



MILNERTON HIGH SCHOOL
ADMINISTRATION
SCHOOL CODE OF CONDUCT

PREAMBLE TO THE CODE OF CONDUCT

This **Code of Conduct** for Milnerton High School, established under the South African Schools Act (Act No. 84 of 1996) and aligned with applicable provincial regulations and national laws, promotes a disciplined, safe, and respectful learning environment. It upholds the fundamental rights enshrined in the **Bill of Rights** of the **Constitution of the Republic of South Africa (Act No. 108 of 1996)**, fostering an atmosphere conducive to education personal development and the well-being of the community. No person may unfairly discriminate against a learner and all learners shall receive equal protection and benefits of the law.

Moral Values, Norms, and Principles

The Code of Conduct contains a set of moral values, norms, and principles that guide learner behaviour and the overall ethos of the school community centred on respect. These include respect for oneself and others, integrity, responsibility, and commitment to learning. These values are integrated into all school activities and curricula to foster a morally sound learning environment.

Standards of practices in respect of conduct shall comply with considerations of reasonableness, fairness and administrative justice. As a guide to what this shall look like in the school context at Milnerton High School, Codes of Good Practice have been developed, loosely termed policies, for a number of focus areas. These may be accessed on the school website.

Student Responsibilities and Rights

Development and Participation: Learners are expected to actively engage in their education and school community, contributing positively and respecting the school's moral values and norms.

Attendance and Uniform: Regular attendance and adherence to the school uniform policy are mandatory, fostering a disciplined environment conducive to learning.

Environment: Learners share the responsibility for maintaining a clean, safe, and secure learning environment.

Freedom of Expression

Freedom of expression is respected within the bounds of school safety and order. It does not extend to disruptive, disrespectful, or harmful behaviours. Every learner has inherent dignity and has the right to have his/her human dignity respected. This implies mutual respect including respect for one another's convictions and cultural traditions. Vulgar words, insubordination and insults are not protected speech.

Roles and Responsibilities of Stakeholders

The Code of Conduct clarifies the roles and responsibilities of various stakeholders—including learners, educators, administrative staff, parents, and the governing body in creating and maintaining a proper learning environment. Each stakeholder's contributions are defined to ensure collaborative and effective management of the school.

Parental Involvement

Parents are encouraged to participate in school governance and support their children's educational responsibilities and rights, ensuring a collaborative environment between home and school. This includes working with the school to ensure corrective behaviour.

Legal Authority for Control and Discipline

The legal authority for the control and discipline of learners is vested in the educators and the governing body, as outlined by the South African Schools Act. This authority must be exercised within the bounds of the law and with full respect for the rights and dignity of each learner. The teacher has the responsibility to ensure that the education of learners proceeds without disruption and offences, and in doing so, to teach learners self-discipline. Educators may use reasonable measures where necessary to restrain a learner from harming him/herself or others. Educators as disciplinarians must resolve disciplinary problems which are not serious enough to be referred to the governing body.

It is noted that the deviation from the specifics of any Code of Good Practice in the management of its stipulated focus area, shall not in itself delegitimise such management, provided that the school shall bear the onus on being challenged, to give for such deviations reasons that address reasonableness and fairness. In every case the ordered well-being of the school community shall take preference over personal tastes of the individual learner, but subject to reasonableness and fairness.

Learner Representative Council and learner leadership.

All learners in general and the Learner Representative Council and its members individually as well as the senior learners in the school in particular must promote proper conduct of the learners within the school, but it is beyond the law to delegate authority to discipline learners to fellow learners. Learners are partners with other members of the school and are not in charge of the school.

Bullying and Cyberbullying

The issue of bullying, including cyberbullying, will be addressed with zero tolerance. Policies are in place to manage and mitigate bullying through proactive education, clear reporting mechanisms, and stringent disciplinary actions for offenders. Support systems for victims will be emphasized to ensure their safety and well-being.

Learner Attendance

Regular attendance is mandatory as it directly impacts learners' academic performance and social development. The school will manage attendance issues through clear policies that require parents or guardians to notify and justify absences. Unexplained or chronic absenteeism will be addressed through counselling and may lead to disciplinary action if persistent.

School Uniform

The school uniform must be worn as prescribed in the school's regulations, fostering a sense of community and equality among learners. Management of uniform policy will include checks for compliance and support for families who may need assistance in acquiring the required attire. Non-compliance will be handled first through reminders and, if persistent, through more formal measures.

Additional Provisions

Suspension and expulsion Procedures: Suspension and expulsion is considered only in cases of severe breaches of the Code of Conduct and is carried out with strict adherence to due process, including the right to a hearing, appeal, and representation and after every effort has been exhausted to correct the behaviour of the learner and all decisions leading to suspension or expulsion must take cognizance of applicable laws. However, the seriousness of the offence will determine the corrective measure to be taken, and it may be, in cases of certain serious misconduct, that expulsion will be recommended on the first offence.

Search and Seizure: Procedures for search and seizure are clearly outlined to ensure they are conducted legally and ethically, respecting the privacy and rights of the learners involved.

Support and Counselling: Support mechanisms, including counselling, are available to learners involved in disciplinary proceedings or those affected by issues such as bullying or other conflicts within the school. If a learner misbehaves, especially when the learner is normally very well-behaved, school staff should consider whether the misbehaviour may be linked to the child suffering, or being likely to suffer, significant harm. In this case the school staff should consider referring the learner to the education district office. In cases where a learner cannot adjust to the school and where his/her behaviour is objectionable in that it violates the rights of others, he/she will be referred to the principal. Through consultation with his/her educators, and the site of learning-based team in consultation with the parents

or guardians every effort should be made to assist him/her to adjust. This will include referral to the education support services for treatment. If all these efforts fail, the principal will refer the matter to the governing body, which may make a decision in the best interest of the learner and the other learners at the school

Criminal behaviour: If the behaviour of a learner is criminal or criminal in nature or poses a serious threat to a member of the school community, the local South African Police Services should always be informed.

Corporal punishment and confinement: Corporal punishment has been abolished and is prohibited, along with solitary confinement during detention.

PURPOSE OF THE CODE OF CONDUCT

The Code of Conduct is designed to communicate what Milnerton High School stands for in terms of its values and principles, including honesty, integrity, community, respect, tolerance and diligence, what behaviour we encourage, and what behaviour we discourage. In short, it reflects what the school community which you have voluntarily joined, expects you to support. It includes the measures we use to discourage behaviour deemed to be undesirable and/or inconsistent with the School's value system.

PRINCIPLES GOVERNING THE CODE OF CONDUCT

1. Rules and sanctions are intended to set the tone for the well-being of the school community and hence are 2-faceted: individually corrective to improve behaviour, and corporately protective of the school community.
2. Rules and sanctions must be simple and clear.
3. Rules must be enforceable.
4. Rules and procedures must be applied consistently and timeously, observing due process.
5. Rules and procedures must be both inherently and visibly fair.
6. Ongoing education of how rules, procedures and sanctions support the school community value system must be communicated to staff, learners and parents.

SCOPE

The scope of the Code of Conduct includes the physical premises, proximity to, in transit to and from school; representation of the school either by being dressed in official school or sports uniform, or by means of participation in school related activities, whether in uniform or not (i.e. tours, events etc), or any other situation where the learner is recognisable as a Milnerton High learner, or when the connection to Milnerton High, whether physical or digital, is clear. The principle of *in loco parentis* implies that an educator at the school shall have the same rights as a parent to control and discipline the learner according to the Code of Conduct during the time the learner is in attendance at the school, any classroom, school function or school excursion or school related activities

THE LUX ESTO PLEDGE

I acknowledge reading and understanding The Milnerton High School Code of Conduct and pledge to abide by it to uphold its principles and values as a member of Milnerton High School and expect to be held accountable.

As a Milnerton High School learner it is **my responsibility** to:

- desist from undermining the values and ethos of the school community ;
- respect the rights of all others and their property ;
- allow and encourage my fellow learners to learn and my teachers to teach without hindrance ;
- attend all classes ;
- complete all assignments on time and to the best of my ability ;
- complete all work missed as a result of absence ;
- make full use of the opportunities the school has to offer and encourage others to do likewise ;
- settle differences and conflicts in a non-violent way ;
- keep the school clean and in good repair ;
- uphold the Code of Conduct.

As a Milnerton High School learner I have a **right** to

- be (and have my property) treated with respect by staff and learners at the school;
- expect well-prepared lessons from all teachers and have reasonable access to my teachers for guidance and advice during school hours;
- enjoy a classroom atmosphere that is conducive to effective learning;
- know how each assignment will be evaluated;
- receive timeous feedback on work done;
- work in a clean and safe environment.

CLASSROOM CODE OF CONDUCT

The classroom atmosphere which we all will work hard to develop, is:

- open and tolerant;
- friendly and kind;
- relaxed and controlled;
- positive and challenging;
- honest and sincere.

In our class we will:

- not discriminate unfairly;
- not raise our voices unnecessarily;
- not put pressure on any person unfairly;
- try to avoid being punished as a group for individual behaviour.

We come to class:

- well prepared for our lessons;
- with all relevant books and equipment;
- ready to work immediately;
- punctually.

We all:

- look after our school facilities and equipment;
- tolerate and affirm individual differences of opinion;
- accept that people have different values, needs and abilities;
- respect each other's RIGHT TO LEARN!

DISCIPLINARY PROCESS

Milnerton High School follows a **tiered disciplinary process**, ensuring that corrective actions match the severity of the misconduct. The process complies with the **Regulations Relating to Disciplinary Procedures for Learners in Public Schools** (Western Cape Provincial Gazette No 6939, 201. Standards of practices in respect of conduct shall comply with considerations of reasonableness, fairness and administrative justice. The nature and context of the misconduct may preclude lower-level interventions.

UNDESIRABLE CONDUCT AND SUGGESTED SANCTIONS

The severity of the offence will bear the appropriate level of sanction which may include but is not limited to, the following, or a combination of them. Upon investigation of any alleged offence the Code of Conduct Committee, Grade Heads or School Management Team reserves the right to treat each case on its own merits.

The following sanctions may be applied to all learners of Milnerton High School for transgressions as follows:

LEVEL ONE

UNDESIREABLE CONDUCT
<p>DISRUPTIVE CONDUCT: Including but not limited to the following:</p> <ul style="list-style-type: none">• Disruption of class or defiant behaviour.• Any behaviour that threatens learning and teaching.• Not following reasonable instructions, e.g., refusing to work• Talking in class, lines, assemblies, during announcements, eating in class etc.• Copying of homework.• Late arrival for class, lines, during assemblies, meetings, etc.• Continuously being late for class
<p>DISRESPECTFUL CONDUCT: Including the following but not limited to:</p> <ul style="list-style-type: none">• Disrespectful behaviour/language in the presence of educators/persons in authority and towards other learners• Minor vandalism, e.g., tagging & writing on desks• Neglecting/damaging schoolbooks• General disregard for School Code of Conduct.• Not conforming to school uniform• Misuse of cell phone, as set out in cell phone policy of school.

LEVEL 1 SANCTION

The severity of the offence will bear the appropriate level of sanction which may include but is not limited to, the following, or a combination of them:

- Time Out; Latecomers DT; Detention; Repair book/payment of total cost of book; Repair/payment for loss/damage of school property; Parent discussion/interview; Grade Head intervention; Any appropriate restorative act or programme; Writing out and or Bi-Colour; referral to Grade Head.
- It is envisaged that the application of Level 1 Sanctions falls under the ambit of classroom management and should be applied by the class teacher in consultation with the Grade Head.

LEVEL 2

UNDESIRABLE CONDUCT

Including the following but not limited to:

- Repeated Level 1 infringements
- Bunking Class
- Truancy
- Disruption of class
- Vandalism, including destruction, damage or disfigurement of property
- Inciting/Engaged in fighting, bullying behaviour.
- Possession of cigarettes, e-cigarettes and vapor or the like
- Smoking cigarettes, e-cigarettes, or vaping
- Use of humiliating and suggestive language and signs, includes the use of memes, caricature, and suggestive material
- Obstruction of educators right to do their job and obstruction of any other learner's right to learn
- Out of bounds within school grounds
- Misuse of cell phone in a manner that infringes on another's right to privacy and or dignity.

LEVEL 2 SANCTION

The severity of the offence will bear the appropriate level of sanction which may include but is not limited to, the following, or a combination of them:

- Level 1 sanction and Parent Discussion; School Detention and or Principal's Detention; Replace/Restore/Bear cost of School Property that has been damaged; Community Service; an appropriate restorative act or programme; Confiscation of Phone – handed to parent/ Discussion and appropriate reflection on behaviour; Removal from class by the Code of Conduct.
- It is envisaged that Level 2 sanctions be applied by Grade Heads, Code of Conduct Committee and or School Management Team in consultation with relevant stakeholders.

LEVEL 3

UNDESIRABLE CONDUCT

Subject to the provisions of the Act, a learner at a school who—

- used or had in his or her possession or sells or distributes a dangerous object, alcoholic liquor, illegal drugs, or prescribed medication used without medical guidance;
- commits an act of bullying or assault;
- commits an act of theft;
- commits an act of arson, or malicious damage to property;
- commits an act of gross insubordination;
- engages in immoral conduct;
- is in possession of or uses any unauthorised copy of a test or examination question paper, or cheats, distributes, trades, bribes or attempts to bribe any person in respect of any test or examination, with the intention of enabling himself or herself, or any other person, to gain an unfair advantage;
- uses hate speech, makes himself or herself guilty of racism, sexism, sexual harassment;
- possesses or distributes pornographic material;
- engages in any act of public indecency;
- endangers the safety or threatens fellow learners or educators;
- disrupts the school programme or violates the rights of others;
- falsely identifies himself or herself, or knowingly and wilfully supplies false information or falsifies documentation to gain an unfair advantage at school;
- repeatedly being found guilty of transgressing the learner's code of conduct;
- conducts himself or herself in a disgraceful, improper, or unbecoming manner;
- conducts him or herself inconsistently with the values and ethos of the school community;

may be guilty of serious misconduct.

LEVEL 3 SANCTION

The severity of the offence will bear the appropriate level of sanction which may include, but is not limited to, the following, or a combination of them:

- Community Service; Disciplinary Suspension; Parent discussion/involvement; Expulsion; Police involvement; Compensation for damages to school or private property; Double previous punishment; Final written warning/contract; Immediate removal from the school premises; Handed over to the Police immediately; Governing Body hearing that can lead to suspension and/or recommendation for expulsion (upheld by the HOD); safety suspension until the learner can prove that he/she is clean, furnishes proof of registration at institution for rehabilitation; Removal of all privileges/defined privileges; Removal from class by Code of Conduct; Special programme on topic; Restorative practice; Suspension/writing future exam or test in isolation (parent to pay for invigilation); Academic irregularity policy implementation
- It is envisaged that with the serious nature of the offences under Level 3 of the Code of Conduct that the Code of Conduct Committee, together with School Governing Body as mandated by the principal investigate and apply the relevant sanctions. The Sanction should be applicable to the offence and where possible restoration and rehabilitation should take place, but with due regard to the best interests of the School Community as a whole.

LEARNERS RIGHTS TO DUE PROCESS IN THE EVENT OF SERIOUS MISCONDUCT

Notification: Prior to any disciplinary action, the learner and their parent or guardian are formally notified in writing. This includes a detailed charge sheet issued at least 5 school days before the disciplinary hearing, outlining specific allegations, evidence, and potential consequences.

Representation: Learners have the right to be accompanied by a parent, guardian, or a designated adult, which may include a legal representative, during disciplinary proceedings, ensuring support and protection of their rights.

Disciplinary Hearing: A formal hearing provides a fair and unbiased platform for all parties to present their case. This hearing respects the principles of impartiality and fair assessment.

Documentation and Appeal: Outcomes of disciplinary hearings are documented and communicated in writing, with details on how to appeal provided if necessary.

Regulatory Compliance: Procedures adhere to the 2011 Western Cape regulations on suspension and expulsion, ensuring fairness and legal integrity.

Continuity of Education: Suspended learners receive educational support to minimize disruptions to their learning process.

Right to Fair Consideration: Disciplinary measures must be reasonable, appropriate, and aligned with the severity of the offence.

Procedure for Serious Misconduct

- The principal or a designated staff member will investigate the alleged misconduct.
- If the investigation reveals that serious misconduct may have occurred, the learner will receive a **charge sheet**, outlining the details of the allegations and the date, time, and venue for a disciplinary hearing. The charge sheet will be provided at least **five school days** before the hearing.
- The School Governing Body will conduct the hearing, allowing the learner and their representative to respond to the charges.
- The SGB may recommend suspension or expulsion, which is subject to confirmation by the HOD in compliance with the 2011 regulations. Importantly, a learner may only be referred for suspension or expulsion by the SGB, and not the disciplinary panel or the principal.

Right to Appeal: A learner or their parent/guardian may appeal any decision of suspension or expulsion by submitting a written appeal to the HOD within **five school days** of receiving the disciplinary ruling. The appeal process will follow the procedural fairness outlined in the Western Cape Education Department guidelines.

REGULATION PERTAINING TO APPEARANCE:

1. Learners must wear their School uniforms as laid down in the Prospectus. The wearing of the correct School uniform is always compulsory when learners represent or attend the School, except when an announcement is made to the contrary.
2. Blazers are compulsory for all non-sporting functions where the learners represent the school. If any part of the uniform is incorrect or missing, there must be written communication from the learner's parents which must be signed by the Grade Head before 09:00.
3. Only the correct size of navy-blue jerseys with School colours may be worn. Plain Navy-blue rainwear may be worn in the rain over the school blazer to keep it dry outside of the building.
4. Navy scarves may be worn in winter during School hours, except in assembly or formal occasions.
5. School uniform may not be mixed with "civvies", nor may sports clothes be mixed with School uniform. Non-regulation items of clothes not removed on request will be confiscated.
6. All articles of clothing must be clearly labelled with the learner's name.
7. Trousers must be of an acceptable width: not too wide or too narrow. Skirts must neither be too long nor too short.
8. Hairstyles and Grooming
 - a. The premise of our hairstyle policy is three-fold:
 - i. It should emphasize the corporate image we are trying to instil in our learners, i.e. it should be neat and make us proud; and
 - ii. It should not attract unfavourable attention.
 - iii. Dyed hair must be a natural hair colour.
 - b. Boys' hair:
 - i. must be neat and tidy and cut evenly in a conventional style i.e., no so-called radical fashion styles are accepted.
 - ii. Hair must not touch the collar or fall onto the face.
 - iii. Sideburns must not extend lower than the middle of the ear.
 - iv. No dyed, tinted, streaked or bleached hair or "tails" are permitted.
 - v. Boys must also be clean shaven.
 - vi. Pony tails and "man buns" are not allowed.
 - c. Girls' hair:
 - i. Braids must be of a natural hair colour and match the learner's hair.
 - ii. Ornaments or beads of any kind are deemed to fall into the category of jewellery and consequently are not allowed.
 - iii. All learner's hair should be neat and reflect a pride in their appearance. Plain Alice bands that are the school colours are allowed.
 - iv. Only black, navy blue or white hair bands or clips are to be used for ponytails.
 - v. Hair should be cut or tied up so as not to fall onto the face.

9. Tattoos are discouraged and are requested to be covered where possible.
10. NAILS: The 2 mm rule applies. No nail polish allowed except clear lacquer.
11. No make-up is allowed.
12. Learners may not wear jewellery or ornaments, except for medic-alert discs/bracelets.

Girls may wear gold/silver studs or small, plain sleeper, or small hoops not exceeding 1 cm in diameter. They may have one per ear in the lobe.
13. Clear piercing retainers are allowed.
14. Conventional black School shoes (not boots) must be worn.

CONCLUSION

This Code of Conduct serves as the cornerstone for maintaining discipline, respect, and a supportive learning environment at Milnerton High School. All learners are expected to know and to adhere to school and classroom rules and ignorance of these rules is not an acceptable excuse. By adhering to this Code, learners contribute to a safe and enriching educational experience that fosters academic success and personal growth. The school will enforce the Code fairly and consistently, with a focus on restorative justice, while respecting the legal rights of learners as set out in the relevant legislation.

SCHEDULE OF RELEVANT LEGISLATION

- Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) – Bill of Rights
- South African Schools Act, 1996 (Act No. 84 of 1996)
- Children's Act, 2005 (Act No. 38 of 2005)
- National Education Policy Act, 1996 (Act No. 27 of 1996)
- Western Cape Provincial Gazette No. 6939 (2011) – Regulations Relating to Disciplinary Procedures
- Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)

SIGNATURES




SGB Chairperson



Deputy Principal

06/02/25
Date

06/02/25
Date



Principal



Head of Code of Conduct Committee

06/02/2025
Date

06/02/2025
Date