penalty/action to be taken, ONLY after due consideration of mitigating and aggravating factors.

To ensure that this crucial procedure is properly and fairly conducted, all Disciplinary Hearings should be conducted in such a way as to ensure that the rules of natural justice are complied with i.e. the learner and parent:

- Must properly understand the allegations being made before commencing with the hearing;
- Should be presented with all the relevant facts and information relating to the allegations;
- Must be given the opportunity to question information provided and evidence led;
- Are entitled to present their own perspective and explain/defend the learner's actions, and if appropriate, lead evidence in support of the learner's defence;
- Must be treated with dignity and respect throughout the Hearing;
- Must be advised of the outcome [verdict] of the Hearing, the decision made regarding penalty and the reasons for such decisions; and
- Must be offered the right to appeal against any decision made by the Chairperson.

After the completion of the Disciplinary Hearing, any penalty decision made (i.e. whether to impose disciplinary action e.g. suspension and/or expulsion, or not) should be formally communicated to the parents and supported in writing by the Hearing Chairperson. This notification must include a reminder that the learner has the right to appeal against any action decided upon, within seven (7) days of the Hearing's outcome being communicated. NB. Copies of all disciplinary documentation must be retained by the School for record and safekeeping purposes.

### **Section Five: Review Process**

The learner's parents have the right to request a review against any formal Disciplinary Action imposed by the School.

Lodging a review against a decision to suspend or expel the learner, after a Disciplinary Hearing has been conducted, only entitles the learner to a review of the findings of the Hearing. Typical grounds for such an appeal review may include:

- The disciplinary procedure was not properly followed.
- The decision on guilt was not considered correct or fair.
- The decision regarding action to be taken was considered inappropriate.
- Mitigating factors were not properly considered.
- The Enquiry Chairperson was considered to be biased, did not apply his/her mind, or supposedly made a subjective decision.
- The learner was not in a position to present his/her case properly.
- New and relevant evidence can be presented which may affect the decisions made.

The parent(s) wishing to appeal must motivate their appeal in writing, detailing in full their grounds for appeal. The request for appeal must be submitted to the School within seven(7) days of the Hearing Chairperson's decision having been communicated to the parents so as not to delay proceedings.

If the learner has been suspended pending the completion of the Hearing process, the submission of an appeal will not affect the suspension which will remain in effect until the Appeal process has also

been concluded. In the case of any other formal disciplinary action being imposed by the Hearing Chairperson, the imposition of such action will be held in abeyance pending the appeal process.

The learner's basic right to an appeal against disciplinary action does not ordinarily mean that all the matters raised at the Disciplinary Hearing will be "re-heard". The Review procedure is generally limited to only reviewing the decisions made, and is based on the grounds and motivations lodged in the Review motivation. A full Review re-hearing is ONLY necessary when the Disciplinary Hearing process is considered to have been materially defective by the person responsible for the Review, or if the decisions reached at the Hearing are considered to be potentially suspect.

*Should it become obvious that a full re-hearing is required for a fair appeal, usually due to a defective Disciplinary Hearing process or substantial new evidence having come to light after the Hearing, a full Appeal/Re- Hearing should be conducted in accordance with the principles highlighted in 5 above.*

The conclusion of the School's Review procedure is the final step in the School Disciplinary Process and marks the exhaustion of internal disciplinary measures.

### **Section Six: Collective Disciplinary Action**

The Disciplinary Procedure described above is principally designed to deal with instances of misconduct by individual learners. Alleged misconduct by a group of learners, usually acting in concert with one another, or where the infringements are of a similar nature or objective, is considered as being collective misconduct.

Generally, collective misconduct is more effectively dealt with on a collective basis. An investigation into the alleged misconduct is conducted with all of the learners concerned. A single Disciplinary Hearing can then be conducted with the learners concerned, with their parents present.

The same procedures as provided for in Section Four above are followed in a collective situation. In a Collective Disciplinary Hearing, however, individual learners must still be provided [during or immediately after the Hearing process] with the opportunity to demonstrate that their own circumstances may be different to that of other learners or the group involved, and to show why they should be treated differently.

In certain cases, however, it might be considered appropriate by the School to conduct separate investigations or hearings with individual learners. The School reserves its right to exercise its option to conduct individual or collective procedures. Any differences in verdict, or penalties imposed, between different learners involved in the same incident/infringement, will obviously also have to be justified if the School is called upon to do so.

### **Section Seven: Disciplinary Sanctions and Suggested Consequences**

The School's Disciplinary Sanctions for Learners Chart is intended as a **guideline** for Educators, Heads of Departments, Head of Discipline and Hearing/Review process Principal.

The Disciplinary Sanctions Guideline Chart indicates the possible disciplinary sanctions generally considered appropriate for various types of infringements and misconduct by learners. As indicated previously, the (mitigating) circumstances of a particular case under consideration may justify less severe action than that indicated in the Guideline Chart.

The infringements listed in the Guideline Chart are not intended to be an exhaustive listing but rather an indication of the type of deviation from expected standards of conduct, and the levels of severity of infringements.

Please note that the Guideline Chart does make provision for “progressive” or accumulative penalty i.e. the imposition of a harsher sanction for repeated misconduct, in the case of less serious infringements, as well as for expulsion in serious cases.

**N. Young**

Principal

*Reviewed 1 March 2017*