

DAINFERN COLLEGE HIGH SCHOOL					
CODE OF CONDUCT: HIGH SCHOOL POLICY					
EFFECTIVE DATE	February 2025	DATE OF LAST REVISION	February 2020	VERSION	February 2025
POLICY OWNER	High School Principal		ADMINISTRATOR RESPONSIBLE	Communication & Compliance Manager	
RATIFICATION LEVEL	<ul style="list-style-type: none"> High School MANCO 				
APPLIES TO					
STAFF		ACADEMIC STAFF		STUDENTS	X
PARENTS		VISITORS		CONTRACTORS	

RELATED POLICIES & DOCUMENTS
<ul style="list-style-type: none"> Parent Information Booklets Enrolment Contract High School Uniform & Appearance Policy Social Media Policy IT User Policy Procedure to carry out a Formal Disciplinary Inquiry or Hearing: High School Procedure to terminate an Enrolment Contract

SPECIFIC TERMS & DEFINITIONS	
TERM	DEFINITION
High School MANCO	Management Committee of Dainfern College High School, comprising the Executive Head of College & High School Principal; the High School Deputy Principals and the High School Divisional Managers
Disciplinary Meeting	Informal process to investigate allegations of serious disciplinary infringements.
Disciplinary Inquiry	Formal process following investigation into allegations of serious disciplinary infringements to decide on actions to be taken. Chaired by an impartial party.
Disciplinary Hearing	Formal process following a Disciplinary Inquiry to determine whether expulsion is warranted. Chaired by an impartial party and subject to Board ratification.

VERSION HISTORY				
VERSION	APPROVED BY	REVISION DATE	DESCRIPTION OF CHANGE	AUTHOR
February 2025	HS MANCO	November 2024	Policy revised, changes to process and definitions (Meeting and Inquiry terms introduced and defined), reformatted, separate policy and procedure.	HS MANCO & Joanna Pettitt
February 2020	HS MANCO	February 2020	Policy revised, changes to Level 3 and Level 4 Disciplinary offence repercussions. Clarity of procedures for a Disciplinary Inquiry and a Disciplinary Hearing.	HS MANCO & Joanna Pettitt
January 2019	HS MANCO	January 2019	Overhaul of previous Disciplinary Policy, with change of Policy name to align with the Preparatory School, definition of bullying added	HS MANCO & Joanna Pettitt

Dainfern College High School Code of Conduct

1. Preamble

- 1.1. This document indicates the broad standards of behaviour that are expected of all students at Dainfern College High School ('the School').

2. Scope of the Policy

- 2.1. This Policy will be consistently applied to all High School students at Dainfern College.

3. Policy statement

- 3.1. Dainfern College fully supports the principles of Fair Discipline, and the consistent application of appropriate and corrective disciplinary measures where necessary. It encourages a responsible and self-disciplined approach, rather than a punitive one, based on fear.
- 3.2. The School acknowledges that the majority of students are, in most circumstances, eager to embrace opportunities to learn and grow and to behave in accordance with the values made explicit to them and are thus motivated by positive behavioural support.
- 3.3. Positive behaviour is determined by the core values of Dainfern College, namely:
 - 3.3.1. Fortitude
 - 3.3.2. Integrity
 - 3.3.3. Self-discipline
 - 3.3.4. Humanity
 - 3.3.5. Accountability
 - 3.3.6. Respect
- 3.4. Dainfern College is simultaneously accountable for providing a safe and nurturing environment for every student in the School as well as for the academic progress of every student in the School. The teachers and management of the school cannot, therefore, tolerate any ongoing behaviour that could compromise this accountability.
- 3.5. The maintenance of discipline and orderly classroom behaviour is an integral part of every teacher's job. The onus therefore lies with the School's teachers and management to apply this Code in an effective and equitable manner, in the interests of the wellbeing of the School and of all of its stakeholders.
- 3.6. Should expected norms of conduct not be met by any student, corrective action will be initiated by the School's management team. Corrective action may or may not include the application of formal disciplinary measures, any formal steps only being applied to prevent further occurrences of unacceptable behaviour or to restore the affected relationships.
- 3.7. This Code of Conduct and associated Disciplinary policies and procedures (eg Plagiarism Policy, Uniform & Appearance Policy, Prevention of Substance Abuse Policy etc) ensure that corrective action and discipline are administered consistently, promptly and fairly and are applicable to all students.
- 3.8. This document is readily available to every teacher at the School, and is loaded on the school website (www.dainferncollege.co.za/policies/) so that any student or parent may view it.
- 3.9. Please note that this Code is not intended as an exhaustive guideline to cope with every disciplinary-related issue. Rather, it is intended to indicate fundamental values and principles according to which corrective action and discipline are to be effectively implemented by the School.
- 3.10. It should be noted that this document may also have a bearing on the behaviour of the student outside of normal school hours, should the student's conduct impact negatively on a relationship or bring the School's reputation into disrepute.

4. Responsibilities

In the School context, teachers, parents and students have responsibilities. To sustain a healthy learning environment, it is important that these parties acknowledge their respective responsibilities.

4.1. Responsibilities of staff

4.1.1. Teachers at the School undertake to:

- 4.1.1.1. Be punctual, well prepared and professional in their approach to education.
- 4.1.1.2. Manage students' performance effectively and motivate students to achieve realistic and meaningful personal goals.
- 4.1.1.3. Be sensitive to the needs of their students and address learning difficulties in a positive manner.
- 4.1.1.4. Praise, encourage and recognise students.
- 4.1.1.5. Create a classroom climate that is based on a learning partnership that makes education both relevant and stimulating.
- 4.1.1.6. Set a positive example for their students to follow.
- 4.1.1.7. Manage behaviour correctively and restoratively, with dignity and fairness.

4.2. Responsibilities of parents

The School prides itself on having good relations with the parents of students. While parents must expect the School and its teachers to provide the best education possible with the resources available to the School, parents must also accept responsibility for helping the School achieve this goal.

4.2.1. Parents have the responsibility to:

- 4.2.1.1. Actively support the efforts of the School and its teachers to teach their children.
- 4.2.1.2. Involve themselves to the fullest possible extent in support of School activities.
- 4.2.1.3. Make positive suggestions and contributions to improve the School's education process and the learning environment.
- 4.2.1.4. Encourage their children to participate fully in School and extramural activities.
- 4.2.1.5. Support the learning process and provide encouragement.
- 4.2.1.6. Work collaboratively with the School to overcome any student behaviour that negatively impacts on the learning environment.
- 4.2.1.7. Ensure that the student is in attendance at all compulsory attendance functions and activities and that School attendance times are observed.
- 4.2.1.8. Support the disciplinary structures and procedures of the School in the interests of maintaining an orderly and positive educational environment.
- 4.2.1.9. Always address disciplinary issues through the School and never confront another parent's child independently.
- 4.2.1.10. Conduct themselves courteously at sporting events and refrain from making disparaging remarks about referees, judges, coaches or players. Coaching from the side or interfering with coaches is not permitted and good play should be applauded and encouraged by both sides.

4.3. Responsibilities of students

The School recognises that every student has the right to education. The School strives to provide educational opportunities that its students and the community deserve. Students themselves must, however, also recognise that they have responsibilities to their parents, the School, teachers, their fellow students and themselves

4.3.1. Dainfern College expects its students to:

- 4.3.1.1. Comply with instructions given by the staff and abide by the Code of Conduct and associated Disciplinary policies of the School.
- 4.3.1.2. Demonstrate a positive attitude towards the opportunity to learn and be diligent in their efforts to learn.
- 4.3.1.3. Take pride in their appearance and dress appropriately (in accordance with the Dainfern College High School's Uniform & Appearance Policy).
- 4.3.1.4. Be well-mannered and courteous.

- 4.3.1.5. Behave honestly and conduct themselves with integrity.
- 4.3.1.6. Be self-disciplined and take responsibility for their actions.
- 4.3.1.7. Behave responsibly at all times and respect the safety, dignity and welfare of others.
- 4.3.1.8. Maintain sound relations with others at School
- 4.3.1.9. Respect and care for the environment and property of the School and others (not litter or commit wilful damage to property, eg. graffiti).
- 4.3.1.10. Be punctual and observe the attendance requirements of the School.
- 4.3.1.11. Demonstrate a positive attitude towards the opportunity to learn and be diligent in their efforts to learn.
- 4.3.1.12. Accept legitimate disciplinary action as being both necessary and corrective.
- 4.3.1.13. Fully understand their rights and associated responsibilities in the school context, as set out below:

RIGHTS AND RESPONSIBILITIES OF STUDENTS	
THE STUDENT'S RIGHTS	THE STUDENT'S RESPONSIBILITIES
The right to move about the School without being laughed at, pushed, threatened or harmed in any way, either verbally or physically.	The responsibility not to laugh at, hit, push, or in any way harm, verbally or physically, other people in the School.
The right to be treated in a courteous manner.	The responsibility to treat others in a courteous manner.
The right to be treated with respect and fairness, irrespective of race, creed, intelligence, gender, physical prowess, language, shape, size, whether or not different from the majority.	The responsibility to see that all people are treated with respect and fairness even though they may differ in some way from me or the majority.
The right to expect my property to be safe at School.	The responsibility to see that other people's property is treated with respect and that I do not damage, remove, use without permission or steal the property of others. I must look after my own property responsibly.
The right to attend a school with pleasant, well-kept surroundings that are free from noise and litter pollution.	The responsibility to see that I treat my surroundings with respect and that I do not contribute to any kind of pollution at School.
The right to attend to school work without interference of any kind from other students.	The responsibility to see that I do not interfere with, or distract, other students from their work.
The right to be taught by teachers who are fair, competent and sympathetic to my needs.	The responsibility to cooperate and comply with the instructions of the teachers.
The right to be treated in an appropriate way by all members of the Dainfern College community at all times.	The responsibility to act in an appropriate way at all times. I will treat others as I would like to be treated myself.
Should I feel unhappy or concerned about some person in, or some aspect of, the School, I have the right to approach someone in authority about my concerns and to expect some action to be taken, if deemed necessary by the School.	The responsibility to approach someone in authority should I have concerns about someone in, or some aspect of the School, rather than to take my own, independent action.
The right to wear the School uniform.	The responsibility to wear the School uniform with pride, in good repair and in the correct manner at all times.
The right to use the School's facilities during term time.	The responsibility to look after and respect all the facilities that the School offers me.

5. Respect

5.1. In line with the Core Value of Respect, students should try to ensure that their behaviour, appearance, standard of work and extramural commitment all reflect positively on themselves.

5.2. Respect for adults:

- 5.2.1. Students are expected to greet every adult with whom they come into contact.
- 5.2.2. Students are to stand and remove their hats/caps when greeting or addressing adults and must not have their hands in their pockets.
- 5.2.3. Adults are to be addressed as Sir or Ma'am or Mrs/Miss/Mr... if the person's surname is known.
- 5.2.4. The authority of the teachers is to be respected. Any sense of injustice or strong disagreement must be addressed in an appropriate fashion.

5.3. Respect for the image of the College:

- 5.3.1. Students' appearance and uniform must conform with the relevant sections of the 'Dainfern College High School Uniform & Appearance Policy'. This Policy is available on the College website and app.
- 5.3.2. Students are to wear full school uniform at all School functions unless instructed otherwise. This includes all public functions associated with the School.
- 5.3.3. When students appear in public, e.g. shopping centres or walking to and from School, they must wear either full School uniform or be in civvies. They may not wear only part of the uniform.
- 5.3.4. Students are to contribute to the environment of the College by refraining from littering and by helping to pick up litter.
- 5.3.5. The behaviour of our students towards students, staff and parents from other schools must be such that the reputation of Dainfern College is never compromised. Students are expected to be gracious hosts and courteous guests.

5.4. Respect for others:

- 5.4.1. Students are expected to show respect for their teachers and their fellow students:
 - 5.4.1.1. Students must contribute to a positive working environment by bringing the correct books to School; concentrating and participating in lessons; making use of a diary; completing their homework every day; preparing thoroughly for assessments; and not missing School unless they absolutely have to.
 - 5.4.1.2. Students must attend all practices, matches, events and functions to which they have committed themselves. Should they be unable to attend, they must excuse themselves well before the event.
 - 5.4.1.3. Students must respect the religious convictions of others. Students are to be quiet at assemblies and during morning prayers and readings. No disparaging remarks are to be made about other religions.
 - 5.4.1.4. Students must respect individual differences: Students must not reject or denigrate on the basis of differences of race, gender, religion, nationality, background, ability or any other factor. Physical or verbal abuse will not be tolerated.
 - 5.4.1.5. Students must respect the dignity of others: Insulting the dignity of others via electronic media, for example cell phones or the Internet, or any other means is unacceptable.
 - 5.4.1.6. Students must respect the achievements, interests and convictions of others. Students should celebrate the success of fellow students and acknowledge and thank the staff when they "go the extra mile".
 - 5.4.1.7. Students must not swear or use foul language. The possession of obscene or pornographic material, including on cell phones or devices, is strictly forbidden.
 - 5.4.1.8. 'Lingering physical contact' is inappropriate when in school uniform, at school, on school outings or when representing the school in any way. The separation of bathrooms and locker rooms must be respected. Sexual harassment will not be tolerated.

5.5. Respect for property:

- 5.5.1. Vandalism and/or tampering with school property, e.g. computer systems, security codes will not be tolerated.
- 5.5.2. Students may not climb trees and are not permitted in areas considered out of bounds eg the Auditorium roof, the pipe.
- 5.5.3. Students must not deface the desks. Lockers are to be kept clean and tidy and are not to be defaced in any way.
- 5.5.4. Students should leave the bathrooms and changerooms clean and tidy. No loitering in these areas is permitted.
- 5.5.5. Personal property must be marked in order to facilitate an easy 'hand-back' process by those managing lost property.
- 5.5.6. Students may not use the property of another person without permission. Students must ensure they do not take the property of another person by mistake.
- 5.5.7. Students must report accidental breakages and hand in lost property.
- 5.5.8. iPads, iPods, computer games, laptops, cameras or any other expensive items may not be brought to school unless required for school purposes. The School cannot be held liable for any loss or damage to any personal property.
- 5.5.9. Cell phones may not be used during lessons unless required for school purposes. Unauthorised use of a cell phone during a lesson will be dealt with in accordance with the Code of Conduct.

6. Bullying

- 6.1. For the purposes of this document bullying is defined as repeated and intentional harm or hurt by a student or group of students with more power (eg physical strength, popularity or access to information) of another student or group of students who feel they are unable to respond.
- 6.2. Bullying is not:
 - 6.2.1. Single episodes of social rejection or dislike, nastiness or spite
 - 6.2.2. Random acts of aggression or intimidation
 - 6.2.3. Mutual arguments, disagreements or fights.

[\(https://www.ncab.org.au/bullying-advice/bullying-for-parents/definition-of-bullying/\)](https://www.ncab.org.au/bullying-advice/bullying-for-parents/definition-of-bullying/)
- 6.3. Bullying in any form of students or staff members (including, but not limited to physical, emotional, cyber bullying or defamation of character) will not be tolerated at Dainfern College.
- 6.4. If a child or group of children feels they are being bullied, they should tell their tutor, Grade Head, House Director, School Counsellor or other staff member. The allegation will then be investigated, and the necessary action taken.
- 6.5. If the bullying continues, parents are encouraged to make an appointment with the appropriate teacher or senior member of staff.
- 6.6. It is important to note that 'supporters' of bullying behaviour will also be held to account if they do nothing to stop an incident or fail to at least report it to a teacher.

7. Infringements of the Code of Conduct

- 7.1. The School has a number of specific rules that define the kinds of behaviour expected of its students. Students will be advised of these rules and are expected to conduct themselves in line with the rules provided.

- 7.2. It is impossible for every possible rule infringement to be listed and this Code of Conduct therefore sets out the principles of fair discipline at the School. Should there be a breach of respect or any other inappropriate behaviour at school, the action taken by the School will depend on the context, circumstances and the seriousness of the infringement.
- 7.3. Teachers and the Principal are entitled to apply action that they believe is appropriate in the circumstances, within the guidelines provided by this Policy.
- 7.4. Repeated or reoccurring offences may escalate to more serious consequences.

8. Disciplinary measures

- 8.1. The School reserves the right to exercise both informal and formal disciplinary measures as it deems appropriate. The decision as to which procedure to follow will depend on the seriousness of the alleged infringement and any mitigating or aggravating circumstances.
- 8.2. Disciplinary measures that may be applied by the School include, but are not limited to, the following:
 - 8.2.1. Counselling by a staff member or Verbal reprimand;
 - 8.2.2. Written punishment;
 - 8.2.3. Teacher/class apology;
 - 8.2.4. Break detention;
 - 8.2.5. Formal detention;
 - 8.2.6. Community service;
 - 8.2.7. Parent contact or interview;
 - 8.2.8. Withdrawal of privileges or awards;
 - 8.2.9. Suspension;
 - 8.2.10. Informal Disciplinary Meeting, Formal Disciplinary Inquiry and/or Formal Disciplinary Hearing;
 - 8.2.11. Expulsion.
- 8.3. Discipline should be appropriate to the offence and applied progressively.
- 8.4. Repeated committing of similar or related offences will result in progressively more severe action being taken, particularly where a clear pattern or trend is indicated by the student's continued misconduct. A serious first incident may, however, justify a severe penalty, including expulsion, and mitigate against the imposition of a lesser form of action.
- 8.5. A serious offence will be recorded in a student's file for an appropriate period.

9. Disciplinary process

- 9.1. This section outlines the procedures that will be followed by the School when taking disciplinary action:

9.2. MINOR INFRINGEMENTS - LEVEL 1:

- 9.2.1. Infringements that are not considered serious, or do not require formal disciplinary action in the opinion of the relevant teacher, will be dealt with directly by the teacher. These are not generally recorded on the student's record but may still require communication with the student's parents. These informal disciplinary measures may be implemented by teachers without reference to Grade Heads, House Directors or the Principal. Repeat offences must, however, be referred to the House Director who will decide on the appropriate punishment.

- 9.2.2. LEVEL 1 offences are dealt with by the teacher in the classroom as they occur. If the punishment is not met, or the offence is repeated constantly, a DEMERIT is given to the student. Recommendations for demerits are forwarded to the House Directors who will then issue the Demerit. The House Directors will keep a record of those students who consistently misbehave. Students who receive three or more demerits will be placed on a Formal Detention (Friday) by the House Director. Not attending a Formal Detention will result in the Detention time being extended. Repeated Detentions could result in more serious action being taken against the student.
- 9.2.3. Misconduct on this level would include minor infringements, including behaviour that impedes teaching. Examples would include:
- 9.2.3.1. Being late for class.
 - 9.2.3.2. Leaving books at home.
 - 9.2.3.3. Being disruptive in class.
 - 9.2.3.4. Not using the homework diary.
 - 9.2.3.5. Homework/test not being signed.
 - 9.2.3.6. Minor insolence/cheek.
 - 9.2.3.7. Eating or drinking in class.
 - 9.2.3.8. Use of cell phone and/or device in class without permission.
 - 9.2.3.9. Being out of class without permission.
 - 9.2.3.10. Failure to fulfil commitments.
 - 9.2.3.11. Academic diligence infringements include:
 - 9.2.3.12. Incomplete homework, portfolio work, projects etc not being handed in on time.
 - 9.2.3.13. Homework etc left at home.
 - 9.2.3.14. Work copied/minor plagiarism.
 - 9.2.3.15. No doctor's note for missed tests/exam.
 - 9.2.3.16. Poor work ethic.
 - 9.2.3.17. Code of Conduct offences include:
 - 9.2.3.18. Being late for School.
 - 9.2.3.19. Being absent without an excuse note/doctor's note.
 - 9.2.3.20. Not showing respect and manners towards adults.
 - 9.2.3.21. Uniform infringements.
 - 9.2.3.22. Misbehaviour outside of the classroom.
 - 9.2.3.23. Minor vandalism.
 - 9.2.3.24. Foul language.
 - 9.2.3.25. Inappropriate public display of affection.
 - 9.2.3.26. Being out of bounds.

9.2.4. **Recommended action:** Verbal reprimand, Written punishment, Teacher/class apology, Break detention, Parent contact, Compulsory extra lesson attendance (House Director).

9.3. **SERIOUS INFRINGEMENTS - LEVEL 2:**

- 9.3.1. When a more serious infringement occurs or is alleged, the teacher concerned, and the relevant House Director / Grade Head should investigate the complaint in order to determine the appropriate disciplinary procedure to be followed. At this stage, before the validity and details of the complaint have been established, the School will not necessarily advise the parents of a student that a complaint is being investigated. The parents will be informed if the matter is to proceed further.
- 9.3.2. The School reserves the rights to discipline its students according to the principle of natural justice prior to expulsion.
- 9.3.3. If the circumstances warrant it, the infringement will be noted on the student's record and/or the student's parents or guardian advised of the misconduct.
- 9.3.4. Parents will not be informed of all infringements of School rules. They will be informed, preferably in writing, in the circumstances listed below. As much detail as necessary will be communicated to the parents:

- 9.3.4.1. Where there has been a continued infringement of minor School rules.
 - 9.3.4.2. Where there has been an act of serious misconduct.
 - 9.3.4.3. Where a student is to be suspended for the investigation of an act of serious misconduct.
 - 9.3.4.4. Where a student is to be suspended pending the outcome of a Formal Disciplinary Inquiry.
- 9.3.5. When a student is suspended, either as a form of punishment or pending an investigation into an alleged incident or pending the convening of a Formal Disciplinary Inquiry, a letter from the Head of Discipline or the Principal will be sent home with the student. It will:
- 9.3.5.1. Be addressed to both parents, explaining to the parents the status of the student.
 - 9.3.5.2. Request an interview with the parents as soon as possible. The interview, however, can be postponed to enable the School to complete any investigations that may be required into the act of alleged serious misconduct.
- 9.3.6. Any public statements by a School official will only state that an incident is alleged to have taken place, and that it is under investigation, and that as soon as the matter is concluded it may be communicated to the School community, at the discretion of the Principal.
- 9.3.7. The authorities may be contacted when criminal offences have taken place.
- 9.3.8. LEVEL 2 offences are referred to the relevant House Director who will investigate the incident and decide on the appropriate punishment and parent contact. House Directors will keep a record of all LEVEL 2 offences and action taken.

9.3.9. LEVEL 2 infringements include:

- 9.3.9.1. Repeated LEVEL 1 offences.
- 9.3.9.2. Portfolio work not completed after 1st warning and deadline.
- 9.3.9.3. Major insolence/cheek.
- 9.3.9.4. Plagiarism.
- 9.3.9.5. Vandalism/Damage to student property.
- 9.3.9.6. Truancy from School or any lesson or College activity at which attendance is compulsory.
- 9.3.9.7. Disregard for teacher punishment.
- 9.3.9.8. Major academic diligence issues.
- 9.3.9.9. Sports/Extramural commitment issues.

9.3.10. Recommended LEVEL 2 action:

- 9.3.10.1. Detention (Friday) to complete portfolio items;
 - 9.3.10.2. Detention and parent contact if required;
 - 9.3.10.3. Teacher/class apology;
 - 9.3.10.4. Compulsory extra lesson attendance (House Director);
 - 9.3.10.5. Detention and Daily report;
 - 9.3.10.6. Letter of final warning;
 - 9.3.10.7. Detention and Daily subject report;
 - 9.3.10.8. Formal detention;
 - 9.3.10.9. Community service;
 - 9.3.10.10. Parent contact or interview.
- 9.3.11. Formal detentions not completed (more than three) may be referred to the Disciplinary Committee for an informal Disciplinary Meeting.

9.4. SERIOUS INFRINGEMENTS - LEVELS 3 & 4

- 9.4.1. LEVEL 3 and 4 offences are referred to House Directors who will do the necessary investigation of the incident and then refer the matter to the Disciplinary Committee for an informal Disciplinary Meeting.

9.4.2. LEVEL 3 infringements include:

- 9.4.2.1. Repeated LEVEL 2 offences.
- 9.4.2.2. Insubordination.
- 9.4.2.3. Insulting the dignity of or defaming a staff member or student.

- 9.4.2.4. Victimisation.
- 9.4.2.5. Bullying or any form of initiation.
- 9.4.2.6. Fighting.
- 9.4.2.7. Any form of discrimination.
- 9.4.2.8. Any form of sexual harassment, or inappropriate sexual behaviour on campus.
- 9.4.2.9. Possession and/or distribution of obscene or pornographic material, including on cell phones or personal devices.
- 9.4.2.10. Social media infringements.
- 9.4.2.11. Smoking or vaping 1st offence.
- 9.4.2.12. Possession of cigarettes, vaping materials or any other substances prohibited by the school.
- 9.4.2.13. Seriously threatening, disrupting or frustrating teaching or learning in a class.
- 9.4.2.14. Knowingly and wilfully supplying false information or falsifying documentation to gain an unfair advantage.
- 9.4.2.15. Distributing any test or examination material that may enable another person to gain an unfair advantage.
- 9.4.2.16. Infringement of exam rules and cheating.
- 9.4.2.17. Fraud, including the forging of any other person's signature.
- 9.4.2.18. Engaging in a conspiracy to disrupt the proper functioning of the School through collective action.
- 9.4.2.19. Repeated formal detentions.
- 9.4.2.20. Conduct that brings the School into disrepute.

9.4.3. Recommended LEVEL 3 action after an informal Disciplinary Meeting has been held:

- 9.4.3.1. Formal detentions;
- 9.4.3.2. Community service;
- 9.4.3.3. Parent contact or interview;
- 9.4.3.4. Withholding or withdrawal of privileges or awards;
- 9.4.3.5. Exclusion from extramurals, camps and tours;
- 9.4.3.6. Referral to a Formal Disciplinary Inquiry and/or Formal Disciplinary Hearing with the possibility of Suspension and Expulsion.

9.4.4. Students found guilty of a Level 3 Disciplinary offence will not be eligible for any awards or Colours for a calendar year from the date of the informal Disciplinary Meeting.

9.4.5. Students found guilty of a Level 3 Disciplinary offence in Grade 11 will not be eligible to apply for the Leadership Programme in their Grade 11 year but may be allowed to apply in their Grade 12 year.

9.4.6. Students on the Leadership Programme who are found guilty of a Level 3 Disciplinary offence will be suspended from the Programme for a period of time or required to step down from the Leadership Programme for the remainder of their term of office.

9.4.7. Students found guilty of a Level 3 Disciplinary offence on a camp or a tour will not be eligible to attend other camps or tours for a calendar year from the date of the informal Disciplinary Meeting.

9.4.8. LEVEL 4 infringements include:

- 9.4.8.1. Repeated LEVEL 3 offences.
- 9.4.8.2. Social media infringements
- 9.4.8.3. Smoking or vaping 2nd offence.
- 9.4.8.4. Major LEVEL 3 offence.
- 9.4.8.5. Criminal offences.
- 9.4.8.6. Possessing, consuming and/or distributing any substances prohibited by law, e.g. Drugs.
- 9.4.8.7. Possessing, consuming and/or distributing any Alcoholic products.
- 9.4.8.8. Possessing and/or using any weapons, dangerous toys or other dangerous items.

9.4.9. Recommended LEVEL 4 action after an informal Disciplinary Meeting, Formal Disciplinary Inquiry or Formal Disciplinary Hearing has been held:

- 9.4.9.1. Formal detentions.
- 9.4.9.2. Community service.
- 9.4.9.3. Parent contact or interview.

- 9.4.9.4. Withholding or withdrawal of privileges or awards.
- 9.4.9.5. Exclusion from extramurals.
- 9.4.9.6. The possibility of Suspension and Expulsion.
- 9.4.10. Students found guilty of a Level 4 Disciplinary offence will not be eligible for any awards or Colours for a calendar year from the date of the applicable Disciplinary Meeting.
- 9.4.11. Students found guilty of a Level 4 Disciplinary offence in Grade 11 will not be eligible to apply for the Leadership Programme in their Grade 11 year but may be allowed to apply in their Grade 12 year.
- 9.4.12. Students on the Leadership Programme who are found guilty of a Level 4 Disciplinary offence will be suspended from the Programme for a period of time or required to step down from the Leadership Programme for the remainder of their term of office.
- 9.4.13. Students found guilty of a Level 4 Disciplinary offence on a camp or a tour will not be eligible to attend other camps or tours for a calendar year from the date of the informal Disciplinary Meeting.
- 9.4.14. The Head of College and the Principal of the High School, who may involve the Board of Governors, must be notified for all recommendations for suspension and expulsion.

10. Disciplinary Meetings, Disciplinary Inquiries & Disciplinary Hearings

- 10.1. An informal Disciplinary Meeting or Formal Disciplinary Inquiry or Hearing will be held in the High School for serious offences that are causing potential harm to the physical or emotional safety and wellbeing of our students. Should a Disciplinary Meeting, Inquiry or Hearing be deemed necessary the process to be followed is outlined in the High School Disciplinary Procedure document (see Annexure A).
- 10.2. The Executive Head of College and High School Principal, who may involve the Governing Body members, must be notified of all recommendations for suspension or expulsion.
- 10.3. Should a student be charged with serious misconduct and, after a Formal Disciplinary Inquiry or Hearing has been held, it has been recommended that the student be expelled; such recommendation shall immediately be placed before the Board of Governors for consideration. The final decision regarding expulsion thus rests with the Board of Governors of Dainfern College.
- 10.4. The School reserves the right to suspend the student pending the Meeting or Disciplinary Inquiry or Hearing.

ANNEXURE A: HIGH SCHOOL DISCIPLINARY PROCEDURE

A structured process that aims to be fair, transparent and reasonable has been put in place at Dainfern College to ensure that a student's best interests as well as the interests of other students and staff at Dainfern College are considered when carrying out a Disciplinary Meeting, Formal Disciplinary Inquiry or Formal Disciplinary Hearing in the High School.

This document should be read in conjunction with the Dainfern College Code of Conduct for the High School as updated from time to time. The Code of Conduct is available on the College app and on the College website www.dainferncollege.co.za.

1. Constitution of the Disciplinary Committee

- 1.1. In each instance where a Disciplinary Meeting, Formal Disciplinary Inquiry or Formal Disciplinary Hearing is held, a Disciplinary Committee shall be constituted as follows:
 - 1.1.1. Senior members of staff or suitably qualified or experienced persons appointed by the School, one of whom will act as chairperson.
 - 1.1.2. The Head of Student Wellbeing;
 - 1.1.3. The School Counsellor;
 - 1.1.4. The relevant House Director or Grade Head.
 - 1.1.5. Any other person, at the discretion of the chairperson.

2. Procedure to manage serious infringements of the Code of Conduct

- 2.1. The chairperson of the Disciplinary Committee who will conduct the Disciplinary Meeting, Formal Disciplinary Inquiry or Formal Disciplinary Hearing, will indicate to the House Director or appointed School representative beforehand what investigation, written statements and parent communication will be required before and during the Disciplinary Meeting or Formal Disciplinary Inquiry or Hearing, and appoint a staff member to take minutes.

2.2. Investigation

The relevant House Director or a suitably appointed person will investigate any incident that has been brought to his/her attention, by:

- 2.2.1. Notifying the Principal and/or Head of Discipline of the incident.
- 2.2.2. Phoning the parents/guardian of the student being investigated, as well as other persons affected, in order to notify them that the incident is being investigated (no later than 24 hours after the incident).
- 2.2.3. Informing the parents of all students affected (the student/s involved in the incident as well as witnesses) that statements will be taken so as to investigate the incident thoroughly.
- 2.2.4. Once parents have been informed, interviewing and attaining written statements (signed and dated) of the incident from the student(s) being investigated as well as from students who witnessed the incident.
- 2.2.5. Interviewing and attaining written statements (signed and dated) of the incident from the staff member/s and/or all other adult witnesses who were involved in the incident.

2.3. Notification

After the investigation has been completed, a decision will be made whether to proceed with a Disciplinary Meeting or Formal Disciplinary Inquiry or Formal Disciplinary Hearing. Once confirmed that a Disciplinary Meeting, Formal Disciplinary Inquiry or Formal Disciplinary Hearing will be held, the House Director or person appointed must then:

- 2.3.1. Notify the parents/guardian and the student concerned of the Disciplinary Process that will follow (with at least two working days' notice) in writing. The notification must:
 - 2.3.1.1. State when and where the Disciplinary Meeting/Inquiry/Hearing is to be held.
 - 2.3.1.2. State the name of the person chairing the Disciplinary Meeting/Inquiry/Hearing.
 - 2.3.1.3. State the substance of the complaint or complaints against the student.

- 2.3.1.4. Advise the student and his/her parents or guardian that they are expected to attend the Meeting/Inquiry/Hearing as their non-attendance may prejudice their case and result in the Meeting/Inquiry/Hearing being held in their absence.
- 2.3.1.5. Provide the parents/guardians with an original and a copy of the notification which is to be signed by the parents and the student and returned to the House Director; and
- 2.3.1.6. Where appropriate, advise the student and his/her parents or guardian that a friend, family member or other teacher may be chosen by the student to be present in a supportive capacity.

2.4. Procedure

- 2.4.1. The House Director or person appointed is then required to:
 - 2.4.1.1. Prepare and present the required documentation at the Meeting, Inquiry or Hearing.
 - 2.4.1.2. Follow up on decisions made at the Meeting, Inquiry or Hearing.
 - 2.4.1.3. Communicate with the parents/guardians of the student concerned and any other persons affected after action has been taken (possibly with the assistance of the School Counsellor).

3. Guidelines when conducting a Formal Disciplinary Inquiry or Disciplinary Hearing

3.1. Chairing a Disciplinary Inquiry or Disciplinary Hearing

- 3.1.1. The conducting of the Disciplinary Inquiry/Hearing is of great importance and must be chaired by an objective senior School official or a suitably qualified or experienced third party.
- 3.1.2. The Inquiry/Hearing chairperson will be responsible for leading and managing the process, and making the critical decision as to:
 - 3.1.2.1. The guilt or innocence of the student relative to the allegations made; and
 - 3.1.2.2. The appropriate sanction/action to be taken, ONLY after due consideration of mitigating and aggravating factors.
- 3.1.3. The chairperson shall have broad discretion to determine the manner in which evidence is led and in which the proceedings are to be conducted.

3.2. Natural justice

- 3.2.1. To ensure that this crucial procedure is properly and fairly conducted, all Disciplinary Inquiries/Hearings should be conducted in such a way as to ensure that the rules of natural justice are complied with, i.e. the student and parent:
 - 3.2.1.1. Must properly understand the allegations being made before commencing with the Inquiry/Hearing.
 - 3.2.1.2. Should be presented with all the relevant facts and information relating to the allegations.
 - 3.2.1.3. Must be given the opportunity to question information provided and evidence led
 - 3.2.1.4. Are entitled to present their own perspective and explain/defend the student's actions, and if appropriate, lead evidence in support of the student's defence, including, at a Formal Disciplinary Inquiry or Hearing, the calling of witnesses.
 - 3.2.1.5. Must be treated with dignity and respect throughout the process.
 - 3.2.1.6. Are to be assured of the greatest confidentiality possible.
 - 3.2.1.7. Must be advised of the outcome [verdict] of the Inquiry/Hearing, the decision made regarding sanction, and the reasons for such decisions.
 - 3.2.1.8. Must be offered the right to appeal against any decisions made by the chairperson.

3.3. Legal representation

- 3.3.1. Legal representation is not permitted at an informal Disciplinary Meeting.
- 3.3.2. Legal representation at formal Disciplinary Inquiries or Hearings is not permitted, unless both the School and the parents agree that it is appropriate for both parties to be professionally represented.

4. Factors to consider for a Disciplinary Inquiry/Hearing

In addition to the general guidelines outlined above, the following should be considered in the convening and outcome of a Formal Disciplinary Inquiry/Hearing:

- 4.1. The Inquiry or Hearing shall be convened within 14 days of the alleged offence having been reported to the Head of Discipline and/or Principal, unless there are circumstances that make this impossible.
- 4.2. The investigator shall inform the student(s) and his/her/their parents in writing of the charge against the student(s). Details of the time and venue of the Inquiry/Hearing are also to be provided.
- 4.3. Separate Disciplinary Inquiries/Hearings may be convened to hear the case of different students involved in the same alleged act of misconduct (see 8 below).
- 4.4. The student(s) has/have a right to have his/her/their parents present at the Inquiry/Hearing. If this is impossible, the parents(s) may request in writing that another adult be present in their place. Their absence, unless with good cause, will not be allowed to delay the Inquiry/Hearing unnecessarily.
- 4.5. The Inquiry/Hearing will be conducted in the language of instruction of the College, English. If any translation or interpretation is required by the student(s) or his/her/their parents, they may provide it at their own expense.
- 4.6. The chairperson of the Inquiry/Hearing must be impartial. He/she cannot have been involved in any way in the investigation of the alleged offence, and if he/she is materially affected in any way, he/she may not chair the Inquiry/Hearing.
- 4.7. The student's best interests must be considered at all times. This must be tempered by the responsibility of the chairperson of the Inquiry/Hearing to the rest of the School community.
- 4.8. At the conclusion of the evidence on the merits, the chairperson must determine whether the student is guilty of the misconduct alleged in the notification of the Formal Disciplinary Inquiry/Hearing. Decisions taken shall be guided by the Code of Conduct, but shall reflect the individual merits of each unique case.
- 4.9. The chairperson's findings should be based only on evidence presented at the Inquiry/Hearing.
- 4.10. No finding of misconduct should be made in respect of infringements for which prior notice was not given or where there was not a proper opportunity to challenge the allegations. In the case of such a secondary complaint(s) a second Meeting, conducted in the same informal manner and subject to the same principles as the first, should be held to determine the appropriate sanction for that complaint.
- 4.11. A decision shall be reached within five working days of the Inquiry or Hearing, and presented, in writing, to the parties concerned. The student and parents shall sign for such letter.
- 4.12. If the student is found guilty of any misconduct, the chairperson must briefly state the reasons for the finding and the sanction imposed.
- 4.13. This notification must include a reminder that the student has the right to appeal in writing against any action decided upon, within five (5) days of the Inquiry or Hearing's outcome being communicated.
- 4.14. In the event that the recommended sanction is expulsion, such recommendation shall immediately be placed before the Board of Governors for consideration. The final decision regarding expulsion rests with the Board of Governors of Dainfern College.
- 4.15. The chairperson must ensure that a record or summary of the evidence led at the Inquiry or Hearing is kept. The School must keep copies of the record and all documentation used at the Inquiry or Hearing for at least three months after the conclusion thereof.

5. Appeal Review process

- 5.1. The student has the right to appeal against any formal disciplinary action imposed by the School following a Disciplinary Inquiry or Hearing.
- 5.2. Lodging an appeal against a decision to suspend or expel the student after a Disciplinary Inquiry or Hearing only entitles the student to an Appeal Review. Typical grounds for such an Appeal Review may include:
 - 5.2.1. The disciplinary procedure was not properly followed.
 - 5.2.2. The decision on guilt was not considered correct or fair.
 - 5.2.3. The decision regarding action to be taken was considered inappropriate.
 - 5.2.4. Mitigating factors were not properly considered.
 - 5.2.5. The Inquiry/Hearing chairperson was considered to be biased, did not apply his/her mind, or is deemed to have made a subjective decision.
 - 5.2.6. The student was not in a position to properly present his or her case.
 - 5.2.7. New and relevant evidence can be presented which may affect the decisions made.
- 5.3. The parent/s of the student wishing to appeal must motivate their appeal in writing, detailing in full their grounds for the Appeal. The Request for Appeal must be submitted to the School within five (5) days of the Inquiry or Hearing chairperson's decision having been communicated to the parents so as not to delay proceedings.
- 5.4. If the student has been suspended pending the completion of the Inquiry or Hearing process, the submission of a Request for Appeal will not affect the suspension which will remain in effect until the Appeal process has also been concluded. In the case of any other formal disciplinary action being imposed by the Inquiry/Hearing chairperson, the imposition of such action will be held in abeyance pending the Appeal process.
- 5.5. The student's basic right to appeal against disciplinary action does not ordinarily mean that all the matters raised at the Disciplinary Inquiry/Hearing will be 're-heard'. The Appeal Review procedure is generally limited only to reviewing the decisions made, and is based on the grounds and motivations lodged in the Request for Appeal. A full Appeal Re-Inquiry/Hearing is ONLY necessary when the Disciplinary Inquiry/Hearing process is considered to have been materially defective by the person responsible for the Appeal Review, or if the decisions reached at the Inquiry/Hearing are considered to be potentially suspect.
- 5.6. The Review, or Re-Inquiry/Hearing, should wherever possible be conducted within five (School) days of receipt of the Appeal motivation.
- 5.7. The Principal or Executive Head of College shall lead the Appeal Review process. The School may elect an appropriate person or panel to conduct the Appeal Review, or Second Re-Inquiry/Hearing if considered necessary.
- 5.8. Once a decision has been made by the Review or Re-Inquiry/Hearing chairperson/panel, a written finding must be provided to the parents within a further five days. The findings should indicate the Review's response to the specific matters raised in the Appeal motivation. A copy is to be signed by the parent and returned to a member of the Disciplinary Committee the next School day.
- 5.9. All correspondence is to be filed in the student's file, and copies of such correspondence shall be given to the relevant House Directors and all concerned parties.
- 5.10. **Appeal Re-Inquiry/Hearing Process**
 - 5.10.1. Should an Appeal be deemed to have merit, usually due to a defective Disciplinary Inquiry or Hearing process or substantial new evidence having come to light after the Inquiry/Hearing, a full Appeal Meeting or Re-Inquiry/Hearing should be conducted in accordance with the principles highlighted above, chaired by a new chairperson.
- 5.11. The conclusion of the School's appeal procedure is the final step in the School disciplinary process and marks the exhaustion of internal disciplinary measures.

6. Request to withdraw the student from the School

- 6.1. If the sanction contemplated for an incident of Serious Misconduct is expulsion from the School, the Principal may request a meeting with the parents/guardian prior to holding a Formal Disciplinary Inquiry/Hearing. The purpose of the discussion would be to determine whether or not Dainfern College is the best environment for the student, given the Serious Misconduct and taking into account the student's record at the School.
- 6.2. The Principal may give the parents/guardians the option to remove the student from the School. If the parent/guardian agrees they will then inform the School in writing that they intend to remove the student from School. The Principal will confirm this in writing to the parent.
- 6.3. If, after this discussion, the parent decides not to remove the child, the School will continue with convening a Formal Disciplinary Inquiry/Hearing to deal with the matter.
- 6.4. In any discussion with parents in this regard, the School should have a suitable witness present.

7. Communication of the outcomes of Disciplinary Inquiries and Hearings

- 7.1. The strictest confidentiality must be adhered to regarding the circumstances and outcomes as most Inquiries and Hearings will be dealing with minors. In this regard the School undertakes to inform only those College employees and officials as is necessary for the continued smooth functioning of the College. The amount of information to be given to other members of the School community is left to the Principal's discretion.
- 7.2. If deemed appropriate, the Principal may announce the findings and sanctions of Formal Disciplinary Inquiries/Hearings during an assembly to the student body, and/or through the School newsletter to the parent body, without identifying the student/s involved.

8. Collective Disciplinary Action

- 8.1. The above Disciplinary Procedure is principally designed to deal with instances of misconduct by individual students. Allegations of misconduct by a group or groups of students, or involving several alleged infringements of a similar nature, constitute collective misconduct.
- 8.2. Collective misconduct may be dealt with more effectively on a collective basis. A single investigation and Disciplinary Meeting or Inquiry/Hearing may then be held, subject to the principles set out above, adapted where necessary.
- 8.3. In a collective Disciplinary Meeting or Inquiry/Hearing, individual students still should be given the opportunity to demonstrate that their circumstances differ from the rest of the group.
- 8.4. The School reserves the right to adopt either individual or collective procedures as it deems appropriate.