

# **Nico Malan High School**

## **Code of Conduct and Admission Policy**

### **1. Code of Conduct**

#### **1.1 The SA Schools Act**

The SA Schools Act, Act No 84 of 1996, article 8 (1) empowers the governing body of a school to maintain discipline in a school. The code of conduct must therefore prescribe conduct of learners and educators encouraging mutual respect.

#### **1.2 Aim**

The aim of the code of conduct is to promote discipline, self-discipline and exemplary behaviour at schools.

#### **1.3 Rights of educators**

According to the law and the code of conduct, educators enjoy the same rights as parents concerning the control and discipline of learners whilst learners are at school, in the classroom, at a school function or on any outing organised by the school.

#### **1.4 Rights of learners**

Act no 108 of 1996 confirm the democratic rights of learners and supports their rights to dignity, equality and freedom.

Learners are given the opportunity to participate in the management of the school by means of the democratically elected learners' council and its various committees of which the executive council is one. Learners may air their views in one of the following ways:

- by means of the learners' representative body / bodies.
- by means of the suggestion box which is placed in the front lobby of the school.
- by means of conversations with educators, the leadership body, deputy principal or the principal.

#### **1.5 School and environment**

Learners have the right to attend school in a safe environment which promotes good education e.g. facilities which are well maintained, such as school equipment and furniture, as well as clean cloak rooms. Learners must have free access to attendance of classes, must be allowed to write tests and examinations without being hindered and must be permitted to prepare themselves for a career.

Schooling is compulsory up to the end of the year in which the learner reaches the age of 15 years or the ninth grade.

#### **1.6 Rights and responsibilities of learners**

##### **1.6.1 General:**

Learners should

- always be neat and courteous.
- pupils' hair must be neat and tidy at all times and be suitable as far as our formal school uniform is concerned.
- boys must be clean shaven at all times; moustaches and beards are not permissible.
- behave in an orderly manner.
- accept discipline which is necessary for the good functioning of the school.
- behave exemplary in public.
- accept correctional measures.
- attend school faithfully (if not, parents are to inform the school either by telephone or by sending a written excuse).

##### **1.6.2 Classroom:**

Learners should:

- not be permitted to disturb or interrupt tuition.
- do school work and other studies conscientiously.
- be attentive and partake in tuition assignments.
- be responsible to catch up with any work lost as a result of being absent.

### 1.7 Responsibilities of parents

Parents are responsible for the behaviour and conduct of their children. It is expected that parents will therefore:

- support the school by insisting that learners obey the school rules and by accepting responsibility for any misbehaviour.
- accept responsibility for ensuring that their child attends school.
- inform the school if the learner should not attend school.
- show an interest in their child's school work.
- make it possible for children to complete homework.
- discuss any problems regarding school with the principal or deputy principal so that solutions can be found.

### 1.8 Discipline

The SA Schools Act of 1996 empowers schools to discipline learners.

The process must be implemented quickly, justly, correctly, consequently and must be educationally justifiable.

Educators have the right and responsibility to correct learners whenever necessary. Learners may be sent to the deputy principal whilst more serious cases of misconduct must be referred to the principal. One of the responsibilities of the deputy principal is to enforce discipline and order in the school.

Punishment is a corrective measure used to maintain order in a school, ensuring that tuition takes place without hindrance.

### 1.9 Corrective measures

- oral warning (entry in punishment register).
- agreed upon affordable remuneration for damages.
- suspension from school activities.
- detention.
- depriving the learner from studying at home during examinations.
- suspension or expulsion.

### 1.10 Serious misconduct

These misdemeanours are described in the Provincial Gazette of 25 June 1999 and are as follows:

A learner at a school who:

- a) has been convicted by a court of a criminal offence;
- b) used or had in his or her possession intoxicating liquor or drugs during a school activity;
- c) is guilty of assault, theft, gross insubordination or immoral conduct;
- d) has been repeatedly absent without leave from school and / or classes;
- e) intentionally and without just excuse
  - (i) seriously threatens, disrupts or frustrates teaching or learning in a class
  - (ii) engages in a conspiracy to disrupt the proper functioning of the school
  - (iii) insults the dignity of a staff member
  - (iv) cheats in a test or examination
  - (v) distributes any test or examination material that may enable another person or himself or herself to gain an unfair advantage
  - (vi) sexually harasses another person
  - (vii) is found in possession of or distributes pornographic material
  - (viii) supplies false information or falsifies documentation to gain an unfair advantage at school
  - (ix) is in possession of a dangerous weapon or uses in to threaten any person
  - (x) engages in any act of public indecency
- f) endangers the safety and violates the rights of others;
- g) fights, swears, or falsely identifies himself or herself;
- h) threatens fellow learners or educators;
- i) uses hate speech, makes himself or herself guilty of racism or applies harmful graffiti;
- j) vandalises, destroys or defaces school property;
- k) repeatedly violates school rules or the code of conduct;
- l) conducts himself or herself, in the opinion of the governing body, in a disgraceful, improper or unbecoming manner;
 

or
- m) is guilty of offensive or oppressive behaviour

n) conducts himself or herself in a reprehensible manner which is in direct conflict with the ethos of the school.

may be found guilty of serious misconduct.

## 1.11 Disciplinary proceedings

### 1.11.1 *Preliminary investigation*

If a learner is accused of serious misconduct the principal may appoint a person as an investigator. The investigator will submit a written report to the principal.

### 1.11.2 *Disciplinary hearing*

The investigator will draw up a charge setting out all the particulars of the transgression. The charge must be accompanied by a written notice calling on the learner and his or her parents to attend a disciplinary hearing. The date, place and time of the hearing must be stipulated in the notice. This must be determined in consultation with the disciplinary committee. The notice must contain sufficient particulars of the date, place and nature of the alleged misconduct to enable the learner to identify the incident and to respond to it. At least five school days must be allowed between the handing over of the notice and the hearing.

The governing body will appoint a disciplinary committee. The committee will consist of five members and shall comprise of:

- two parent members;
- one educator member;
- one learner member of the governing body;
- the principal.

The chairperson must be a parent member of the governing body.

The learner accused of misconduct has the right to appoint two of the aforesaid five members of the disciplinary committee. The learner does not have the right to appoint the chairperson of the disciplinary committee.

The investigator will adduce evidence and arguments in support of the charge. He or she will also put questions to any person who has given evidence in rebuttal of the charge.

At a hearing a learner will have the right to be present, to be represented by a representative, to give evidence and

- (a) to be heard;
- (b) to call witnesses;
- (c) to put questions to any person called as a witness in support of the charge, and
- (d) to inspect documents submitted in evidence.

If a learner or his or her parents fail to attend the proceeding without just cause, the hearing may be conducted in the absence.

No person other than the learner, his or her representative, his or her parents, the members of the disciplinary committee and the investigator may be present at the hearing.

At the conclusion of the hearing the disciplinary committee will submit the record of the hearing to the governing body, together with its findings with regard to the learner's guilt or not and where appropriate, recommendations will be made as to corrective measures to be imposed, including suspension or suspension with a view to expulsion, and consequent expulsion.

Where the governing body imposes a penalty it must, within five days, inform the learner and his or her parents in writing of the full details of the penalty.

Serious misconduct, which could include criminal offences, could be investigated by the police and if necessary, be referred to a court of law.

## 1.12 Conclusion

All parties concerned would like to see that tuition at Nico Malan High School should take place without any interruptions and in such a way that everyone should act towards each other in a respectful and courteous manner.

Everyone's individual rights and human dignity should be taken into account. Any action and disciplinary measures which are applied, aim to ensure that the above mentioned are enforced in order to promote good education for all learners.

Nico Malan's vision and mission still remain to strive for excellence.

## 2. **Admission Policy**

### 2.1 **Age Requirements**

National policy determines that a learner's progress should be in line with his age group / peers. A learner usually turns 14 in grade 8.

Deviations should be discussed with the headmaster and would only be considered if it could be justifiably educationally motivated.

A learner 16 years or older who has not shown sufficient progress regarding his age group, will be advised to receive adult education.

### 2.2 **Grade 12**

Only exceptional cases will be considered.

Admission will only be considered in the following cases:

- 2.2.1 if it is in the learner's educational interest and there is no academic risk.
- 2.2.2 the learner's school attendance starts on the first day of the academic year.

### 2.3 **Language Requirements**

Medium of instruction is Afrikaans **and** English and it is of the utmost importance that learners are able to communicate effectively in one of the two languages and able to at least follow and understand the other language with ease.

Learners will only be admitted to this school if at their previous school their subject choice included at least Afrikaans **and** English at a first additional level.

In exceptional cases where a learner excelled in Afrikaans and or English Second Additional Language (70% or more) a learner may be considered for admission.

### 2.4 **Home Schooling**

A learner who has received home schooling, will only be considered for admission if the learner's school attendance starts on the first day of the academic year.

The learner must comply with all the other admission requirements as well.

## 3. **Religion Policy**

Education at Nico Malan High School is Christian-based. Attendance of assemblies is compulsory and learners or their parents who have conscientious objections regarding Christian principles, must indicate it on the form: Application for Admission. Alternative arrangements will be made to accommodate such learners.

## 4. **General Information**

- 4.1 The budget and school fees are presented to parents at the end of each year during a public meeting.
- 4.2 Parents are responsible to ensure their children's school attendance.
- 4.3 Parents have the right to appeal against the decision of the school should the school decide to refuse a learner admission. This appeal is lodged to the MEC (Education).
- 4.4 Should any parent have conscientious objections regarding any of the above-mentioned rules due to religious, linguistic or cultural principles, they may, in writing, apply to the Governing Body for a joint agreement which is satisfactory to both parties.

Such applications must have merit and will be considered within the frame work of the existing laws, taking into consideration the ethos of the school community regarding general neatness and appearance.

Personal preferences of learners as basis of such applications will not be considered favourably.