



BERGVLIET PRIMARY SCHOOL:

CODE OF CONDUCT:

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BERGVLIET PRIMARY SCHOOL

CODE AND RULES OF CONDUCT

1. Introduction

This document is the code of conduct of Bergvliet Primary School as approved by the governing body on *(insert date)*. The governing body has consulted the school's parents, learners 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.

2. Objective

Although the State is obligated to make 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: "Holistic education which inspires and nurtures extra-ordinary human beings."

Learners and their parents/guardians are expected to acquaint themselves with the school's code of conduct and its provisions. As soon as learners are enrolled at the school, 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.

3. Code of conduct

General rules

- 3.1 Learners shall be good ambassadors of the school, and shall conduct themselves in accordance with the school's code of ethics at all times.
- 3.2 Learners are expected at all times to behave in a courteous and considerate manner towards each other, all members of staff and visitors to the school.
- 3.3 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.
- 3.4 In their interaction with the principal, deputy-principal, educators and other staff of the school, learners shall be courteous and respectful at all times and shall refrain from any action that constitutes disrespect or rebellion.
- 3.5 In their interaction with one another, learners shall practise self-restraint as far as possible, and shall display mutual respect and tolerance. No learner has the right at any time to behave in a manner that will disrupt the learning activity of other learners. 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, or in any other place where they could be identified as learners of the school, is strictly prohibited.
- 3.6 Any act that belittles, demeans or humiliates another's culture, race, religion, sexuality or gender is prohibited.
- 3.7 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 at any school activity.

- 3.8 Learners may not eat or drink in the school hall, computer laboratory or library. Eating and drinking in the classroom is only permitted when supervised by a teacher. The chewing of gum during school activities is prohibited.
- 3.9 The use of cell phones or Smart devices during school activities is strictly prohibited. Calls may be made in emergencies only and only with the school principal's permission.
- 3.10 Any substances that have an impact on the cognitive and emotional ability of the learner unless medically prescribed, are strictly prohibited at any school activity, or when learners are dressed in school uniform. This includes any alcoholic substances or drugs.
- 3.11 Smoking, vaping, carrying or bringing cigarettes, e-cigarettes, vapes, hubbly-bubbly or any smoking paraphernalia, is strictly prohibited.
- 3.12 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 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 gender, and in the presence of another person. The search process and outcome must be recorded.
- 3.13 Any conduct that unfairly prejudices the administration, discipline or efficiency of the school shall be regarded as a violation of this code of conduct.
- 3.14 A conviction of a criminal offence in a court of law shall be regarded as a violation of this code of conduct.
- 3.15 Transgressions that may lead to suspension and/or expulsion include but are not limited to:
- conduct that poses a threat to others' safety and infringes upon others' rights;

- possessing, threatening with or using dangerous weapons or any object that may cause bodily harm
- the possession, use, trading or any visible sign of narcotic or unauthorised drugs, alcohol and intoxicating substances of any nature;
- fighting, assault or abuse;
- indecent behaviour or swearing;
- adopting or assuming a false identity; including the assumption of such to submit school work/projects or to take ownership of school material belonging to another learner;
- harmful graffiti, hate speech, sexism or racism;
- theft, or the possession of stolen goods, including the theft or possession of test or examination papers before such test or examination has been conducted;
- unlawful conduct towards and/or vandalising, destroying or damaging school property;
- disrespectfulness, 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, such as rape and gender-based harassment;
- victimisation, bullying and intimidation of other learners;
- the transgression of examination rules; and
- Intentionally and knowingly providing false information, or forging documents, in order to obtain an unfair advantage.
- Inappropriate usage of the computers and or internet.

4. Class rules

- 4.1 The class educator shall formulate class rules upon the adoption of this code of conduct, and at the beginning of each ensuing school year, after having consulted the learners in the class.
- 4.2 The class rules must be compiled in writing and –
 - 4.2.1 be displayed in a legible format in a prominent spot in the classroom;
and
 - 4.2.2 be made available to all learners and their parents.
- 4.3 Learners are expected fully and promptly to comply with the class rules as well as any verbal instruction given by the class educator or any staff member that is reasonably essential to give effect to this code of conduct and/or for the sound and professional management of the school.
- 4.4 Any violation of the class rules shall be regarded as a violation of this code of conduct and school rules.

5. Rules with regard to appearance and school uniform

- 5.1 School uniform
 - 5.1.1 The prescribed school uniform shall be worn during school hours as well as other school activities, as determined by the governing body.
 - 5.1.2 School uniform must be clean and neat at all times.
 - 5.1.3 No additions to the uniform that are not in accordance with the regulations will be allowed.

5.1.4 Clothing rules

DRESS CODE FOR GRADE R

- Sensible civvies, no T-shirts with offensive slogans or wrestling T-shirts
- Grade R T-shirt and Sweat top
- Costume and caps for swimming
- School cap or school wide-brimmed hat

DRESS CODE FOR GRADE 1 – 7

SUMMER TERM 1 AND 4

BOYS	GIRLS
<ul style="list-style-type: none"> • Khaki shorts • Short-sleeve white cotton shirt with school badge embroidered upon it • Green school jersey or sleeveless pullover with school badge embroidered on it • Long khaki socks • Brown lace-up shoes • School cap or wide-brimmed school hat 	<ul style="list-style-type: none"> • Green & white check dress with half-belt at back • Green school jersey or sleeveless pullover with school badge embroidered on it • Short white socks • Brown lace-up or brown ankle-strap shoes • Girls may wear the same shoes as boys • School cap or wide-brimmed school hat • Muslim girls may wear the official school Burkha (available at the Uniform Shop)

WINTER TERM 2 AND 3

BOYS	GIRLS
<ul style="list-style-type: none"> • Long khaki pants • Short-sleeve white cotton shirt with school badge embroidered upon it • Polar fleece top with school badge embroidered upon it 	<ul style="list-style-type: none"> • Long khaki pants • Short-sleeve white cotton shirt with school badge embroidered upon it • Polar fleece top with school badge embroidered upon it

<ul style="list-style-type: none"> Boys' socks and shoes same as for summer; Drimac/Anorak – Plain Green. No designer labels, etc. Green BPS beanie (optional) School cap or wide-brimmed school hat 	<ul style="list-style-type: none"> Girls wear same shoes as for summer. Drimac/Anorak – Plain Green. No designer labels, etc. Green BPS beanie (optional) School cap or wide-brimmed school hat Muslim girls may wear the official school Burkha (available at the Uniform Shop)
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SPORT UNIFORM:

BOYS	GIRLS
<ul style="list-style-type: none"> Boys wear green shorts. Green BPS School sport shirt with school badge embroidered upon it Sport socks – green & white for soccer and hockey White socks (no secret socks) Predominantly white takkies (No fashionable takkies & extreme colours, ankle boots and high tops such as, Vans, All Stars, Converse, etc.) Cricket, Soccer, Hockey, Athletics, etc. shoes can be worn for matches Regulation green swimming costumes and swimming caps for boys and girls. School cap or wide-brimmed school hat <p>Sports such as Cricket, Squash, Hockey, Soccer, etc. will require specialised sport shoes</p>	<ul style="list-style-type: none"> Girls wear green skorts Green BPS School sport shirt with school badge embroidered upon it Sport socks – green & white for soccer and hockey White socks (no secret socks) Predominantly white takkies (No fashionable takkies & extreme colours, ankle boots and high tops such as, Vans, All Stars, Converse, etc.) Cricket, Soccer, Hockey, Athletics, etc. shoes can be worn for matches Regulation green swimming costumes and swimming caps for boys and girls. School cap or wide-brimmed school hat <p>Sports such as Cricket, Squash, Hockey, Soccer, etc. will require specialised sport shoes</p>

- 5.1.5 Any caps or headgear other than those prescribed in the clothing rules are prohibited. All headgear must be removed upon entry into the school buildings.
- 5.1.6 The governing body may use its own discretion to grant permission for learners to wear civilian clothes to certain events. Such clothes must be neat and proper. Beachwear, tight-fitting clothes, clothes that are see-through and/or too revealing are not allowed. Hair, shoes and accessories should be neat at all times.
- 5.1.7 Only learners that have applied, submitted relevant supporting documents and received the necessary permission from the School Governing Body, may deviate from official School uniform for religious and cultural reasons.

5.2 Appearance

5.2.1 Hair

Boys

- No colouring of hair or wearing of inappropriate hairstyles is allowed.
- Hair Styles should never be the centre of attention or the focus of the uniform.
- Holiday cuts should be saved for the holiday and not for school.
- Hair is to be kept neat and clean at all times.
- No exotic hairstyles are allowed.

Girls

- Hair colour may not be altered in any way. No highlights or lowlights are allowed, including dip dyed ends.
- Hair that extends over the collar must be tied.
- Only hair accessories (ribbons, combs and bobbles) that conform to the school's colours may be worn.
- Hair must be neat, clean and should not hang in front of the eyes.

5.2.2 Jewellery

- All jewellery items, such as rings, bracelets (including elastic or leather) or chains, are prohibited.
- Wristwatches are allowed, excluding smartwatches which are prohibited.
- The wearing of body jewellery, such as nose, tongue and eyebrow jewellery, is strictly prohibited. As for girls' earrings, only one gold or silver stud or standard gold or silver ring will be allowed per ear, worn in the bottom hole if the ears have been pierced more than once.
- No other studs or gems will be allowed.

5.2.3 Nails

- Nails may not extend beyond fingertips.
- No nail polish or false nails may be worn.

5.2.4 Make-up

- No make-up may be worn; including mascara, eyeliner, blusher, and lipstick or lip gloss.

6 Sports and extracurricular activities

Involvement in sport and extracurricular activities forms a valuable and integral part of the holistic education of every learner. All learners are expected to become actively involved in at least one sport, cultural and/or service activity per term.

6.1 Participants in sports and extracurricular activities

6.1.1 Once a learner has committed him/herself to an activity, s/he will be bound to meet the rules and obligations related to that activity.

6.1.2 Involvement in a particular activity will span the entire season/duration in which that activity takes place.

- 6.1.3 Attendance at all practices is compulsory. Missing a practice without a valid excuse in writing from the learner's parents/guardian may result in the learner being suspended from participation in one inter-school league fixture.
- 6.1.4 Learners must wear the appropriate kit/uniform to sports practices and inter-school league fixtures or other extracurricular activities both during and after participation in such activity.
- 6.1.5 All learners who participate in the aforementioned activities shall be loyal to the school and fellow participants. In particular, participants must report promptly and on time at the venue of the activity or the venue from where participants depart to the activity. Learners who have been selected to represent the school in an activity may only be excused from attendance if a written apology is handed to the sports or cultural head in advance. Unforeseen absence from an activity will only be excused if the sports or cultural head receives a written apology no later than three days following the relevant activity.
- 6.1.6 Learners who represent the school at sports activities will at all times be courteous towards, and comply with the rulings, prescripts and instructions of:
- 6.1.6.1 the sports head and the educator involved in the relevant sports code;
 - 6.1.6.2 the referee or adjudicator with regard to the relevant activity; and
 - 6.1.6.3 the team captain.
- 6.1.7 Although it is assumed that learners who participate in sports activities shall do so with commitment and dedication, such learners are expected also to practise self-restraint and self-discipline. In particular, no learner may display bad sportsmanship, use foul or offensive language, get involved in fights or incidents, or engage in any foul or improper play.

6.2 Spectators and supporters at sports and other extracurricular activities

6.2.1 Apart from their duty to comply with the provisions of this code of conduct, all learners attending any school activity as spectators or supporters shall also refrain from any disruptive, improper, rebellious, unnecessarily inciting or indecent behaviour. In particular, learners may not respond negatively to any ruling by an adjudicator or referee.

6.2.2 Learners who attend any school activity as spectators or supporters shall abide by and obey any instructions and directives they receive prior to, during and after the activity concerned from the principal, any educator, other school leaders, or parents appointed by the principal to assist with the transport, supervision or control of learners who need to be transported to and from the activity concerned, or who attend the activity.

6.2.3 The abovementioned rules equally apply to any participation in any extracurricular activity apart from sports activities, except cases in which the rules obviously have no bearing.

7. School property

7.1 'School property' includes the following:

7.1.1 The grounds and buildings occupied by the school, as well as any permanent addition to such grounds and buildings

7.1.2 All other property, including equipment, books, stock, motor vehicles and the like that the school owns, rents or stores, or with regard to which the school could be held legally liable in case of any damage or loss

7.2 As the school has been developed and erected for the use of all learners who attend it, all learners are obligated to do everything in their power to protect the school's property in order for it to be utilised to the benefit of all current and future learners of the school.

7.3 No dangerous objects or illegal drugs as defined in the SA Schools Act or the Safety Regulations will be brought onto and/or used on the school property.

Unless otherwise authorised by the Principal for educational purposes. Dangerous objects, including knives, firearms or any item that could harm a person, are prohibited.

- 7.4 Smoking, carrying, bringing or selling cigarettes, e-cigarettes, vapes, hubbly-bubbly or any smoking paraphernalia is prohibited.
- 7.5 Alcohol is not permitted on school premises or during any school activity.
- 7.6 The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.
- 7.7 No learner may remove any school property from the school grounds without the prior consent of the principal or an educator of the school.
- 7.8 Learners may not handle, damage, mark, deface or destroy any property of the staff of the school, fellow learners, visitors to the school, or members of the public. This rule applies to property on the school grounds, in the immediate vicinity of the school, at or near the venue of any school activity, as well as any vehicle with which learners are transported, and the property contained therein.
- 7.9 Learners may not damage, deface or destroy any school property. Any learner who deliberately misuses, damages or vandalises any school property shall replace or pay for such property. Destruction of and/or damage to property is a criminal offence.
- 7.10 All litter must be placed in refuse bins or wastepaper baskets.
- 7.11 Learners must keep clear of any restricted areas.

8. Valuables and Personal Belongings:

- 8.1 Learners should not bring electronic devices, cell phones, large sums of money and valuables to school.
- 8.2 The school will not accept responsibility for the loss of valuable articles or money.
- 8.3 If a learner brings a cell phone to School, the learner must hand a written request from the parent/guardian to the educator by 8am. The written request

must also include an indemnification against loss of or damage to the cell phone.

8.4 Arrangements should be made with the educator in charge for the safekeeping of all valuables, including cell phones, during the school day and after school sports practices.

8.5 If an electronic device or cell phone is switched on or used in class (without permission of the teacher), the device will be confiscated and placed in the school strong room for a period to be determined by the school.

8.6 Learners may not bring gaming or similar electronic devices to school.

9. School notices

9.1 All learners are obligated to hand to their parents all school notices that were distributed to learners for such purpose by the governing body, principal or an educator of the school, as well as promptly return to the class educator any acknowledgement of receipt that was to be completed by the parents.

10. School work and homework

10.1 There shall be an orderly atmosphere in the classroom at all times. Learners may not disrupt or hinder teaching.

10.2 Learners must promptly carry out instructions in class.

10.3 All learners must have and maintain such homework books as may be required by the principal or class educator.

10.4 All learners must do their prescribed homework and promptly return it to the relevant educator by the due date. Failure to comply with this rule shall be excused only if, on the day on which the homework was to be completed, the learner hands to the educator a written note from his/her parents/guardians with an acceptable excuse for such failure.

10.5 All learners must do their prescribed homework enthusiastically, diligently and with dedication in order to develop a consistent work ethic. Failure to comply with this rule without an acceptable excuse shall be regarded as a transgression of this rule.

- 10.6 Learners are obligated to catch up any work that they have missed as soon as possible. Upon their return to school, all material must be collected from the class educator. Should such material be available on Google classroom, the learner may download the necessary work at home by accessing the online platform.
- 10.7 Learners shall move swiftly, quietly and orderly in single file from one class to the next. Chatting in groups or visits to the restroom between classes are not allowed.
- 10.8 Learners are expected to follow the official grade timetable; and ensure that all their necessary material and equipment is brought to school.

11. Assessments, tests and examinations

- 11.1 All learners are obligated to abide by the tests and examinations that educators may require. Failure to comply with this rule shall be excused in exceptional cases only, provided that the parents of the learner concerned supply the principal with a full and acceptable written explanation at the earliest possible opportunity.
- 11.2 Learners shall refrain from any form of cheating or dishonesty when tests and examinations are conducted.
- 11.3 Any form of plagiarism is prohibited.
- 11.4 All assessments and / or projects must be completed by the learner. Work that has been copied from someone else, or which is the result of intrusive assistance from a parent or any other person, will be reduced by a percentage of between 10% and 100%. The reduction to be commensurate with the amount of assistance received.

12. Punctuality

- 12.1 Learners are expected to arrive at the appointed time at the beginning of the school day and the start of any other school activity. When learners arrive late, they must provide a written apology from their parents or prior notification must

have been sent to the school. Learners who arrive late must first report to the office before proceeding to their particular class.

Bergvliet Primary School Times:

Grade R:	07:50 – 13:15	Monday to Thursday
Grade One & Two	07:50 – 13:15	Monday to Thursday
Grade 3	07:50 – 14:35	Monday to Wednesday
Grade 3	07:50 – 13:15	Thursday
Grade 4-7	07:50 – 14:35	Monday to Thursday
Grade R-7	07:50 – 13:00	Friday

13. School and Class Attendance / Absence from school

- 13.1 If a learner does not attend school regularly, the relevant register teacher will report the absence of the learner to the parent and the principal in writing or via e-mail. The register teacher must keep an accurate register of learner attendance and must keep all communication to parents, when absence from the classroom is reported.
- 13.2 Besides in the case of illness, learners may be absent from school in exceptional cases only, and only with the written consent of the principal, or his/her representative if the principal is not available.
- 13.3 When any learner is absent from school without an acceptable excuse, it shall be regarded as truancy, which is strictly prohibited.
- 13.4 Learners who are absent from school for one to three consecutive days must upon their return to school submit a written explanation by their parents. Absence for more than three consecutive days shall be excused only if a certificate from a registered medical practitioner is submitted, except in the case of death or trauma in the learner's family, or another reason approved by the principal.

- 13.5 Absence from a class, without the permission of the relevant register or subject teacher, is prohibited.
- 13.6 Any absence from a formal examination, test or task must be supported by an absentee note from a parent/guardian.
- 13.7 No learner may leave the school during school hours without a letter from a parent/guardian requesting the release of the learner and the permission of the principal/deputy principal/grade head from whom an exit note must be obtained. The learner must be signed out in the register in the secretary's office.

14. Environment

- 14.1 Learners have the right to a safe environment and school that are conducive to education.
- 14.2 Learners may not litter on school grounds or in school buildings.
- 14.3 Learners who attend any school activity as spectators or supporters are expected to leave the grounds they have occupied in a neat and clean condition, and must ensure that all litter is picked up and placed in garbage bins.
- 14.4 Learners must leave restrooms in a clean condition.
- 14.5 Any action or failure by learners that constitutes or could constitute a health risk to other learners must be avoided.
- 14.6 The application of slogans (graffiti), stickers, posters and the like to any surface at the school is strictly prohibited, unless it is done with the principal's consent.
- 14.7 Learners shall comply with any reasonable instruction from the principal, any educator, staff member or school leader with regard to maintaining a clean and hygienic school environment.

15. Acceptable use of the school's IT facilities and the internet.

15.1 The IT facilities and the use of the internet at Bergvliet Primary School are intended specifically for educational and administrative purposes.

15.2 The use of the school's IT facilities and the internet is a privilege and not a right.

15.3 Learners are expected to use the system and facilities for:

- 15.3.1 direct educational purposes
- 15.3.2 accessing information for school or educational activities
- 15.3.3 constructive communication with other users

15.4 Infringement of the acceptable use of the school's IT facilities and the internet will result in appropriate school disciplinary and/or legal action.

16. Social media

16.1 Any material published online, including on social media platforms (Whatsapp etc.) should not reflect negatively on any learner or staff member of the school.

17. Exemption from provisions of the Code of Conduct

17.1 Learners may submit a written application to the Governing Body for total or partial exemption from one or more of the items contained in the code of conduct based on cultural, religious or medical grounds.

17.2 Such application must include full reasons as well as confirmative evidence. Therefore, the onus of proof still lies with the learner to substantiate the application for exemption.

17.3 Applications for exemption will be considered at the start of the school year only, unless the applicant can prove that the matter is urgent or necessitated by a change in circumstances.

17.4 In considering an application for exemption, the Governing Body shall be entitled to obtain any information that it deems necessary for a fair adjudication of the application.

16.5 The Governing Body shall consider the application for exemption with the necessary earnestness and responsibility, and within the framework of the Constitution and court judgements, and will inform the learner of its decision in writing.

SIGNED AT _____ ON THIS _____ DAY OF _____

Governing body chair

Governing body secretary

School principal

PROCEDURE FOR DISCIPLINARY ACTION AGAINST LEARNERS

In case of a violation of any provision prescribed in the Code of Conduct for Learners, this disciplinary procedure is to be followed. In order to enforce this disciplinary procedure, misconduct is divided into three categories. These correspond with the various disciplinary steps that could be taken and the various procedures that could be followed in handling misconduct.

Any reference to the governing body in this disciplinary procedure includes the Disciplinary Committee of the Governing Body.

As per our Discipline Policy, we incorporate a Merit and Demerit system from Grades R to 7. The objectives are to teach our children to be responsible citizens, to model good behaviour and to be accountable for their actions. Merits encourage positive behaviour, which we wish to see at Bergvliet Primary School. However, as we know, children test boundaries. Our job is two-fold: ensuring that children do not overstep the boundaries at school, and also reinforcing the good behaviour and values taught at home. The boundaries within which we expect learners to remain at Bergvliet Primary School are contained within the School Code of Conduct.

We expect our learners to behave in the following manner:

- Always greet visitors, teachers and parents in a friendly manner and a warm smile.
- Stand back to allow adults to pass by.
- Offer to assist teachers and adults with their books, bags or parcels.
- Offer a chair to a teacher or adult.
- Open a door for an adult.
- Not to use foul or inappropriate language.
- Say please and thank you and practise good manners.
- Be honest at all times.
- Not to interrupt adults and peers when they are talking.
- Respect each other regardless of race, creed, religion, culture, gender, etc.
- To wear their school uniform with pride.

1. Disciplinary action

1.1 Minor transgressions

1.1.1 Level 1 misconduct

Level 1 Offence:	Recommended Corrective Sanction:
<p>1. Academic:</p> <ul style="list-style-type: none"> • Books/work materials left at home • homework - incomplete/copied • diary not signed • test not signed <p>2. Extra-mural activity:</p> <ul style="list-style-type: none"> • Non-attendance at practices and matches (without a valid excuse to teachers/coach) • Bad sportsmanship • Incorrect uniform/kit <p>3. Personal conduct in classroom/on playground:</p> <ul style="list-style-type: none"> • Classroom disruption • Uncooperative behaviour; • Talking during Assembly • Inappropriate displays of affection between learners • Running in passages • Playing games in restricted areas • Playing ball games in restricted areas • Late arrival for class • Discourteous behaviour/insolence/ temper tantrum • Foul language • Defacing desks/walls/books/cases with graffiti • Eating in class • Chewing gum • Littering • Cell phone ringing <p>4. Dress code:</p> <ul style="list-style-type: none"> • Incorrect uniform • Untidiness/unkept appearance • Incorrect hair style • Sports dress code not followed. 	<p>Demerits are given when learners infringe on class expectations and the School Code of Conduct.</p> <p>1 Demerit</p> <p>3 Demerits – Break time DT</p> <p>5 Demerits – Detention</p> <p>15 Demerits –Disciplinary Committee meeting with the parents.</p>
<p>Merits are awarded for positive behaviour and could include the following:</p> <ul style="list-style-type: none"> • Consistent co-operative behaviour • Consistent kindness • Respect for teachers and peers • Good sportsmanship • Being a good ambassador for BPS • Being an up-stander • Consistent good work 	

- Living the BPS values
 - 3 Merits – Reward
 - 5 Merits – Good news note
 - 15 Merits – BPS merit certificate (Assembly)

1.1.2 Level 2 misconduct

Level 2 Offence:	Recommended Corrective Sanction:
1. Plagiarism of any work or cheating/attempted cheating in class test/assignment 2. Damage to property/possession of other learners' property 3. Defiance/disregarding of an authority figure's instructions 4. Detention – non-attendance 5. Disregarding test/examination procedures 6. Disruptive/uncooperative in class 7. Disruptive behaviour interrupting teaching and learning in the classroom 8. Repeated dress code infringements (including hair and personal grooming) 9. Fighting 10. Fire-crackers 11. Forgery, e.g. parent/guardian's signature 12. Gambling on or off School property 13. Graffiti: books, case, desks, walls, etc. 14. Late for School –arrival after 08:00 am -- three (3) days 15. Lying 16. Offensive material 17. Spitting 18. Sticking a sharp object, e.g. pin, pen, nib, etc. into a fellow learner 19. Substance abuse – possession/sniffing of an unauthorised substance, e.g. meths, benzene, thinners, etc.	1. Zero for test and warning letter 2. Repair/replacement, warning letter and Principal's Detention 3. Suspension from class, warning letter and Principal's Detention 4. Making up missed detention, warning letter and an information hearing 5. Warning letter and detention 6. Identification of culprit/s and grade teacher to organise corrective measures 7. Warning letter and detention 8. Warning letter, detention 9. Warning letter, suspension and detention 10. Warning letter and detention 11. Warning letter and detention 12. Information disciplinary hearing, special detention and professional counselling (All money to be confiscated) 13. Removal of graffiti, warning letter and detention 14. Phone call to parents and detention 15. Warning letter and detention 16. Warning letter and detention 17. Detention 18. Warning letter and detention 19. Information hearing, suspension, warning letter and detention

20. Threatening assault/intimidation of a fellow learner	20. Phone call to parents and warning letter and detention
21. Truancy – bunking a lesson	21. Detention
22. Truancy – bunking a day or part of a day	22. Phone call to parents, warning letter and detention
23. Vandalism – defacing/damaging/breaking School property	23. Phone call to parents, repairs/payment of damages, warning letter and detention
24. Verbal abuse of a fellow learner	24. Phone call to parents, warning letter and detention
25. Inappropriate use of the IT and Internet facilities	25. suspension or revoking of computer access; and internet/e-mail access;

In case of the violation of any of the abovementioned provisions, such violation shall be referred to the Grade Head, Phase Head, Deputy Principal or the Principal, who will be entitled to impose the following sanctions:

- a) Detention
- b) Warning letter
- c) Suspension from School
- d) Exclusion from participation in social events of the school
- e) Agreed, affordable compensation
- f) The repair or replacement of damaged property
- g) Community service of up to six hours

1.2 Major transgressions

1.2.1 Level 3 misconduct

Level 3 Offence:	Recommended Corrective Sanction:
<p>1. Alcohol – possession at School or on a School outing/smelling of liquor/under the influence at School or on School outing</p> <p>2. Assault on a fellow learner (causing bodily harm)</p> <p>3. Assault on a teacher</p> <p>4. Bullying/Intimidation</p> <p>5. Cheating/attempted cheating in examination/cycle test/portfolio work</p> <p>6. Cheating/attempted cheating in final examination</p> <p>7. Possession/distribution of test or examination material prior to test or examination being written</p> <p>8. Ongoing disruptive behaviour in classroom (frustrating School’s educational programme)</p> <p>9. Disruptive behaviour on School property or on School sponsored fixture/outing/trip/tour (interrupting School’s educational/extracurricular programme)</p> <p>10. Engaging in a conspiracy to disrupt the proper functioning of School through collective action</p> <p>11. Gangs – promoting formation forming of/associating with/furthering activities of School gangs/‘social groups’</p> <p>12. Involving/attempting to involve outsiders in disputes between learners</p> <p>13. Pornography – distribution at School</p> <p>14. Public indecency</p> <p>15. Racist conduct that defames a learner, teacher or anyone else</p> <p>16. Improper suggestions of a sexual nature</p> <p>17. Sexual harassment of teacher/learner</p>	<p>1. Suspension from School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>2. Suspension from class/School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>3. Suspension from School. Disciplinary hearing and expulsion</p> <p>4. Warning letter and community service, detention and expulsion</p> <p>5. Zero and warning letter and expulsion</p> <p>6. Implementation of official provincial procedures and expulsion</p> <p>7. Disciplinary hearing, zero for test/examination, warning letter, community service, detention/official provincial procedures and expulsion</p> <p>8. Suspension from class/School. Disciplinary hearing, warning letter, community service and detention</p> <p>9. Suspension from class/School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>10. Suspension from class/School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>11. Suspension from School. Disciplinary hearing, warning letter, detention and expulsion</p> <p>12. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>13. Warning letter, community service, detention and expulsion</p> <p>14. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>15. Suspension from class/School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>16. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>17. Suspension from School. Disciplinary hearing, warning letter, community service, detention and expulsion</p>

<p>18. Threatening to assault/intimidating a teacher</p> <p>19. Verbal abuse of a teacher</p> <p>20. Bribery/attempted bribery of any person respect of any test/examination material</p> <p>21. Dangerous weapon or object, e.g. knife, firearm – possession at School</p> <p>22. Drugs or any substances that have an impact on the cognitive and emotional ability of the learner unless medically prescribed. – consumption not associated with School</p> <p>23. Drugs/illegal substances – or any substances that have an impact on the cognitive and emotional ability of the learner unless medically prescribed. - possession at School /on School outing</p> <p>24. Drugs/illegal substances or any substances that have an impact on the cognitive and emotional ability of the learner unless medically prescribed. – consumption / under the influence at School/on School property</p> <p>25. Drugs/illegal substances or any substances that has an impact on the cognitive and emotional ability of the learner unless medically prescribed. – dealing ('pushing') at School/on School outing</p> <p>26. Forgery of any document or signature to the potential/actual prejudice of the School</p> <p>27. Fraud (financial)</p> <p>28. Hostage-taking</p> <p>29. Satanic practices that damage property or cause harm to people or any other living creatures.</p> <p>30. Sexual assault/rape</p> <p>31. Theft/dishonest conduct to the prejudice of another person</p>	<p>18. Suspension from School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>19. Suspension from School. Disciplinary hearing, warning letter, community service and detention and expulsion</p> <p>20. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>21. Suspension from School. Disciplinary hearing, appropriate punishment, e.g. community service and expulsion</p> <p>22. Suspension from School. Disciplinary hearing, appropriate punishment, e.g. community service, detention and expulsion</p> <p>23. Interview with parents, professional intervention and expulsion</p> <p>24. Suspension from School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>25. Suspension from School. Disciplinary hearing, warning letter, community service, detention, professional counselling and expulsion</p> <p>26. Suspension from School. Disciplinary hearing and expulsion</p> <p>27. Suspension from School. Disciplinary hearing, warning letter, community service, detention and expulsion</p> <p>28. Suspension from School. Disciplinary hearing, compensation, warning letter, community service, detention and expulsion</p> <p>29. Suspension from School. Disciplinary hearing and expulsion</p> <p>30. Suspension from School. Disciplinary hearing, warning letter, community service, detention, professional counselling and expulsion</p> <p>31. Suspension from School. Disciplinary hearing and expulsion</p>
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32. Trading in test/examination material for personal monetary gain	32. Disciplinary hearing, replacement of stolen articles, warning letter, community service, detention and expulsion
33. Vandalism – malicious damage to School /teacher’s property	33. Disciplinary hearing, warning letter, community service, detention and expulsion
34. Smoking, carrying, bringing or selling cigarettes, e-cigarettes, vapes, hubbly-bubbly or any smoking paraphernalia on/off School property	34. Disciplinary hearing, warning letter, community service, detention and expulsion and professional counselling. (All paraphernalia to be confiscated)
35. Serious transgressions of the appropriate use of the IT and Internet facilities	35. suspension or revoking of computer access; suspension or revoking of internet/e-mail access; other disciplinary action by the school or School Governing Body; legal action and prosecution by the authorities and expulsion

Any violation of 3.15 of the code of conduct or as listed in 1.2.1. and repeated violations of the school rules or this Code of Conduct.

In case of the violation of any of the abovementioned provisions, such violation shall be referred to the governing body, who will be entitled to impose the following sanctions:

- a) Any of the sanctions above, to which the following could be added:
- b) In the case of a violation of the code of conduct for learners by school leaders:

In conjunction with or as alternative to the above, suspension from duties for a period of up to six weeks, or dismissal and permanent removal from the leadership position in the school
- c) Following a hearing in which any learner is found guilty of violating the provisions of the code of conduct, the governing body may impose any of the aforementioned sanctions on such learner, or suspend the learner, or recommend the learner’s expulsion from the school to the Head of Education.

1.2.2 Should the governing body opt for suspension as the only sanction, they may suspend the learner for up to seven school days.

- 1.2.3 Should the governing body decide to recommend to the Head of Education that the learner be expelled, the governing body may suspend such learner for a reasonable period of up to fourteen school days, pending the Head of Education's decision.

2. Preventative suspension

Based on reasonable grounds and intended as a precautionary measure, the governing body may suspend a learner from attending school for up to seven school days if such learner is suspected of having committed serious misconduct (Level 3). However, such suspension may only be imposed after the learner has been afforded a reasonable opportunity to make representations with regard to such suspension to the governing body.

3. Disciplinary hearing

3.1 Preliminary inquiry

When a learner is suspected or alleged to have committed a major transgression (Level 3), the school principal may appoint an investigating officer. The latter will collect information for the school principal to decide whether a disciplinary hearing is warranted.

3.2 Hearing

3.2.1 The investigating officer shall draw up a charge sheet, and the parents and learner shall receive written notice of the charge and the date, time and venue of the hearing. These arrangements must be made in consultation with the disciplinary committee.

3.2.2 The notice must contain sufficient information on the date, place and nature of the alleged transgression.

3.2.3 At least five school days must lapse between the delivery of the notice and the hearing.

- 3.2.4 The governing body shall appoint the disciplinary committee, comprising three persons who are members of the school governing body or are nominated by the school governing body. The two remaining members of the disciplinary committee may not be the principal or a learner at the school. The chair of the committee must be a governing body member. The disciplinary committee shall have the power to take charge of and finalise the disciplinary hearing, as if it has been done by the governing body themselves, and shall be entitled to do everything that the governing body may do in terms of applicable legislation, including imposing and enforcing any sanction, and recommending expulsion to the Head of Education.
- 3.2.5 The learner must be assisted by his/her parent or a person appointed by the parent. In case of major transgressions, the learner is entitled to apply for representation by a legal representative or any person who is appointed by the parent of the learner. Such application must be directed to the chair of the disciplinary committee at least two school days before the start of the hearing. No other persons, apart from those mentioned above, may attend the hearing on behalf of the accused learner.
- 3.2.6 When a learner has legal representation, he/she may choose to expedite the disciplinary procedure by entering into a plea bargain with the presiding officer.
- 3.2.7 Apart from minor learners' right to testify through mediators, as envisaged in Section 8(7)–(9) of SASA, minor learners (either accused or witnesses) will also be entitled to be assisted by their parents or an educator of their choice during disciplinary proceedings. However, a person who assists a learner may not answer any questions on behalf of the learner or address the disciplinary committee.
- 3.2.8 Learners who are involved in disciplinary proceedings shall also be entitled to receive support, advice and counselling from educators who have been appointed for such purpose by the school principal or the governing body, provided that such educator may not assist the learner at the disciplinary hearing, unless the parent of the learner authorises the educator to do so.

- 3.2.9 Should the learner and/or his/her parents and/or representative fail to attend despite proper notification, the hearing may proceed in their absence.
- 3.2.10 The hearing must be fair and just, and shall be conducted in terms of the prescripts of the applicable provincial legislation. The prosecutor and learner (or the learner's representative on behalf of the learner, if applicable) must be afforded the opportunity to put their case, may put questions to witnesses, may call witnesses, and may scrutinise or table documents related to the matter.
- 3.2.11 The members of the disciplinary committee themselves shall also be entitled to call witnesses, request additional witnesses or testimony, put questions to the witnesses, or investigate or have investigated further any aspect that could promote fairness and justice.
- 3.2.12 After testimony has been heard, the committee shall decide whether the learner is guilty or innocent. For this purpose, or for the purposes of settling any dispute that may arise during the proceedings, the committee shall be entitled to adjourn for a reasonable period of time in order to consider its ruling. Such consideration shall occur behind closed doors and may be attended by committee members only.
- 3.2.13 Should the learner be found guilty, both the learner and the prosecutor shall receive another opportunity to testify and/or make representations on extenuating and aggravating circumstances that the committee needs to consider in order to impose an appropriate sanction. In order to consider an appropriate sanction, the committee shall be entitled again to adjourn for a reasonable period of time. Such consideration shall occur behind closed doors and may be attended by committee members only.

3.3 Finding and sanction

- 3.3.1 In case of a guilty finding, the disciplinary committee's ruling, including the imposed sanction, must be communicated in writing to the learner and his/her parents as well as the prosecutor within a maximum of five school days.
- 3.3.2 Despite any guilty finding and sanction imposed by the governing body, any stakeholder may refer any transgression of the code of conduct that may

constitute a criminal offence to the South African Police Service for investigation.

4. Internal appeal

- 4.1 A party who is aggrieved with the outcome of disciplinary proceedings before the governing body's disciplinary committee shall be entitled to appeal in writing to the chair of the governing body against the guilty finding, imposed sanction, or both, within 24 hours of receiving written notice of the outcome.
- 4.2 The notice of appeal must clearly outline the grounds for the appeal.
- 4.3 The chair of the governing body must appoint an appeals committee within 24 hours of receiving the notice of appeal, which committee must consist of a member of the governing body as chair, and at least two other experts. The members of the disciplinary committee who had heard the matter may not serve on the appeals committee as well.
- 4.4 The chair of the governing body must hand the notice of appeal to both the chair of the appeals committee and the other party to the proceedings before the disciplinary committee, and must ensure that the record of the disciplinary proceedings be made available to the appeals committee.
- 4.5 Within 24 hours of receiving the notice of appeal, the other party shall be entitled to make representations in response thereto to the chair of the appeals committee.
- 4.6 In considering the appeal, the appeals committee shall be restricted to considering the record of the proceedings before the disciplinary committee, the notice of appeal, and any representations that the other party may submit.
- 4.7 Any party who wishes to submit to the appeals committee for its consideration any evidence that does not form part of the record of proceedings before the disciplinary committee, must apply in writing for permission to the chair of the appeals committee. In case of the appellant, such application must be contained in the notice of appeal, and in the case of the other party, application must take place within 24 hours of receiving the notice of appeal.

- 4.8 The application to submit new evidence must contain a full explanation why the evidence had not been available or tabled during the disciplinary proceedings, must outline the nature of the evidence, and must explain in what way the evidence bears reference to the consideration of the appeal.
- 4.9 The appeals committee must announce its decision to the parties in writing within seven school days of receiving the notice of appeal.
- 4.10 In considering the appeal, the appeals committee may:
- a) set aside or uphold the disciplinary committee’s guilty or not guilty finding and/or imposed sanction;
 - b) impose an alternative sanction (including a heavier sanction); and
 - c) deliver any other ruling that the appeals committee deems fair and just under the circumstances.

5. General provisions

The governing body is expected to keep proper record of the disciplinary proceedings. For this purpose, the governing body may appoint a person to minute or electronically record the proceedings. Such person shall not form part of the committee.

SIGNED AT _____ ON THIS _____ DAY OF _____

 Governing body chair

 Governing body secretary

 School principal

Part 4

Specimen documents

1. Notice of a disciplinary hearing
2. Notice of the outcome of a disciplinary hearing
3. Plea and sentence agreement (plea bargain)



BERGVLIEET PRIMARY SCHOOL

CHILDRENS WAY BERGVLIEET 7945 TEL: (021) 715 1103 FAX: (021) 715 24 86

Name of the learner:

Address:

By hand

Notice of a disciplinary hearing

Please note that you will be expected to appear before the disciplinary committee of the governing body as per the date, time and venue stated at the end of this notice to answer to the charge(s) brought against you, the details of which appear below:

Charge(s)

You are charged with misconduct, as you are alleged:

- 1 to have violated rule (*insert rule number*) of the school's code of conduct on _____ (*insert date of transgression*) at _____ (*insert place of transgression*) by _____ (*provide brief summary of the details of the transgression*); and
- 2 (*Repeat the above if more violations are alleged.*)

Please note the following:

1. You are entitled to be represented during the proceedings, either by your parent or a person appointed by your parent.
2. Should you plan to make use of legal representation, the process to obtain the necessary permission, as prescribed in the school's code of conduct, must be followed. Any legal representation shall be for your own cost.

3. You will be entitled to question witnesses who may testify against you; to testify yourself; to call witnesses; to scrutinise documentary evidence brought against you, and to table your own documentary evidence as well.
4. You are responsible to ensure that witnesses whom you wish to call to testify on your behalf attend the proceedings and remain present for as long as their presence is required.
5. You will be entitled to address the committee on any matter with regard to the proceedings.
6. The inquiry shall be conducted in the language of the school. Should you require the services of an interpreter, you will be responsible for the necessary arrangements.
7. Should you fail to attend the proceedings or remain present until the proceedings have been finalised, the hearing may proceed or be finalised in your absence.
8. You are responsible to acquaint yourself with the school rules with regard to disciplinary proceedings, as contained in the school's code of conduct.
9. Please attend the proceedings in your school uniform.

Date of hearing:

Time of hearing:

Venue of hearing:

SCHOOL PRINCIPAL

DATE

Hereby, I, _____, acknowledge receipt of the letter on _____.

Signature of learner

Signature of parent



BERGVLIE PRIMARY SCHOOL

CHILDRENS WAY BERGVLIE 7945 TEL: (021) 715 1103 FAX: (021) 715 24 86

Name of the learner:

Name of the prosecutor:

Address:

By hand

Notice of the outcome of a disciplinary hearing

Please be informed of the outcome of the disciplinary hearing held on _____ (*insert date*) with regard to the charge(s) brought against _____ (*insert name of learner*).

Charge(s)

1. (*Merely insert 'guilty' or 'not guilty'.*)
2. (*Repeat the above if more than one violation has been alleged.*)

Reasons for finding:

(*Supply full reasons for the committee's finding.*)

Sanction

The following sanction will be imposed:

1. (*Insert details of the sanction.*)
2. (*Repeat the above if more guilty findings have been made.*)

Reasons for the sanction

(*Supply full reasons for the committee's decision on the sanction.*)

Chair: Disciplinary committee

DATE

Hereby, I, _____, acknowledge receipt of the letter on _____.

Signature of learner

Signature of parent

Signature of prosecutor



BERGVLiet PRIMARY SCHOOL

CHILDRENS WAY BERGVLiet 7945 TEL: (021) 715 1103 FAX: (021) 715 24 86

Plea bargain between the governing body of Bergvliet Primary School and (learner)

1. INTRODUCTION

Whereas:

1.1 the learner is charged with _____ (*outline the details of the charge/charges here*),

the parties hereto now agree as follows:

2. CONSULTATION

2.1 The prosecutor, _____ (name), has been authorised in writing by the governing body to negotiate with the learner and to enter into an agreement.

2.2 The prosecutor and the learner, as represented by _____ (lawyer), have negotiated and entered into this agreement with regard to a guilty plea by the learner as well as an appropriate sanction that is to be imposed by the governing body.

2.3 The prosecutor has consulted the governing body and the victim concerned (*if a fellow learner/the school or someone else has suffered losses or damage due to the learner's actions*) and afforded them the opportunity to make recommendations on the content of the agreement. The relevant parties are satisfied with the content of the agreement.

3. THE LEARNER'S RIGHTS

3.1 The learner acknowledges that he/she had been fully informed of the following rights before he/she has entered into this agreement:

3.1.1 That he/she is deemed innocent until proven guilty beyond a reasonable doubt

- 3.1.2 That he/she may remain silent and is not forced to testify during the proceedings
- 3.1.3 That he/she is not forced to give self-incriminatory evidence
- 3.1.4 That he/she is not forced to enter into this agreement

4. SUMMARY OF THE MATERIAL FACTS

OUTLINE FACTS HERE

5. PLEA AND FORMAL ACKNOWLEDGEMENT

- 5.1 The following facts are common cause and have been agreed between the parties. The learner pleads as follows, and also wishes to acknowledge the following:
- 5.2 The learner acknowledges that he/she has read through the charge, as outlined in the charge sheet; that he/she understands the nature and meaning thereof, and that he/she pleads guilty on the charge of _____ (*briefly repeat the details of the charge/charges*), and wishes to confirm the following:
- 5.3 The learner acknowledges that he/she has entered into the agreement voluntarily, unrestrained, knowingly and without undue influence.
- 5.4 The learner further acknowledges that he/she is personally aware of the admissions of guilt below:
- 5.5 *OUTLINE FACTS OF TRANSGRESSION HERE*
- 5.6 The learner further acknowledges that, throughout, he/she had been aware that his/her actions were contrary to the school's code of conduct, and that he/she might be punished.

6. ATTENUATING CIRCUMSTANCES

- 6.1 The learner has pleaded guilty.
- 6.2 The learner has no previous convictions (if applicable).
- 6.3 *MENTION FURTHER CIRCUMSTANCES THAT MAY APPLY*

7. AGGRAVATING CIRCUMSTANCES

- 7.1 The transgression concerned is of a serious nature.

7.2 The transgression had been premeditated (if applicable).

7.3 *MENTION FURTHER CIRCUMSTANCES THAT MAY APPLY*

8. AGREEMENT ON A FAIR SANCTION

8.1 The parties concerned have agreed on an appropriate sanction, and requests the governing body to impose it.

8.2 All parties have taken into account the gravity of the agreement, the interests of the school community, and the personal circumstances of the learner.

8.3 The parties agree that the following constitutes a fair and just sanction under the particular circumstances:

OUTLINE SANCTION HERE

SIGNED AT _____ ON THIS _____ DAY OF _____ 20__

LEARNER

LEGAL REPRESENTATIVE OF THE LEARNER

PROSECUTOR