



ST CHARLES COLLEGE
S O U T H A F R I C A

DISCIPLINARY POLICY OF ST CHARLES COLLEGE

1. INTRODUCTION

1.1. St Charles College ("**the College**") seeks to provide quality education to all its pupils.

The College aims to provide young men with a holistic experience in academics, culture, sports, and general social comport. A crucial component of providing well rounded quality education is creating and maintaining a safe, stable, and disciplined environment underpinned by high ethical standards, including respect, honesty, courage, responsibility, self-discipline, and good Christian conduct. The College expects high standards of behaviour from its pupils at all times and these standards are recorded in the College's Code of Conduct which shall be enforced by this Disciplinary Policy.

1.2 The College seeks to enforce the College's Code of Conduct through fair and consistent application of appropriate corrective measures where necessary.

2. PRINCIPLES GUIDING THE POLICY

2.1. The following principles govern the general approach to discipline at the College and all those regulated by this code should be cognisant of these principles.

2.1.1. **Substantive and Procedural Fairness:** The corrective measures applied to misconduct must be relevant and appropriate. The process of investigating and correcting misconduct must allow both the College and the pupil involved to communicate their position.

2.1.2. **Rehabilitation rather than punishment:** the aim of disciplining pupils at the College is to rehabilitate them from misconduct and not to punish, ridicule or make the lives of pupils unnecessarily difficult. Poor conduct must, where possible, be used as a learning opportunity to progressively correct undesirable behaviour rather than simply punishing the pupil.

- 2.1.3. **Parental/guardian Involvement:** Parents/guardians of pupils who show repeated disregard and violation of the College's Code of Conduct and parents of pupils who disregard serious rules of the College are encouraged to be involved and where appropriate to represent the pupil in the disciplinary process. No legal representation is permitted in the Disciplinary process.
- 2.1.4. **Address the behaviour not the pupil approach at all times:** all disciplinary action must seek to correct behaviour whilst maintaining the dignity of the pupil and having consideration of other pupils at the College.
- 2.1.5. **Best Interests of the Child's right to Education:** the best interests of the child are central to any enquiry and/or disciplinary process. Both the individual pupil and pupils have the right to ongoing education in an environment conducive to learning. Applying expulsion as a corrective measure should be done only under serious circumstances.
- 2.1.6. **Maintain the College's values:** actions taken in response to undesirable behaviour must seek to bring peace and stability to the College environment and must be reflective of the College's core values such as respect, honesty, courage, responsibility, self-discipline as well as other values that fit within the expected Christian conduct of the College.
- 2.1.7. **Seek reconciliatory and constructive outcomes to conflict:** conflict is a natural phenomenon; the response to such must seek to ensure a constructive outcome that builds consensus rather than polarize the College community. Additionally, the administrators of the Policy are encouraged to find innovative outcomes to conflict that are suitable to each case considered separately.
- 2.1.8. **Commitment to non-radicalism:** radicalism refers to an extremist approach to activism or protest against the values of a community. This includes vandalism, other types of destruction of property, arson, threatening individuals or groups of individuals and/or calling for the death of certain individuals or groups of individuals. The College commits to keeping children safe and promoting community cohesion.

3. SERIOUS OFFENCES AND OTHER OFFENCES

- 3.1. For the purposes of this disciplinary code and its application, a distinction is drawn between serious offences and other offences. Serious offences refer to misconduct which may result, in rustication or the expulsion of the pupil from the College following

a disciplinary hearing. Other offences refer to misconduct upon which expulsion of the pupil from the College would not be ordinarily imposed and do not require that a Disciplinary Hearing be convened. Other offences, if repeated, may be regarded as serious offences. The offences listed hereunder as serious and other offences, must be read together with paragraph 6 of this Policy.

3.2. The following offences shall be regarded as Serious offences in terms of this Policy, this list is not exhaustive –

- 3.2.1. Offences that contravene a law/s of the Republic of South Africa.
- 3.2.2. Serious and repeated forms of bullying.
- 3.2.3. The use, sale, distribution and/or possession of illegal drugs and/or related substances or intoxicating substances.
- 3.2.4. Testing positive for illegal drugs and/or related substances and intoxicating substances.
- 3.2.5. Alcohol related offences including possession of alcohol; consumption of alcohol; testing positive for the presence of alcohol; being under the influence of alcohol where 'influence' is defined as having any physical and or psychological effect; selling or distributing alcohol and being in the presence of a pupil/s using or selling alcohol.
- 3.2.6. Smoking related offences including the possession, distribution, sale, and/or use of tobacco, cigarettes, e-cigarettes, hubbly or other related paraphernalia.
- 3.2.7. Committing any form of irregularity on an examination including cheating.
- 3.2.8. Threats, intimidation or acts of violence towards fellow pupils, educators, members of staff or any other person. This includes any form of assault and any form of verbal abuse.
- 3.2.9. Any life-threatening games.
- 3.2.10. Serious damage to College property (excluding vandalism).
- 3.2.11. Deliberate and serious undermining of authority.
- 3.2.12. All forms of harassment and discrimination.
- 3.2.13. Racism.
- 3.2.14. All forms of theft.
- 3.2.15. Creation, Possession, Distribution and/or viewing of pornographic material. The creation, viewing, or distribution of pornographic material may be a criminal offence and no person, regardless of their relationship status to the person

sending or receiving such material, can legally consent to such activities.

3.2.16. Sexual coercion

3.2.17. Sexual activities (any private and/or public sex-related activities by/ or amongst pupils or between pupils and educators, between pupils and members of staff or between pupils and any other person including those persons involved in a College activity).

3.2.18. Sexual assault.

3.2.19. Any initiation practices.

3.2.20. Bunking out

3.2.21. Possession, use, sale and/or distribution of dangerous objects which can be used to threaten or cause harm to others.

3.2.22. Acts of Xenophobia.

3.2.23. Bribery, blackmail and/or extortion.

3.2.24. Repeated and/or gross dishonesty.

3.2.25. Serious contraventions of the College's Acceptable Use Policy and/or IT policies and practices including social media use.

3.2.26. Abuse of seniority status to coerce any other pupil in any way.

3.2.27. Compromising the good name of the College.

3.2.28. Any behaviour that can be deemed as "radical" or inciting radicalism.

3.3. The following offences shall be regarded as Other offences in terms of this Policy, this list is not exhaustive –

3.3.1. Unauthorised absenteeism or lateness from the College or College related activities.

3.3.2. Foul language.

3.3.3. Speaking loudly or being rowdy and disruptive at inappropriate times.

3.3.4. Minor insolence.

3.3.5. Not completing tasks or following authorised instructions.

3.3.6. Violating the College's rules and/or practices regarding uniform.

3.3.7. Littering.

3.3.8. Eating and drinking at inappropriate times.

3.3.9. Using a phone or other digital equipment outside the allowed parameters.

3.3.10. Plagiarism.

3.3.11. Vandalism of the College property and/or a pupil's property.

3.3.12. Academic diligence issues.

3.3.13. Failure to adhere to the Sports Honour Code.

3.3.14. If any of the above offences are repeated, they may be escalated to serious offences.

4. DISCIPLINARY PROCEDURE

4.1. It is recognised that every educator and staff member of the College is responsible for discipline and has the full authority and responsibility to correct behaviour of pupils whenever such a correction is necessary and to do so expediently and with minimum formality in instances of less serious transgressions, i.e. other offences listed in Clause 3.3 above.

4.2. Any corrective measure of disciplinary action should correspond with and be appropriate to the offence. Educators and staff members are empowered to exercise professional educational discretion to deal with less serious offences within the parameters of the approved corrective measures of the College.

4.2.1. The educator or staff member involved in disciplining the pupil shall, once a sanction has been imposed on the pupil, report the matter by using ED Admin or within the approved digital disciplinary platform.

4.2.2. Repeat offences may result in an escalation to a disciplinary hearing.

4.3. Serious offences shall always be investigated and dealt with in accordance with paragraph 6 below and where necessary through a formal disciplinary process set out below. The punishment for committing a serious offence may include rustication or expulsion from the College. The punishment must be appropriate and proportionate to the offence.

5. RECOMMENDED SANCTIONS FOR OTHER OFFENCES

5.1 It is recognised that the application of discipline for 'other offences' needs to be age-appropriate and will be applied with discretion sometimes differently in the Primary, Middle and Upper Schools.

6. INVESTIGATION OF SERIOUS OFFENCES

- 6.1. Where an allegation that a serious offence has been committed is reported to a staff member at the College such staff member is required to immediately report the allegation to *the disciplinary officer** who shall investigate the allegation without undue delay.
- 6.2. The disciplinary officer shall conduct the investigation in a manner that he or she may reasonably deem to be appropriate and necessary in order to establish the veracity of the allegation and whether or not the matter should proceed to a disciplinary hearing, provided however that the manner in which the investigation is conducted is not deemed to be unlawful in terms of any South African law. Wherever possible the investigation should be completed within 10 school days.
- 6.3. The investigation could result in:
- 6.3.1. A recommendation of a formal disciplinary hearing; or
 - 6.3.2. A recommendation of an internal disciplinary resolution; or
 - 6.3.3. No action.

7. PRECAUTIONARY SUSPENSION

- 7.1. Following a discussion with the Principal a decision may be taken to impose, a precautionary suspension upon a pupil accused of having committed an offence regarded as a serious offence in this Policy. In circumstances where it is the principal's intention to institute a precautionary suspension the pupil and parents/guardians should be afforded the opportunity to make written representations as to why such suspension would not be appropriate.

8. SANCTIONS

- 8.1. The following sanctions may be imposed on pupils who are found guilty of committing other offence in terms of this Policy and the recommended sanctions shall be imposed separately or in conjunct depending on the circumstances. The following list is not exhaustive –
- Verbal reprimand.
 - Verbal and/or written apology from pupil.

- Meaningful written work.
- Detention.
- Exclusion from sport or cultural performance.
- Confiscating an article.
- Removal of privileges.
- Removal from leadership positions.
- Re-writing plagiarised work.
- Mark penalisation.
- Academic probation and rehabilitation.
- A cautionary warning, where appropriate, may become a final warning if offence is repeated.
- A final warning.

8.2. The sanction for a serious offence may include any of the sanctions referred to in clause 8.1 above as well as rustication or expulsion as a corrective measure.

8.3. Where a sanction is imposed it must be duly recorded and filed in the pupil's file.

9. DISCIPLINARY HEARING PROCEDURE

The following process shall be followed to convene a disciplinary hearing –

9.1. A Written notice of a disciplinary hearing must be given at least five (5) working days before the hearing, which may provide for temporary suspension from classes also called a precautionary suspension. Formal tests and/or exams will still be written during the period of suspension. The notice must set out the following:

- 9.1.1. the full particulars of the pupil;
- 9.1.2. details of the misconduct or breach of the code of conduct of which the pupil is accused;
- 9.1.3. the time and place of disciplinary hearing;
- 9.1.4. the rights of the pupil and the College in the disciplinary process, including the right to representation; No legal representation is permitted.
- 9.1.5. inform the pupil and his/her parents/guardians of the possibility of rustication or

- expulsion from the College in the event of an adverse finding against the pupil;
- 9.1.6. caution the pupil and his parents/guardians that the non-attendance of the pupil at the disciplinary hearing will result in the hearing proceeding in his/her absence;
 - 9.1.7. invite the parents/guardians of the pupil to contact the appointed *disciplinary officer* for the purposes of convening a meeting in order to facilitate an explanation of the process to be followed, subject to the requirement that any such meeting should not be allowed to delay the disciplinary hearing.
 - 9.1.8. that the pupil and his parents/guardians have the right to make written application to the disciplinary officer for a postponement of the disciplinary hearing, on valid and substantial grounds. The disciplinary officer, in concert with the Principal, shall consider the application and will have the right to grant or refuse such request on reasonable grounds.
-
- 9.2. The Chairperson of the disciplinary hearing must be an independent and legally trained. He/she must conduct the proceedings with a minimum of legal formality and introduce those present and state their function. The Chairperson must allow the College to present its case by leading evidence through witnesses and/or documentation.
 - 9.3. The pupil and/or his representative/s must be provided with an opportunity to respond to the evidence presented by the College through cross-examination of witnesses and/or producing documentary evidence.
 - 9.4. The pupil and/or his representative/s shall lead witnesses in the hearing which witnesses shall be subject to cross examination by the College.
 - 9.5. The Chairperson must ensure that witnesses are present only while giving evidence.
 - 9.6. The Chairperson shall call for written and/or oral arguments from all parties for aggravating and mitigating factors before making his/her recommendation for an appropriate sanction.
 - 9.7. The Chairperson will make a recommendation to the Principal in respect of the appropriate sanction. Although the Principal may apply a lesser sanction, he may not implement a more severe sanction.

9.8. The Chairperson is required to retain a record of the disciplinary proceedings.

9.9. The written finding and the sanction will be issued to the parents/guardians and the pupil. The Principal of the College or Discipline Officer will keep on record copies of all documentation relating to the offence, the conducting and findings of the hearing, and the disciplinary measures imposed.

9.10. There is no right of appeal.

10. RUSTICATION OR EXPULSION AS A CORRECTIVE MEASURE,

Where a finding of a disciplinary chairperson recommends the rustication or expulsion of a pupil, such rustication or expulsion may be immediate in which case the pupil will be required to leave the College immediately.

11. COMMENCEMENT

This Disciplinary Policy shall apply from the date of signature till revoked and/or amended in writing by the College.

PRINCIPAL

THIS POLICY WAS SIGNED AND DATED AT _____
ON THE _____ DAY OF _____ 2024.

GLOSSARY

1. **“Disciplinary Officer”** means the Principal of the College or their designated representative/s.
2. **“ED Admin”** means a student portal that keeps electronic files on the conduct of pupils at College.
3. **“Rustication”** means suspension or a similar technique to remove a student from College or/and certain College activities for a period.
4. **“Professional educational discretion”** this is the reasonable discretion displayed by a qualified educator dealing with learners.
5. **“Precautionary Suspension”** a pupil may on reasonable grounds and as a precautionary measure, be suspended from attending school before a disciplinary enquiry.
6. **“Academic Diligence issues”** refers to the inability to consistently meet the required standards of effort, focus, and persistence in academic tasks in the school, resulting in a lack of compliance with expected academic responsibilities and goals.