



**CODE OF CONDUCT**  
**SCHOOL AND HOSTEL**  
**JANUARY 2020**

## **1. Introduction**

- 1.1 The school governing body (SGB) of ES Le Grange Special School has decided that the provisions of the South African Schools Act (SASA), Act No. 84 of 1996, and the North West School Education and all legally accepted regulations promulgated there under, will be honoured and executed.
- 1.2 The school governing body has consulted the parent members of the SGB and educators on the content of the code of conduct. The code of conduct has been drafted in accordance with the relevant provisions of the Constitution of the Republic of South Africa, Act 108 of 1996; the South African Schools Act, Act 84 of 1996 ('SASA'); the National Education Policy Act, Act 27 of 1996; Guidelines for a Code of Conduct for Learners (General Notice 776 in Government Gazette 18900 dated 15 May 1998); the Regulations on Devices to be used for Drug Testing and the Procedure to be followed (GN 1140 in Government Gazette 31417 dated 19 September 2008); Regulations for Safety Measures at Public Schools (GN 1040 in Government Gazette dated October 2001, as amended) and relevant provincial legislation.
- 1.3 This Code of Conduct aims to give practical effect to SASA, as well as to regulate the management of the SCHOOL and the HOSTEL.
- 1.4 ES le Grange Special School has 4 programs for Learners with Special Educational Needs. The Reception Program, the Scholastic Program, The Basic Life Skills Program and the Vocational Program.

## **2. Legislative Prescripts And Regulatory Framework**

- The South African Constitution, 1996 (Act 108 of 1996)
- The South African Schools Act, 1996 (Act 84 of 1996)
- The Public Service Act, 1994 (Act 103 of 1994)
- The Employment of Educators Act, 1998 (Act 76 of 1998)
- National Education Policy Act, Act 27 of 1996

## **3. Objective of the Code of Conduct**

Although the State is obligated to make special education available and accessible, this must be enhanced by the dedication and commitment of responsible role players, namely educators, learners and parents. This code of conduct is intended to promote such dedication and commitment.

This code of conduct aims to establish a disciplined and purposeful school environment, which is dedicated to promoting and maintaining the quality of the learning process.

The code of conduct endorses the school's mission statement.

Learners and their parents/guardians are expected to acquaint themselves with the code of conduct and its provisions. As soon as learners are enrolled at the school/hostel, they are subject to the code of conduct, and must strictly adhere to it. Should learners transgress or violate the code of conduct, they will be acted against in accordance with the disciplinary procedure for learners.

It must be noted that ES le Grange School is a school for Learners with Special Educational Needs (LSEN), whom are Severely Intellectually Disabled (SID). ES le Grange is not a main stream school and will adhere to its own admission policy and custom made code of conduct.

As all children at ES le Grange Special School have some form of disability (including cognitive and physical disabilities), these children have to be protected by this Code of Conduct. This document will therefore be strictly implemented and enforced to protect our vulnerable learners, who range from the ages of 5 to the age of approximately 18 years old. All Hostel Boarders and its staff are also subjected to this Code of Conduct.

#### **4. Code of conduct**

##### **General rules**

- 4.1 Learners shall be good ambassadors of the school, and shall conduct themselves in accordance with the school's code of ethics at all times.
- 4.2 While wearing the school uniform or any part thereof that is sufficient to establish a link with the school in the public eye, or while representing the school, either directly or indirectly, as participants, supporters, assistants, and spectators or otherwise, learners shall refrain from any conduct that could bring the school, staff or their fellow learners into disrepute.
- 4.3 In their interaction with the principal, vice-principal, educators and other staff of the school/hostel, learners shall be courteous and respectful at all times and shall refrain from any action that constitutes disrespectfulness or rebelliousness.
- 4.4 In their interaction with one another, learners shall practise self-restraint as far as possible, and shall display mutual respect and tolerance. In particular, learners shall refrain from any action aimed at harming, or that could possibly cause harm to, any other learner's physical, spiritual and moral well-being. Any sexual or improper physical contact between learners on school grounds, in the hostel or in any other place where they could be identified as learners of the school, is strictly prohibited.

- 4.5 A school educator shall have the same rights as a parent with regard to controlling and disciplining the learner according to the code of conduct, both during such learner's school attendance as well as any school activity.
- 4.6 In case of a reasonable suspicion that learners have violated this code of conduct or the laws of the country, the school principal or an educator as well as hostel supervisor is entitled to search such learners and/or the property in their possession for any dangerous weapons, guns, drugs or other harmful and dangerous substances, stolen goods or pornographic material that the learners may have brought onto the school grounds. Throughout, learners' dignity will be respected, and therefore, the search will be conducted in private, by persons of the same sex, and in the presence of another person. The search process and outcome must be recorded.
- 4.7 Any conduct that unfairly prejudices the administration, discipline or efficiency of the school shall be regarded as a violation of this code of conduct.
- 4.8 A conviction of a criminal offence in a court of law shall be regarded as a violation of this code of conduct.
- 4.9 Discipline must prevail in the school and hostel to ensure that learners' education and accommodation will continue without unfavourable and disturbing behaviour and offences. The aim is to assist learners in acquiring and exercising self-discipline.
- 4.10 Learners shall comply with any reasonable instruction from the principal, any educator, school support staff or another school leader with regard to maintaining proper behaviour.
- 4.11 Any violation of the School Rules and/or Hostel Rules will be regarded as a violation of this code of conduct.
- 4.12 Transgressions that may lead to suspension and/or expulsion include but are not limited to:
- conduct which poses a threat to others' safety/ infringes upon others' rights;
  - possessing, threatening with or using dangerous weapons;
  - the possession, use, trading or any visible sign of narcotic or unauthorised drugs, alcohol and intoxicating substances of any nature (including dagga);
  - fighting, assault or abuse;
  - indecent behaviour or swearing;
  - harmful behaviour,
  - hate speech, sexism or racism;
  - theft, or the possession of stolen goods;
  - unlawful conduct towards and/or vandalising, destroying or damaging school property;
  - disrespectful, offensive behaviour and verbal abuse aimed at educators or other school staff or learners;
  - repeated violations of school rules or this code of conduct;
  - criminal and oppressive behaviour, sexual assault, harassment;

- sexual misconduct;
- victimisation, bullying and intimidation of other learners;
- intentionally and knowingly providing false information.

4.13 Learners may not bring motor vehicles or motorcycles onto the school and/or hostel grounds, unless he/she has the prior written consent of the principal and unless he/she promptly complies with any conditions imposed together with the aforementioned consent.

## **5. School- and Hostel Rules**

- 5.1 A separate set of School Rules, as well as Hostel Rules are binding to this Code of Conduct. The School- and Hostel Rules have been drawn up by the Principal, management, SGB and educators. These rules will relate to the class rules, school attendance, school uniform, personal appearance, social events, general behaviour at the school and hostel, discipline, cell phones, radios, class room and hostel behaviour, buildings, equipment, arrival/departure procedures and the dining hall rules. All parents will receive a copy of the School and Hostel Rules.
- 5.2 An exemption from certain school rules, when properly motivated by a parent, may be given by the principal in die form of written permission. The principal has the right to agree to or refuse any of these requests, based on merit.

## **6. Rights Of Educators/School Support Staff To Secure Discipline**

Educators/school support staff at the School are granted the same rights as the parent (loco parents) to control and discipline the learner and will do so according to the stipulations of the Code of Conduct. This applies during any time and includes all School-related activities. The educator's fundamental rights are protected and guaranteed by the Bill / Charter of Human Rights as indicated in the Constitution of the Republic of South Africa, 1996, Act 108 of 1996.

All educators/school support staff at the School and Hostel have the right to be treated with due respect by the learners and to expect the same attitude, well-mannered and proper behaviour from learners as would have been revealed to his / her parents.

Educators/school support staff at the School and Hostel rely on favourable cooperation on the part of parents and guardians as far as the education of learners is concerned, also when it is necessary to implement disciplinary measures against a learner. In the event of learners being guilty of misconduct, the parents will be called upon to get involved in the search for a solution to the problem, if possible. Parents are expected to offer their full cooperation. Involvement of parents as partners in the activities of education is invaluable. To adopt an attitude of indifference concerning processes of education results in a counter-productive influence on the discipline and education of the learners.

## **7. Parents' Responsibilities With Regard To The Code Of Conduct**

- 7.1 The final responsibility for a learner's behaviour rests on the shoulders of the parents or guardians. As the learners of the school have cognitive disabilities, the ultimate responsibility of the learner is deemed to be with his/her parents or guardians. It is expected of parents and guardians to comply and cooperate in the following ways:
- 7.2 To support efforts on the School's part, to demand of learners to adhere to the School's rules, code of conduct and regulations and to assume responsibility for a learner's misconduct in conjunction with appointed or elected authorities concerned with school procedures.
- 7.3 To exhibit a healthy interest in their children's well-being in the school and hostel and to offer their support and cooperation to educators and support staff and other appointed or elected authorities concerned with the school's procedures.
- 7.4 To attend meetings which have been convened..
- 7.5 To discuss the Code of Conduct with their children and emphasise the necessity of adhering to it.
- 7.6 To reinforce the work of school- and hostel staff by working hand-in-hand with them in the interest of their children.

## **8. The Right to Investigate**

- 8.1 If a reasonable probability exists or adequate information is available, the principal/educator/hostel supervisor has the legal capacity to investigate property in a learner's possession or to let such property be investigated. Property that has been brought into the School and Hostel may, for example, be searched for a dangerous weapon, firearms, drugs or other harmful substances, stolen property and pornographic material (Bill on Control of Public Premises and Vehicles, 1985, Act 53 Of 1985; Bill on Drugs and Drug Trading, 140 of 1992; Bill on Weapons/Firearms and Ammunition, 1969, Act 75 of 1969). While the search is in process human dignity will be maintained. Learners should preferably be searched by a person of the same sex and in the presence of at least one other person. Record will be kept of the procedure as well as the results.
- 8.2 If a reasonable probability exists or adequate information is available, the school principal or deputy principal may request to test learners and/or any educator/support staff and/or hostel dweller for the consumption of alcohol and/or the use of drugs (marijuana/cannabis/dagga included). These tests will be done with the consent of the parents or guardian of the learner or the staff member him/herself. These tests will be done with human dignity and by a registered nurse in the presence of the principal/deputy principal/HOD/educator. If tested positive for alcohol and/or any narcotic drug, this will be

regarded as a transgression and the disciplinary measure, stipulated in this code, will follow.

## **9. Procedures for disciplinary action**

- 9.1 In case of a violation of any provision prescribed in the code of conduct for learners, this disciplinary procedure is to be followed. Due to our unique circumstances within a school for Severely Intellectually Disabled learners, the general procedures of a main stream school will not be followed.
- 9.2 In order to enforce this disciplinary procedure, misconduct is divided into categories. These correspond with the various disciplinary steps that could be taken and the various procedures that could be followed in handling misconduct.
- 9.3 For the purposes of procedural matters, a violation of school and hostel rules shall be regarded as a violation of the code of conduct, and the same procedural requirements shall apply, with the necessary amendments, depending on the circumstances.
- 9.4 As the school has learners with special educational needs with certain behavioural problems, a School-Based Support Team will be the first line of any disciplinary action. This team will consist of educators, HOD's, registered nurses, therapists and a psychologist. This will be a multi-team which will have access to the District of the Department of Education as well. The School-Based Support Team will repeatedly handle issues and report any relevant incidents to the principal/department of Education and parents or guardians.
- 9.5 Any transgression must first be referred to the school principal/district psychologist/school nurse and district therapists. The learner will be suspended for 5 school days as a disciplinary measure dependent on the offence.
- 9.6 Hostel learners are subject to the Code of Conduct, as well as the Hostel's rules. The school may decide to expel a learner from the Hostel and not from the School, depending on the offence and circumstances. A learner who has been expelled from the hostel, must find alternative accommodation and may only attend school as a day scholar. Expelled hostel learners may not re-apply to stay at the hostel and expulsion will be permanent.
- 9.7 All written warnings will be valid for 12 months on a learner's record. All warnings will be considered as part of a learner's behavioural record, even if it is for separate or unrelated transgressions.
- 9.8 In case of the violation of any of the below mentioned transgressions, such a violation will be referred to the school principal and School Based Support Team, who will be entitled to impose sanctions/disciplinary measures without referring them to the SGB's Disciplinary/EXCO committee:

<b>NO.</b>	<b>Transgression</b>	<b>Disciplinary Measure</b>
1.	Aggravated assault / intentional dangerous behaviour or violence	Will lead to permanent expulsion from school/hostel
2.	Alcohol consumption/Alcohol abuse	Can lead to permanent expulsion from school/hostel
3.	Arson	Can lead to permanent expulsion from school/hostel
4.	Bullying (verbal and physical)	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
5.	Challenging/Rebellious/Disrespectful behaviour towards educators or support staff	1st offence: Verbal warning – notify parents 2nd offence: Final written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
6.	Dangerous Conduct	1st offence: Verbal warning - notify parents 2nd offence: Can lead to permanent expulsion from school/hostel.
7.	Dirty language / swearing in any language/ offensive finger signs/ deliberate spitting / verbal aggression	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
8.	Deliberate disobedience/ Unwillingness to comply with school rules	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
9.	Drugs (in possession of / using / trading any type of drug, including dagga)	Can lead to permanent expulsion from school/hostel
10.	Fighting (repeated fighting/aggression)	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
11.	Leaving the school grounds without permission from school	1st offence: Verbal Warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
12.	Improper conduct (socially unacceptable behaviour)	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
13.	Influencing other learners negatively	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
14.	Lying/dishonesty	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
15.	Matters referred to disciplinary committee	May lead to permanent expulsion from school/hostel
16.	Misconduct in class room/hostel	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents



		3rd offence Suspension from school for 5 days 4th offence: Permanent expulsion
17.	Pornographic material (in possession of any pornographic material/ DVD's/footage)	1 <sup>st</sup> offence: Verbal warning – notify parents 2 <sup>nd</sup> offence: Can lead to permanent expulsion from school/hostel
18.	Refusal to comply with disciplinary measures	Can lead to permanent expulsion from school/hostel
19.	Refusal to do school work in class	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence Suspension from school for 5 days 4th offence: Permanent expulsion
20.	Satanism (any form)	Can lead to permanent expulsion from school/hostel
21.	Sexual acts between learners	Will lead to permanent expulsion from school/hostel
22.	Sexual misconduct/Sexual assault	Will lead to permanent expulsion from school/hostel
23.	Smoking or in possession of any kind of smoke-related objects or equipment	1st offence: Verbal Warning – notify parents 2nd offence: Written warning – notify parents 3rd offence: Suspension from school for 5 days 4th offence: Permanent expulsion
24.	Theft	Can lead to permanent expulsion from school/hostel
25.	Vandalism/Destructive Behaviour	1st offence: Repair/Replace – notify parents 2nd offence: Repair & replace – notify parents 3rd offence Suspension from school for 5 days 4th offence: Permanent expulsion
26.	Victimisation/Intimidation	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence Suspension from school for 5 days 4th offence: Permanent expulsion
27.	Visiting hostel during school hours without permission	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence Suspension from school for 5 days 4th offence: Permanent expulsion
28.	Walking about and not where the learner should be	1st offence: Verbal warning – notify parents 2nd offence: Written warning – notify parents 3rd offence Suspension from school for 5 days 4th offence: Permanent expulsion
29.	Weapons (in possession of sharp objects/weapons with the intention of hurting other learners or staff)	1st offence: Verbal warning - notify parents 2nd offence: Can lead to permanent expulsion from hostel/school.

### IMPORTANT

The seriousness of the offence will determine whether criminal prosecution will be instituted. If a sanction refers to “Can/will lead to permanent expulsion from school/hostel” that learner will be suspended from the School/hostel for 5 days while the matter is being investigated and/or determined if permanent expulsion should/will be imposed.

9.9 Any matter can be referred to the School Governing Body’s (SGB) Disciplinary/EXCO committee if it could not be dealt with by the principal and the School Based Support team. No hearing will be held by the SGB’s disciplinary/EXCO committee as in mainstream schools, as this is a special school with special circumstances. The transgression will be discussed on its own merit by the committee. The SGB’s

Disciplinary/EXCO committee will impose the sanction they deem fit, taken into account the learner that committed the transgression, the other learners' safety and rights at the school and any other relevant information.

- 9.10 A learner who has been permanently expelled from the School and/or the Hostel may never reapply for admission to the School/Hostel again.
- 9.11 A party who is aggrieved with the outcome of disciplinary proceedings before the SGB's Disciplinary/EXCO committee shall be entitled to appeal in writing to the chair of the SGB's Disciplinary/EXCO chair against the guilty finding, imposed sanction, or both, within 24 hours of receiving written notice of the outcome. The SGB's parent members whom are not on the Disciplinary/EXCO committee shall be notified telephonically of the incident and their considerations of the matter. If all parent SGB members are unanimous that the guilty finding and/or imposed sanction are appropriate, the matter still stands. If all parent SGB members do not concur, the matter is referred to the earliest special SGB meeting for a final decision.

## **10 IN CONCLUSION**

The Code of Conduct serves the purpose of informing Learners at the School and Boarders at the Hostel about behaviour expected of them in the School and the Hostel while at the same time preparing them and guiding them towards acceptable and safe conduct within their civil life and community outside the school and in future. It provides learners with a standard for moral values, thus equipping them with insight, knowledge and life skills necessary for becoming responsible citizens. It encourages responsible behaviour in the school and community and develops leadership skills. The main idea is certainly not to focus on punishment as such, but rather to enhance acceptable behaviour, to establish moral values and to encourage learners to contribute as best they can towards accomplishing academic, cultural and sport successes and to reinforce their eventual role in the community. These aims form the basis for efforts on the school's part to create and maintain an appropriate and healthy atmosphere in the school that will provide learners with the opportunity to learn.

It is in the absence of discipline and proper guidelines that education cannot be carried out. To render the mentioned aims and intentions successful, the absolute cooperation between educators and parents/guardians is of extreme importance.

It has repeatedly been proven that a parent/guardian's participation with regard to the child's activities fulfils a positive role in the moulding and development of the child. It is to the advantage of a child when the relationship between educator and parent/guardian is one of reinforcement, and parent/guardian support is not only much appreciated but also necessary. The only victim to suffer the consequences of reluctance to cooperate is the child, and such consequences may at times be devastating. Discipline at home and cooperation with educators will have a direct influence on a child's behaviour. Without parent cooperation and support a child will be inclined to rebel against an educator's authority. Cooperation between the parent and the educator is essential for sustaining effective discipline.

*“For many years we have walked the road alongside the mentally disabled child and their parents. We experience each one’s bewilderment, unbelief, sadness, queries, worry, anxiety and heart brokenness over the mentally disabled little one who has been entrusted to the care of their parents. We often walk with them the road of despondency and slow progress. Together we grew into one big family with a single goal in sight – the education of the child, so that as an adult he or she will be able to take his or her place in life.” -Rina Bekker, former principal of ES le Grange*

**11. AMENDMENT OF THE POLICY**

Any provision of this policy may be amended at a meeting of the governing body, according to the guidelines as stipulated in die Constitution of the governing body.

**12. APPROVAL OF THE POLICY**

Approved on behalf of the governing body:

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**SCHOOL PRINCIPAL**

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**CHAIRPERSON: GOVERNING BODY**

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**TREASURER: FINANCIAL COMMITTEE**