



## SCHOOL POLICY REGARDING DISCIPLINE

### Policy Purpose

The purpose of this policy is to establish and provide a framework within which disciplinary steps at Blessed Perfect Academy will be taken.

The disciplinary policy is thus a reference to guide the school management team through the disciplinary process, to inform the broader school community of the disciplinary code of the school and to establish the rules and procedures to guide disciplinary action.

This policy needs to read in conjunction with any additional policies, rules and procedures. These may include the following:

- National Education Act
- SA Schools Act 84 of 1996
- Departmental circulars
- Department of Education: Procedures of Handling Learner Misconduct
- Equal Opportunity Act (SA, 1984) •
- Disability Discrimination Act (Commonwealth, 1992) •
- Child protection (1990) ♦ Antiracism (1990) ♦ Parents and schools (1991) ♦ Students with disabilities (2006) •
- Procedures for suspension, exclusion and expulsion of students from attendance at school (1995).
- Learner Wellbeing Framework
- Protective Practices for Staff in their interaction with students
- Reducing Bullying in Schools •
- National Safe Schools Framework



## Policy Aim and Objective

To create and instil a sense of self – discipline and order within the school where all learners will have the opportunity to grow and develop in structured and positively controlled environment. All punishment administered must be:

- Fair
- Reasonable
- Appropriate to the offence committed by the learner
- Relatively immediate
- Acceptable and humane.

## Policy Regulations

### Grading of offences

*Grade 1 Offences: A written warning, followed by a final warning, then a disciplinary hearing*

*Grade 2 Offences: A final warning, followed by a disciplinary hearing, then a tribunal hearing*

*Grade 3 Offences: A disciplinary hearing, then a tribunal hearing (depending on the severity of the particular offence)*

Grade 4 Offences: Offence to be immediately reported to the South African Police Services (SAPS) and a tribunal hearing

### Grade 1 Offences

- All grade 1 offences will be dealt with by educators who must keep a written record of the offence and disciplinary measures taken.
- When a grade 1 offence occurs the third time, the educator will issue warning.
- Should the particular grade 1 offence recur after the warning issued, the educator will refer the learner to the Discipline Officer with a record of the offences.
- The Discipline Officer will enter the offence on the system, take disciplinary measures and communicate the problem to the parents/guardian.
- Should the particular grade 1 offence reoccur after referral to the Discipline Officer, it will be treated as a grade 2 offence.

### Grade 2 Offences

- All grade 2 offences will be referred immediately to the Discipline Officer. A Final warning will be issued and discipline action applied.
- When a second grade 2 offence occurs after the final warning has been issued the matter will be referred to the Discipline Committee for a disciplinary hearing.



- The parent/guardian will be advised in writing within a period of five (5) days before the designated date, that an internal disciplinary hearing has been convened.
- Should the particular offence reoccur after the issuing of a final warning and a disciplinary hearing has occurred, the matter will be referred to a tribunal hearing.
- The parent/guardian will be advised in writing within a period of five (5) days before the designated date, that a tribunal hearing has been convened.

### ***Grade 3 Offences***

- All grade 3 offences will be reported immediately to the Disciplinary Officer who will, depending on the severity of the offence, determine whether to convene a disciplinary hearing or a Tribunal hearing.
- The parent/guardian will be advised in writing within a period of five (5) days before the designated date, that a hearing has been convened.

### ***Grade 4 Offences***

- All grade 4 offences will be reported immediately to the Discipline Officer who will, immediately file a report with SAPS and convene a tribunal hearing.
- The parent/guardian will be advised in writing within a period of five (5) days before the designated date, that a tribunal hearing has been convened.

## **SUSPENSION OF A LEARNER BY THE PRINCIPAL OR DEPUTY PRINCIPAL AS A PRECAUTIONARY MEASURE**

The School Management authorises the Principal or Deputy Principal to institute suspension, as a precautionary measure, with regard to a learner who is charged with serious misconduct offence as contemplated in section 8 of the Schools Act.

- Before a learner is suspended, the learner and his/her parents must be given an opportunity to indicate why the suspension should be considered.
- The disciplinary proceeding must commence within one (1) week after the suspension. If the proceedings do not commence within one (1) week, approval for the continuation of the suspension must be obtained from the Head of Department.
- The suspension will be applicable until a finding of not guilty is made or, in the case of a finding of guilty, until the appropriate sanction is announced.



## **DISCIPLINARY AND TRIBUNAL HEARINGS**

- Notice of disciplinary Hearing
- Review form (lodging an appeal)
- Record of offences
- Written Warning
- Daily Report Form

### **Written notice of disciplinary hearing**

- Notice must be given at least five (5) school days before the hearing, which could provide for temporary suspension from classes. Formal tests and/or exams will still be written.
- When a notice is issued to a learner the learner must acknowledge receipt of notice by signing it. This is not an admission of guilt.
- If a learner does not appear at a hearing, the hearing will be conducted in his/her absence.
- The written finding of the hearing will be issued to the offender. The offender will acknowledge contents by signing the document.
- A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist.
- All hearings may be attended by an educator witness, and any other learner(s) he/she may need for his/her defence.
- The Principal/ Discipline Officer will keep on record copies of all documentation relating to the offence, the conducting and findings of the hearing, and the disciplinary measures imposed. Secretary to keep file with minutes.

### **Disciplinary measures that a Disciplinary hearing Committee may impose**

- Suspension from school for a minimum of two (2) days to a maximum of five (5) days, ratified by the School Management, to be effective immediately.
- Recommendation with respect to counselling/attendance of a life skill program
- Progress monitoring process initiated for a minimum of two (2) weeks, followed up by a progress report.



- A written conduct and behaviour warning issued, a signed copy of acknowledgement will be kept on record.
- Community Service

### **Procedure during hearings**

#### **The Chairperson of the Committee must lead the proceedings and:**

Introduce those present and state their function. Ensure that the witnesses are present only while giving evidence

#### **The Chairperson must inform the learner of his/her rights:**

- The right to a formal hearing
- The right to be present at the hearing
- The right to be given time to prepare for the hearing
- The right to be given advance notice of the charges
- The right to be represented at the hearing by (1) internal representative
- The right to be accompanied at the hearing by parent(s)/guardian if the learner is a minor
- The right to ask questions on any evidence, or on statements of witnesses
- The right to call witnesses to testify on his/her behalf
- The right to an interpreter, to be requested 24 hours prior to the hearing
- The right to an appeal within five (5) days against any penalty imposed by the Disciplinary / Tribunal Committee
- If a learner does not attend, the hearing will be conducted in his/her absence

The Chairperson is to explain the nature of the alleged breach or misconduct to those present at the hearing

The procedure of enquiry is that the complainant and his/her witnesses will be heard first. The learner and panel may ask questions to them. The learner and his/her witnesses may then give evidence and the complainant and Committee may ask them questions.



When all evidence has been heard, the Chairperson must close the enquiry, dismiss the complainant, the learner, their representatives, the parent(s)/guardians and all the witnesses

The Disciplinary / Tribunal Committee must discuss and weigh the evidence and come to a decision

The Chairperson must reconvene all interested parties. The Chairperson is to communicate the decision to all the interested parties

The Chairperson must explain the decision of the Committee and the reasons for the penalty (if any) that has been imposed

The learner must be advised to his right to appeal

The complainant and learner must sign the disciplinary form and a copy must be handed to the learner. (If the learner refuses, a witness must sign in the presence of the learner)

This policy was adopted by the School Management on

\_\_\_\_\_

This policy has been made available to school personnel and is readily accessible to parents and learners on request.

This policy will be reviewed and updated every year.

Signed \_\_\_\_\_  
School Management

Date: \_\_\_\_\_

Signed \_\_\_\_\_  
Principal

Date: \_\_\_\_\_

Signed \_\_\_\_\_  
Educator Representative

Date: \_\_\_\_\_

