

Roots Gymnasium Learner Conduct Policy



Approved by:	Approval Date:	Next Reviewed:
Senior Leadership Team	February 2023	January 2025

Policy Name: Roots Learner Conduct Policy

Date of Next Review: Date 2 years from approval for Contact Officer to review policy.

Related Policies:

- Substance Abuse Policy
- Anti-Bullying Policy
- ICT Policy
- Academic Honesty Policy
- Code of Conduct Policy
- Inclusion Policy
- Access and Admissions Policy

Overview:

This document sets out the educational philosophies and principles as well as procedures and rules which govern the school life and activities of both staff and learners at Roots Gymnasium School. Success is achieved when staff, parents and learners cooperate in the learning process. Roots' main purpose is to nurture a cultural and intellectual response to our world. This acknowledges that learning best takes place in a positive and caring environment in which each learner can be seen as an individual.

The school's desired culture is:

- unity of purpose between staff, learners and parents;
- life-long learning;
- to instil critical thinking;
- to allow freedom with responsibility;

- develop an awareness of community;
- hard work;
- to celebrate diversity.

We encourage involvement in school life, believing that involved people feel more fulfilled and are more successful. This creates a sense of belonging and connectedness and builds loyalty to each other and the school. Academics, Sport, and Cultural activities all offer opportunities for involvement. To this end, each learner must participate in at least one activity in each of the first two terms and once committed to an activity, may not withdraw without good reason. Parents and learners are directed to other school codes and guidelines that regulate the smooth running of the school.

Reason for Policy:

Roots Gymnasium's Disciplinary Policy sets out the procedures and process for our staff and learners to follow when dealing with inappropriate behaviour and choices. The Roots Learner Conduct Policy supports our Whole School Behaviour Management Plan which outlines our system for facilitating positive behaviour, preventing problem behaviour, and responding to unacceptable behaviour. Through the consistent implementation of our Whole School Behaviour Management Plan and our shared expectations highlighted in our Code of Conduct, learners are made aware of the expectations of the school and the consequences for their behaviour, assisting Roots Gymnasium School to create and maintain a positive and productive learning and teaching environment.

DISCIPLINARY CATEGORIES

Action will be taken against a learner who behaves in an inappropriate manner or who fails to comply with the usual methods of discipline described below. Each case will be seen and judged according to the context of the event and the history of the learner/s involved. At times decisions are taken that safeguard the educational and personal rights of other learners and the staff.

Our school's administrative program, D6, will be used to record violations (demerits) and recognitions (merits). Different level offences carry different weightings:

- Level 1 violations = -1
- Level 2 violations = -3
- Level 3 violations = -5
- Recognitions = +3

Below is a list of violations and recognitions:

DESCRIPTION	LEVEL / CATEGORY	TYPE	POINTS
Arrogant / Bad mannered	Level 1	Violation	-1
Blatantly disobedient	Level 1	Violation	-1
Chewing gum	Level 1	Violation	-1
Forgot books	Level 1	Violation	-1
Use of Cellphone during school hours	Level 1	Violation	-1
Homework not done	Level 1	Violation	-1
Late for school/class	Level 1	Violation	-1
Keeps on talking in class	Level 1	Violation	-1
Backchat leaders / teachers	Level 1	Violation	-1
Disruptive behaviour (talkative; trying to be funny etc.)	Level 1	Violation	-1
Shouting out	Level 1	Violation	-1
Playing / running around in classroom	Level 1	Violation	-1
Test not signed	Level 1	Violation	-1
Leave class without permission	Level 1	Violation	-1
Disobedient	Level 1	Violation	-1
Appearance not correct	Level 1	Violation	-1
Bad manners	Level 1	Violation	-1
Copy homework	Level 1	Violation	-1
Littering	Level 1	Violation	-1
Dishonouring	Level 2	Violation	-3
Fighting	Level 2	Violation	-3
Inappropriate use of device (iPad)	Level 2	Violation	-3
Damaging school property	Level 2	Violation	-3
Leave school without permission	Level 2	Violation	-3
Chronically away from school	Level 2	Violation	-3
Cheating in assessments	Level 2	Violation	-3
Swearing or abusive language	Level 2	Violation	-3
Dishonesty	Level 2	Violation	-3
Smoking	Level 3	Violation	-5
Pornography	Level 3	Violation	-5
Assault	Level 3	Violation	-5
Theft	Level 3	Violation	-5
Drugs/Alcohol	Level 3	Violation	-5
Dangerous weapons	Level 3	Violation	-5
Racism	Level 3	Violation	-5
Sexual harrasment	Level 3	Violation	-5
Bully	Level 3	Violation	-5
Threaten other learners	Level 3	Violation	-5
Unapropriate material, literature or behaviour	Level 3	Violation	-5
Vandalism	Level 3	Violation	-5
Participation (academic)	Academic	Recognition	3
Continuous hard work (Academical)	Academic	Recognition	3
Reporting of negative behaviour of other learners	General	Recognition	3
Honesty	General	Recognition	3
Good exemplary conduct	General	Recognition	3
Helpfulness	General	Recognition	3
Sense of duty	General	Recognition	3
Loving behaviour	General	Recognition	3
Politeness	General	Recognition	3
Self control	General	Recognition	3
Show patience	General	Recognition	3
Humbleness	General	Recognition	3
Peace maker	General	Recognition	3
Faithful	General	Recognition	3
Participation : Sport/Culture	Sport / Culture	Recognition	3

DISCIPLINARY PROCEDURES

Level 1 offences

The misconduct is dealt with by the teacher, usually at the time that the behaviour is witnessed. The learner should first try to solve the problem with the teacher concerned. A demerit with a value of -1 is issued.

Levels 2 offences

Serious matters are reported to the relevant Principal.

A demerit with a value of -3 is issued.

Some level 3 offences include additional sanctions, including, but not limited to:

- When an iPad is used inappropriately the iPad will be confiscated. The device will be returned after an apology letter is received (by the principal) outlining why the iPad should be returned and what the learner will do differently once the device is returned.
- When a learner cheats on an assessment, the Academic Honesty policy will be used as a guide.

Sanctions

NB: All sanctions are at the discretion of the principal(s).

- When a total of -6 demerits have been accumulated, a letter (notice) will be sent to parents informing them. The learner will also need to have a conversation with the relevant principal and write a reflection essay.
- When a total of -12 demerits have been accumulated, a letter (notice) will be sent to the parents and the learner will receive a verbal warning. The learner will also have a Friday afternoon reflection session (detention) with the principal from 13:30 to 15:30.
- When a total of -18 demerits have been accumulated, a meeting with the learner's parents will be requested. The learner will receive a final written warning.

If found guilty of a serious transgression (once-off) or repetitive disruptive/academic misconduct, or where demerits exceed -20, the school management can, based on the severity of the transgression and previous misconduct:

1. Issue a verbal warning (placed on file for 6 months)
2. Issue a written warning (placed on file)
3. Issue a final written warning
4. Suspend the learner for a limited period.
5. Expel the learner permanently.

Levels 3 offences

These are serious offences and will require an investigation by the principal and other teachers involved.

NB: All sanctions are at the discretion of the principal(s).

The learner will receive a demerit with the value of -5.

The school principal may take one or more of the following actions.

- (a) School service/reflections
- (b) Written final warning
- (c) Suspension
- (d) Expulsion. No verbal or written warning is required prior to expulsion in the case of a Level 3 offence.

It must be noted that the above offences are not exclusive, and that repetition of an offence or offences may result in more serious action.

Investigation process

- a. The accusing member of staff initiates the investigation of serious misconduct.
- b. All interviews with possible transgressors and witnesses will be conducted confidentially. A second member of staff will be present for any interviews in cases where the alleged breach amounts to serious misconduct.
- c. The School may suspend a learner during the course of the investigation.
- d. All involved in acts of misconducts will be expected to tell the truth. Any deceit may be considered an aggravating factor in the determination of punishment if guilt is established. A learner may decline to answer questions on the grounds that the answer may be self-incriminating.
- e. Any notes taken by the Initiator and/or a witness present during the investigation will be for the personal use of the Initiator only. They will not form part of an official record of any proceedings.
- f. Learners may be asked to make written statements, which will be signed and dated. Such statements may be used later in any procedures that follow the investigation. Any person who makes a statement as provided for in this paragraph shall be entitled to read it before signing it and shall be given a personal copy to keep.
- g. Once the matter has been investigated as fully as possible, the Initiator will refer the matter to the Principal who will discuss the matter with the Parents and/or may refer the matter to a Disciplinary Hearing Committee together with the Principal and Parents.

Disciplinary Hearings

Introduction

- a. Depending on the seriousness of the alleged offence, considerations of fairness to all concerned and the interests of investigation, the Principal may suspend the learner from all school activities pending the outcome of the hearing.
- b. Factors that will be considered in the convening and outcome of a disciplinary hearing are:
 - a. The Learner's best interest must be considered at all times. This must be tempered by the responsibility of the Chairperson of the hearing to the rest of the school community;
 - b. The strictest confidentiality must be adhered to, as most hearings will be dealing with minors. In this regard the school undertakes to inform only those staff and management as is necessary for the continued smooth functioning of the school. The amount of information to be given to other members of the school community is left to the Principal's discretion.
 - c. The Chairperson of the hearing must be impartial. The Chairperson cannot be involved in any way in the investigation of the alleged offence. If the Chairperson's

interests are, or might be seen to be, compromised in any way, this is a ground for recusal or disqualification.

- d. As this is an internal matter, legal representation is not a right, but may be allowed at the discretion of the Chairperson of the hearing. If the defendant requests legal representation, the school will also be entitled to have legal representation. The costs for legal representation, including the costs occasioned by the school in this respect, must be borne by the defendant.

Procedures of a formal disciplinary hearing

- a. The hearing will be conducted in English. If the learner(s) or his/her/their Parents require any translation or interpretation, they may provide it at their own expense.
- b. The Investigator will inform the learner(s) and the learner's parents in writing of the complaints against the Learner.
- c. Details of the time and venue of the hearing will also be provided. All arrangements will be made on reasonable notice, to allow all parties to prepare for the hearing.
- d. The hearing will be convened within seven working days of the alleged offence having been reported to the Principal or Management member, unless there are circumstances that make this impossible, in which case the hearing shall be convened as soon as is practically possible in the circumstances at the discretion of the Principal.
- e. Every learner has the right to the presence of one or both Parents. If this is impossible, the Parent(s) may request in writing that another adult be present in their place. Their absence, unless with good cause (at the sole discretion of the Chairperson), will not be allowed to delay the hearing unnecessarily.
- f. The Principal will chair the hearing, or if the Principal excuses him/herself or is disqualified by reason of a conflict of interest in the matter or has been involved in any way in the investigation of the alleged offence, a Management member / Outsider / Board member / a Senior official may officiate. The Chairperson may request the help of no more than two other staff members or management to assist him/her during the hearing. The decisions taken are those of the Chairperson. Other members are present to assist the Chairperson to decide both to the guilt and appropriate sanction of the learner.
- g. At the start of the hearing, the Chairperson will ask the Initiator to present the complaints. This will involve stating what School Rules are alleged to have been broken and specify the act or omission in question. The written notice of the hearing will be tabled.
- h. The learner(s) will then be asked by the Chairperson to plead "guilty" or "not guilty" to the charges.
- i. The learner or their representative may then state the defence (if any) and furnish such information as s/he may consider helpful to the hearing in clarification of the learner's case.
- j. If a "guilty" plea is entered, the hearing will proceed as follows:
 - a. The learner will be asked by the Chairperson to state in his/her/their own words why they are guilty of misconduct;
 - b. The Initiator and/or Chairperson may question the learner(s) to ensure the full facts of the matter have come to light;
 - c. The Chairperson will then determine whether or not the learner(s) is guilty of the alleged misconduct;
 - d. If the finding is one of "guilty" the hearing will then proceed to hear evidence in aggravation and mitigation.
- k. If a "not guilty" plea is entered, the hearing will proceed as follows:
 - a. The Initiator will present the evidence of the alleged act of misconduct.
 - b. The Initiator may call witnesses and present documentary or other physical evidence to substantiate the allegation against the learner(s).

- c. The learner(s) or learner's representative (if any) will be given an opportunity to cross-examine each witness. A Parent may assist the learner(s).
- d. The learner(s) will then be given an opportunity to present evidence in person and/or through witnesses and present documentary or other physical evidence in support of the learner's case.
- e. After each of the learners and any witnesses have testified, they may in turn be cross-examined by the Initiator.
- f. The Chairperson of the hearing may question any person giving evidence at any time for the purposes of obtaining clarity on any matter.
- l. The Chairperson may also request any other witnesses not called by either party, to give evidence after both the Initiator and the learner(s) have presented their evidence and witnesses.
- m. Factors that could be considered include the level of remorse shown by the learner(s), whether or not the learner was co-operative or deceitful in uncovering the truth of the matter, previous record, relevant precedents and/or any other personal, psychological, medical and/or family circumstances.
- n. Once the evidence has been heard, the Chairperson will make a finding as to the guilt or innocence of the learner(s).
- o. The Hearing may be adjourned for no more than 3 working days to enable the Chairperson to make a finding.
- p. The findings will be reduced to writing by the Chairperson and communicated to the learner and their parent/guardian(s) as soon as is practicable.
- q. These procedures do not in any way limit the rights a learner and his/her Parents enjoy under the Constitution of Namibia.
- r. Any person who is aggrieved by the outcome of a hearing in which her or his rights were affected may appeal to the Board within 2 working days of receipt of a ruling by the hearing.

Appeal process

Appeals to the Board shall be in writing and shall state: - the full names of all the parties to the hearing; - the disciplinary complaint; - the facts and the grounds of the appeal.

- a. The appeal shall enclose a copy of the ruling or finding made by the Chairperson of the first instance.
- b. All appeals shall be decided on the record of the hearing of the first instance.
- c. A party wishing to bring new evidence to the appeal shall be required to explain why that evidence was not available at the hearing of the first instance and the Board may decide to admit or decline to admit such new evidence.
- d. Legal representation may be permitted by the Board, with due regard to the complexities of the matter.
- e. In the case of an appeal, an appeal committee is made up of three members of the Board of Governors, one of whom will be either the chairman or the vice chairman of the Board.
- f. The relevant School Principal or his / her counterpart will attend the appeal hearing.
- g. The learner and his or her guardians or parents will be called upon to present their case.
- h. Should a vote be called for by the chairman or the vice chairman of the Board of Governors, then only the three Board members may vote and if applicable, set aside or revise the original decision.
- i. The decision of the Board of Governors shall be final and binding on all parties.

Principal's request to withdraw Learner from the School

(At the Principal's discretion, such a meeting can take place prior to or after a hearing)

- a. If the punishment contemplated is expulsion from the School, the Principal may request an interview with the Parents. The purpose of the interview is to determine by consensus between the School and the Parents whether or not the School is the best environment for the learner, given the incident and considering the rest of the learner's record at the school.
- b. The Principal may ask, or the Parents may request, that the learner be removed from the School.
- c. If the Principal and the Parents agree:
 - a. The Parents will then confirm in writing that they intend to remove the learner from School.
 - b. The Principal will acknowledge this request in writing to the Parents.
 - c. In this situation, the School will take all reasonable steps to assist the learner and Parents to find a place for the learner at another school.
- d. If the Parents do not wish to remove the learner as requested above, the School may:
 - a. Initiate a disciplinary hearing.
- e. In any interview discussions with Parents, the Principal will have another member of staff (administrative or academic) present, and such member of staff shall keep written minutes of the interview.