



## CODE OF CONDUCT and DISCIPLINARY PROCEDURE

### CODE OF CONDUCT

#### 1.1 Introduction and objectives

A certain standard of conduct is expected from the Parents, teachers and the Students. To sustain a healthy learning environment, it is important that these parties to the education relationship acknowledge their respective responsibilities and conduct themselves accordingly.

The Code of Conduct strives to provide a framework for orderly and purposeful education, but with enjoyment and fellowship with peers as an added advantage. It indicates the broad standards of behaviour that are expected of all Parents and Students at the Academy, and encourages a responsible and self-disciplined approach, rather than a punitive one based on fear.

It should also be noted that the Code of Conduct may also have a bearing on the behaviour of the Student outside of normal Academy hours, should the Student's conduct impact negatively on the teacher/student relationship or reflect badly on the College.

#### 1.1. General conduct expected of teachers

The Academy selects staff members with the greatest care and seeks to ensure that their interaction with Students promotes the best interests, well-being, safety and success of each Student as far as they possibly can.

In addition, academic staff members are bound by the Code of Conduct of the South African Council of Educators, membership of which is obligatory for all teachers/educators and which requires, amongst others, that teachers undertake to:

- be punctual, well prepared and professional in their approach to education;
- manage learner performance effectively and motivate Students to achieve realistic and meaningful personal educational goals;
- be sensitive to the needs of their Students and address learning difficulties in a positive manner;
- praise, encourage, recognise and reward Students who strive to achieve;

- create a classroom climate which is based on a learning partnership which makes education both relevant and stimulating;
- set a positive example for their Students to follow;
- administer discipline correctively and with dignity when necessary.

### 1.2. General conduct expected of Parents

The Academy prides itself on having good relations with the Parents of Students. While Parents may expect the Academy and its teachers to provide the best education possible with the resources available to the Academy, Parents must also accept the responsibility to help the Academy achieve this goal.

Parents are required to:

- ensure that the Student understands the Code of Conduct and complies with the terms thereof;
- actively support the efforts of the Academy and its teachers to teach the Student;
- involve themselves as far as they are able, to support the Student and the Academy to contribute to the improvement of the Student's progress and the Academy's' education process and learning environment;
- Always treat the members of staff/employees of the Academy with respect;
- encourage the Student to participate fully in the Academy and extra-mural activities;
- participate in the learning process and assist the Student with homework and give appropriate support at home, provide encouragement, check results and communicate freely with the Academy;
- not expect the Academy to meet the Student's every need and work with the Academy to overcome any behaviour of the Student which negatively impacts on the learning environment;
- ensure that the Student attends all compulsory attendance functions and activities, and that the Academy's timekeeping requirements are observed;
- support the disciplinary structures and procedures of the Academy in the interests of maintaining an orderly and positive educational environment;
- understand that Parents, and not the Academy, are primarily responsible for laying down a moral, ethical and disciplinary framework within which the Student must conduct him/herself;
- encourage the Student to adopt a responsible and self-disciplined approach to all Academy related activities; • supervise the Student in his/her use of technological equipment, including cell phone usage and internet access. Access to undesirable information and material can affect the well-being and behaviour of a Student and his/her peers;
- in the interests of the Student's well-being, parents must keep the Academy informed of matters which affect the Student including health, family matters, welfare, traumas etc;
- maintain a courteous and constructive relationship with Academy staff; and attend meetings and otherwise keep in touch with the Academy where the Student's interests require the Parents to do so; and
- the Head may in his or her discretion require the Parents to remove or may suspend the Student if the Parents behaviour is in the reasonable opinion of the Head so unreasonable as to affect or likely affect the progress of the Student or of another child (or other children) at the Academy or the wellbeing of the Academy staff or to bring the Academy into disrepute.

### 1.3. General conduct expected of Students

Students are required to:

- recognise that they have responsibilities to their Parents, the Academy, teachers, their fellow Students and themselves;
- refrain from behaviour which brings the good name of the Academy into disrepute;
- comply with the Academy rules and instructions given by the teachers and Head of the Academy;
- behave responsibly, not endanger the safety and welfare of others and be accountable for their actions;
- adopt a responsible and self-disciplined approach to all Academy related activities;
- use technological equipment, including the internet on and off campus and cell phones off campus, in a responsible and considerate manner;
- respect and care for the property of the Academy and others;
- maintain sound relations with others at the Academy, be courteous and respect the dignity and self-worth of others;
- be punctual and observe the timekeeping practices of the Academy;
- demonstrate a positive attitude towards the opportunity to learn and be diligent in their efforts to learn;

- behave honestly and conduct themselves with integrity;
- accept legitimate punishment and disciplinary action taken against them as being both necessary and corrective; and
- take care of their environment.

**1.4. Rights and Responsibilities of Students**

The rights and responsibilities of Students should be read in conjunction with the general Code of Conduct expected of Students:

	<b>Students' Rights</b>	<b>Students' Responsibilities</b>
1	I have the right to move about the Academy without being laughed at, pushed, threatened or harmed in any way, either verbally or physically.	I am responsible to see that I do not laugh at, hit, push, or in any way harm, verbally or physically, other people in the Academy.
2	I have the right to be treated in a courteous manner.	It is my responsibility to treat others in a courteous manner.
3	I have the right to be treated with respect and fairness, irrespective of my race, creed, intelligence, gender, physical prowess, language, shape, size, whether or not I may be different from the majority.	I am responsible to see that I treat all people with respect and fairness even though they may differ in some way from me or the majority.
	<b>Students' Rights</b>	<b>Students' Responsibilities</b>
4	I have the right to expect my property to be safe within the Academy.	I am responsible to see that I treat other people's property 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.
5	I have the right to learn in pleasant, well- kept surroundings that are free from noise and litter pollution.	I am responsible to see that I treat my surroundings with respect, and that I do not contribute to any kind of pollution within the Academy.
6	I have the right to attend to my Academy work without interference of any kind from other Students.	It is my responsibility to see that I do not interfere with, or distract other Students from their work.
7	I have the right to be taught by teachers who are fair, competent and sympathetic to my needs.	It is my responsibility to co-operate and comply with the instructions of the staff.
8	I always have the right to be treated in an appropriate way by all members of the Sagan Academy's community.	It is always my responsibility to act in an appropriate way. I will treat others as I would like to be treated myself.
9	Should I feel unhappy or concerned about some person in, or aspect of, the Academy, 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 Academy.	It is my responsibility to approach someone in authority should I have concerns about someone in, or some aspect of the Academy, rather than to take my own, independent action.
10	I have the right to wear the Academy's uniform.	It is my responsibility to wear the Academy uniform with pride, in good repair and in the correct manner always.
11	I have the right to use the Academy's facilities during term time.	I have the responsibility to look after and respect all the facilities that the Academy offers me.

### 1.5. Sagan Academy Rules

The Academy Rules set out certain specific behaviour/conduct expected of Students and should be read in conjunction with the general conduct expected of Students set out in paragraph 4 above.

The College Rules attempt to instil orderliness, safety awareness, self-discipline, honesty, commitment, respect, fair play and responsibility.

Maintaining discipline and ensuring orderly classroom behaviour is an integral part of every teacher's job. The onus therefore lies with the Academy's Management and/or teachers to apply the rules in an effective and equitable manner in the interests of the well-being of the Academy and all its stakeholders.

The following specific rules define the behaviour expected of Students but are not exhaustive. Students must be advised of these rules and are bound to comply with the Rules.

- **Timekeeping and being on time**

Students are expected to be punctual for all College activities.

- **School Functions**

Treat guests with respect and assist them in all ways. Give up your seat for adults, if necessary.

Cell phones, electronic alarms on watches and any other electronic equipment must be switched off during school functions.

- **Maintenance of property and tidiness**

All Students are expected to look after Academy property and to respect the property of others. Academy desks should be kept tidy. Litter may not be dropped anywhere.

No ball games may be played in the vicinity of any building or parking area without permission. Trees may only be climbed with permission.

All clothing and any personal belongings brought to Academy are to be marked.

On no account may any large sums of money, radios, cellular telephones, computers, computer games, electronic equipment or any other expensive items be brought to Academy, unless required for Academy purposes.

- **Cell phones, iPods and other electronic devices**

The above items, including other such musical storage and retrieval items, MP3 players and associated peripheral items remain the responsibility of the Student, should they choose to bring these devices to the Academy. These items may not be used during academic lessons, or between lessons, unless with the express consent of a teacher. Cell phones may only be used before school starts, during breaks and after school closes.

These items may not be taken into test or examination venues and may not be used as calculators or stopwatches at the Academy.

No pupil may play music aloud from any of these devices at any time while on the Academy grounds or in school uniform.

Inappropriate use will result in confiscation of the device and the SIM card where applicable for seven (7) calendar days.

- **Absences**

No Student may be absent from the Academy without the prior permission of the class teacher or Head.

In the event of illness, the Academy must be notified before 8h00 that morning and a letter or doctor's note must be sent on his/her return to Academy, should absences exceed one day.

Absence from the Academy on account of holiday arrangements is not encouraged, although the Head may be approached where special reasons pertain.

Parents are requested to notify the Academy if the Student has an infectious illness; in these circumstances, s/he will only be allowed to return to the Academy when s/he has been away for the full period recommended by a Medical Officer of Health.

- **Attendance**

Students must be present at all lessons and games sessions and may only absent themselves from a lesson, games session, or any other activity, with the express permission of the relevant teacher or member of staff.

All Students are to keep within the Academy's boundaries during Academy hours.

- **Participation**

It is the Academy's policy to encourage all Students to participate fully in the life of the Academy: academically, extramurally and culturally.

- **Breakages and damages**

Any wilful damage to, or breakage of the Academy's property, or the property of others at the Academy, is a serious offence. Any accidental breakage must be reported immediately to a member of staff.

- **Eating and breaks**

Eating and drinking may only take place during the designated break times, and outside the classrooms, unless supervised by a staff member.

All classrooms are out of bounds at break-times and between the end of academic classes and 07:00 without permission or supervision.

- **Transport and travelling**

Students are expected to act sensibly when travelling to and from the Academy, or while travelling on Academy business. Seat belts must always be worn where available. No objects may be thrown or discarded from the vehicle.

A Student in possession of valid driver's licences and a consent letter from both parents may approach the Academy for permission to drive a motorbike or motor vehicle in the Academy grounds. The speed limit of 10 km/hour must be adhered to. During school hours motorbikes and motor vehicles must be parked in the designated parking areas. No Student may give another Student a lift. The Academy is not responsible for any damage caused to the motorbike or motor vehicle parked in its grounds and are parked at the Student and/or Parents' risk. The grounds may not be used by people of any age learning to drive. This privilege may be withdrawn at any time if there is abuse of these rules.

- **Classroom behaviour**

Students are expected to present a positive work ethos in the classrooms. Courteous and sensible behaviour is always expected.

- **Bags and containers**

School bags should be named and stored appropriately in lockers or other specified areas. They may not be left lying around the classrooms or grounds.

- **Behaviour in the College grounds**

There may be no running between any buildings.

Earth, stones, sticks, etc., may not be thrown.

In summary, Students are expected to behave sensibly and courteously in and around the Academy grounds.

• **Out of bounds areas**

The following areas are always out of bound areas for Students , unless they have specific adult permission or supervision:

- Swimming Pool area
- Building sites
- Car Parks (other than pavements and waiting areas)

The following rooms may be used only with permission or if supervised by a teacher:

- Art Room
- Any other classroom

• **Books and homework**

Students are expected to note homework set in their homework diaries.

Homework is to be completed timeously, properly and neatly.

All books belonging to the Students should be covered, named and kept in good order.

• **Courtesy and Good Manners**

Students are required to behave courteously and respectfully towards all adults.

• **Bathrooms and hygiene**

Students are expected to use the bathrooms, including the toilets sensibly and to leave them in good order.

Students are not to loiter or play in these areas.

• **Initiation Practices**

The Academy will not tolerate initiation practices.

**1.6. Dress Code**

This section regulates the wearing of the school uniform of the Academy. Students in contravention of the Dress Code will be sent home to rectify the problem:

Boys Khaki trousers or shorts	May not be frayed or torn at the bottom and must be hemmed. Should be correct length for the Student's legs so that trouser legs do not drag along on the ground
Sports Shoes	Must be predominantly white. Students with the wrong/incorrect colour sports shoes will not be allowed to take part in the sport for which they put on those shoes
Navy sweatshirt with School logo	Must look presentable. Should not be frayed at the cuffs, nor have a hole deliberately made so that the thumb can project. A jersey that is out of shape or too long from excessive wear cannot be worn.
Correct level Golf shirt colour with School logo	Must look presentable. Should not be frayed nor look stretched and tatty. A golf shirt that is out of shape or too long from excessive wear cannot be worn.

Girls Blue Jeans	May not be frayed or torn at the bottom and must be hemmed. No JEGGING under any circumstances. No ripped Jeans under any circumstances
Make-up and Nails	Make-up or false nails, nail polish or particularly long nails are allowed. Eyeliner and mascara are permitted.

## 2. DISCIPLINARY PROCEDURE

### 2.1 General approach

To ensure that the Academy has a consistent and fair approach to Student discipline, the Academy has developed the following Disciplinary Procedure for Students, which is based on the Procedure and Code: Learner Discipline outlined by the Independent Schools Association of South Africa (**ISASA**) (updated 2007). This Disciplinary Procedure may not be amended, except in writing, by the Head of the Academy and duly authorised by management.

While discipline is intended to correct inappropriate behaviour, positive recognition and reward is acknowledged as the first resort for sustained acceptable behaviour and achieving potential. The Academy fully supports the principles of fair discipline and the consistent application of appropriate and corrective disciplinary measures where necessary.

Should expected norms of conduct not be met by any Student, corrective action will be initiated by the Academy's Executive and/or teachers as set out herein. Corrective action may or may not include the application of formal disciplinary measures, any formal steps being applied in order to prevent further occurrences of unacceptable behaviour or to restore the teacher/Student relationship. The teacher(s), Head, or their delegates, as the case may be, are entitled to apply action that they believe is appropriate and fair in the circumstances, within the guidelines provided by the Parent Contract.

The Code of Conduct and Disciplinary Procedure is not intended as an exhaustive guideline of the conduct/rules which a Student is intended to comply with, or the steps to cope with all disciplinary-related issues. Rather, it is intended to indicate fundamental values and principles according to which Students are expected to conduct themselves, as well as a framework within which corrective action and discipline can effectively be implemented by the Academy.

The Student and Parents accept that a particular sanction imposed after the disciplinary process is legitimate, fair, final, binding and is a necessary consequence of the breach of a Academy Rule. All parties involved are encouraged to refrain from threats, abuse of power, bias, dislike or interpersonal difficulties that may compromise the authority of the disciplinary process or the atmosphere of equity, due process and fairness.

### 2.2 Infringements

Various types of disciplinary misconduct or infringement, and the sanction recommended to be taken when such misconduct or infringement occur, have been categorised into type 1, 2 and 3 infringements, and are set out in section 7 below.

### 2.3 Disciplinary action

Various forms of informal and formal disciplinary measures may be initiated by the Academy. The severity of the action taken by the Academy will depend on the circumstances, the seriousness of the infringement and any mitigating or aggravating factors being of relevance.

#### 2.3.1 Informal disciplinary action

Informal disciplinary action that may be applied by the Academy includes:

- reprimand or counselling by a teacher or a member of the Executive;
- detention (including Saturdays) or time punishment, writing exercises, suspension from Academy activities (internal or external, or both) for not more than 5 (five) school days;
- a programme of School Service run by the Student Council; or
- light manual work at Academy.

Infringements that are not considered serious, or do not require formal disciplinary action in the opinion of the Student's responsible teacher, can be dealt with directly by the teacher, without the consent of the Executive or the Head, as the case may be.

Parents and the Student accept that compliance with the imposed penalties may, on occasion, cause disruption and inconvenience to the Student's family, but that this often a consequence of progressive discipline and Parents agree to support the Academy.

Informal disciplinary action is not generally recorded on the Student's record but may still require communication with the Parents.

### **2.3.2 Formal disciplinary action**

Formal disciplinary action that may be applied by the Academy, or any combination thereof, includes:

- a recorded warning or demerit;
- Parent contact and an interview with Parents, generally after an investigation by the Academy;
- removal of a privilege(s);
- light manual work at Academy or community service;
- suspension from class, specific activities or from attending the Academy, pending the convening of a formal disciplinary hearing, and/or as a form of corrective action suspension may be assigned without a disciplinary hearing with the permission of the Parents; or
- expulsion, as a last resort in the case of Very Serious Misconduct or repeated infringements, usually after the conducting of a disciplinary hearing, unless a hearing is declined by the Parents.

Discipline will, wherever feasible and effective, be applied purposefully. Repeated committing of a similar or related offence will result in incrementally more severe action being taken, particularly where a clear pattern or trend is indicated by the Student's continued misconduct. A very serious first incident may, however, justify a severe penalty, and mitigate against the imposition of a lesser form of action.

Warnings/demerits issued by the College will be noted on the Student's record. Copies of warnings/demerits issued will also be provided to the Parents. Parents are required to sign demerit slips and return them to the Academy to indicate that they have been made aware of the infringement.

### **2.3.3 Disciplinary Action and Investigation**

When an infringement occurs which may require formal disciplinary action, the teacher, or preferably the relevant Grade Head of the Student concerned (as appointed by the Head) (**the Investigator**), or a Parent or other Student/s will initiate the disciplinary process by reporting the incident to a member of the Executive. A report or complaint may be supplemented by any additional information or statements to clarify or adequately detail the facts surrounding the alleged infringement.

The Investigator will lead the investigation, formulate the charge and present the evidence at the disciplinary hearing. This assessment usually takes the form of an informal investigation, which generally includes an opportunity for the Student to "state his/her case" in response to the complaint. All interviews with possible culprits and witnesses will be conducted confidentially. Any notes taken by the Investigator and/or any witness present during the investigation will be for the personal use of the Investigator only and will not form part of the official record of any proceedings. Students may be asked to make written statements, which must be signed and dated and may be used later in any procedures that follow the investigation. Any such person shall be entitled to read the statement before signing it and shall be given a personal copy to keep.

In cases where the alleged behaviour may amount to Very Serious Misconduct, a second member of staff will be present for all interviews with the Investigator and all present will be expected to tell the truth. Any deceit may be considered an aggravating factor in determining punishment, if guilt is established.

A teacher chosen by the Student shall act for the Student at the hearing. The Parents/Legal Guardians of the Student will be informed of the hearing before it commences and may be present at the hearing, but will only be allowed to participate in the proceedings when the Disciplinary Committee has made a decision as to the guilt (or not) of the Student and is considering the appropriate sanction/penalty.



The Head or the Investigator may consult with the Disciplinary Committee in order to decide on appropriate corrective action. The Disciplinary Committee represents different viewpoints and constituencies in order to maintain as balanced a view as possible in recommending an appropriate penalty. The **Disciplinary Committee** consists of all or some of the following:

- the Director of Studies;
- the Dean of Studies, and the Head of Student Council of Student Affairs (one of which is appointed as the **Chairperson** by the Head);
- a friend, family member or teacher, chosen by the Student to be present in a supportive capacity;
- any other person who may be of assistance to the Disciplinary Committee, at the discretion of the Chairperson.

If deemed appropriate, an interview with Parents will be conducted.

If, after investigation:

- the infringement is confirmed, but is of a nature that does not require a formal disciplinary hearing, the Investigator/Executive member may counsel the Student and issue the appropriate penalty, warning or demerit to the Student(s) concerned; or
- the infringement is confirmed and is of a serious nature, it will be referred for a formal disciplinary hearing.

#### **2.3.4 Formal Disciplinary Hearing**

Category 1, or in the case of repeated category 2 and/or 3 infringements and prior disciplinary action not having its expected effect, will be referred for a disciplinary hearing.

A notification of a hearing will be given to the Parents of the Student concerned. This notification must provide sufficient information to ensure that the Student and Parents are properly informed of the alleged complaint, the seriousness of the allegations, and the Academy's intention to convene a hearing to investigate the infringement.

The Parents will be notified of the hearing at least 2 (two) business days before the scheduled hearing.

The Student may be suspended pending the hearing, if this is considered appropriate, bearing in mind the circumstances, the right to education and the seriousness of the alleged misconduct, and other parties who may be involved. The suspension of the Student will be indicated in the notification to the Parents, the period of suspension preferably not exceeding five 5 (five) school days.

The Student and his/her Parents must be advised that they are expected to attend the hearing, as their nonattendance may prejudice the Student's case, resulting in the hearing being held in their absence, and a decision being made without their involvement.

The Student and Parents must also be advised of the serious nature of the allegations, and the possibility of formal and severe disciplinary action being taken should the Student be found guilty of the allegations made against him/her.

Legal representation at a disciplinary hearing is not permitted, unless the Academy and the Parents mutually agree that it is appropriate for both parties to be professionally represented.

The conducting of the hearing is of great importance and must be chaired by an objective member of the Executive of the Academy, or a suitably qualified and experienced third party. The Chairperson will be responsible for leading and managing the hearing process and making the critical decisions as to the guilt or innocence of the Student relative to the allegations made.

The Investigator may only attend the Disciplinary Hearing to present the case and is not involved in the deliberations of the Disciplinary Committee.

The Chairperson makes the final decision, after due consideration of mitigation and aggravating factors. Other members of the Disciplinary Committee are present to assist the Chairperson to decide, firstly to the guilt and secondly to the appropriate penalty for the Student.

The Chairperson may refer the matter back to the Investigator for further investigation, in which case the Disciplinary Committee will reconvene at a later date set by the Chairperson to hear further evidence, but not more than 5 (five) school days thereafter.

After the completion of the hearing, any penalty decision made (i.e. whether to impose disciplinary action or not) should be formally communicated to the Parents and supported in writing by the hearing chairperson.

This notification must include a reminder that the Student has the right to review/appeal against any action decided upon, within 5 (five) school days of the hearing's outcome being communicated.

*NB. Copies of all disciplinary documentation will be retained by the Academy for record and safekeeping purposes.*

## **2.4 Review/appeal process**

### **2.4.1 Review process**

The Parents have the right to request a review against any formal disciplinary action imposed by the Academy, within 5 (five) school days of receiving written notification of the Chairperson's decision, being the outcome of the disciplinary hearing. The Parents' request for review must be in writing and detail in full their grounds for the review.

The granting of a review against a decision of the Chairperson of a hearing, only entitles the Student to a review of the finding of the hearing and all the matters raised at the disciplinary hearing will not be "reheard". No new information may be introduced at the review hearing. The review procedure is limited to reviewing the decisions made at the hearing and is based on the grounds and motivations lodged in the review motivation.

Typical grounds for such a review may include:

- the Disciplinary Procedure was not properly followed;
- the decision on guilt was not considered correct or fair;
- the decision regarding action to be taken was considered inappropriate;
- mitigating factors were not properly considered;
- the hearing chairperson was biased, did not apply his/her mind, or supposedly made a subjective decision; or
- the Student was not able to properly present his/her case.

If after assessing the request for a review, it is deemed appropriate to proceed with a review hearing, the School will elect a new chairperson, who must be an objective member of the Executive of the Academy, or a suitably qualified and experienced third party. The review chairperson will be responsible for leading and managing the review process and making the critical decisions.

The review should wherever possible be conducted within 5 (five) school days of receipt of the review motivation, in accordance with the principles highlighted in above.

If the Student has been suspended or expelled pursuant to the findings of the hearing, the submission of the request for a review will not affect the suspension/expulsion, which will remain in effect until the review process has been concluded. In the case of any other formal disciplinary action being imposed by the hearing Chairperson, the imposition of such action will be held in abeyance pending completion of the review process.

The conclusion of the Academy's review procedure is the final step in the Academy's disciplinary process and marks the exhaustion of internal disciplinary measures.

### **2.4.2 Appeal process**

Should substantial new and relevant evidence come to light after the hearing, the Parents have the right to request an appeal against the formal disciplinary action imposed by the Academy.

The granting of an appeal against a decision of the chairperson of a hearing, enables new and relevant evidence to be introduced and the matter will be “re-heard”.

The Parents wishing to request an appeal must motivate their request in writing, detailing in full their grounds for the appeal. The request for the appeal must be submitted to the Head within 5 (five) school days of the hearing chairperson’s decision having been communicated to the Parents, so as not to delay proceedings.

If after assessing the request for a review, it is deemed appropriate to proceed with an appeal hearing, the Academy will elect a new chairperson, who must be an objective member of the Executive of the Academy, or a suitably qualified or experienced third party. The appeal chairperson will be responsible for leading and managing the appeal process and making the critical decisions.

The appeal should wherever possible be conducted within 5 (five) school days of receipt of the appeal motivation in accordance with the principles highlighted above. If the Student has been suspended or expelled pursuant to the findings of the hearing, the submission of the request for an appeal will not affect the suspension/expulsion which will remain in effect until the appeal process has been concluded. In the case of any other formal disciplinary action being imposed by the hearing Chairperson, the imposition of such action will be held in abeyance pending completion of the appeal process

The conclusion of the College’s appeal procedure is the final step in the Academy’s disciplinary process and marks the exhaustion of internal disciplinary measures

### **2.5 Collective Disciplinary Action**

The Disciplinary Procedure is principally designed to deal with instances of misconduct or infringement by individual Students. Alleged misconduct by a group of Students, usually acting in concert with one another, or where the infringements are of a similar nature or objective, is considered as being collective misconduct.

Generally, collective misconduct is more effectively dealt with on a collective basis. An investigation into the alleged misconduct may be conducted regarding all of the Students concerned. A single disciplinary hearing can then be conducted with the Students concerned, with their Parents present.

The same procedures as provided for above are followed in a collective situation. In a collective disciplinary hearing, however, individual Students must still be provided, during or immediately after the hearing process, with the opportunity of demonstrating that their own circumstances may be different to that of other Students or the group involved, and of showing why they should be treated differently.

In certain cases, however, it might be considered appropriate by the Academy to conduct separate investigations or hearings with individual Students. The Academy reserves its right to exercise its option to conduct individual or collective procedures.

### **2.6 Expulsion**

If the penalty contemplated by the Disciplinary Committee is expulsion from the Academy, the Head may request an interview with the Parents of the Student, for purposes of determining whether or not the Academy is the best environment for the Student, given the incident/s of alleged Very Serious Misconduct and considering the rest of the Student’s record at the Academy. The Head may suggest, or the Parents may request, that the Student be removed from the Academy. If the Head and the Parents agree, the Parents will then confirm in writing that they intend to remove the Student from the Academy. The Head will acknowledge this request in writing to the Parents and the Academy will take all reasonable measures to assist the Student and the Parents to find a place for the Student at another school.

If the Parents do not wish to remove the Student from the Academy as immediately above, the Academy may conclude the disciplinary hearing.

In any interview discussions with the Parents, the Head will have another member of the Academy staff present who shall keep written minutes of the interview.

In instances where expulsion is the penalty decided upon at the disciplinary hearing, the Parents will be asked to remove the Student either immediately and without notice, or at a specified date that is shorter than a full term, with written notice, as is reasonable under the circumstances. The Academy will not be required to give the Parents a full term's written notice under these circumstances. In instances of expulsion, the Deposit will be forfeited, however, any prepaid fees will be refunded to the Parents within a school term.

**2.7 Disciplinary Infringements and Recommended Sanction**

The Academy Rules set out examples of offences likely to be punishable by suspension or expulsion. These examples are not a closed list and a Student may be expelled or suspended for offences which are not included in these examples. In particular, the Head may decide that suspension or expulsion for a lesser offence is justified where there has been previous misbehaviour by the Student or the circumstances of the case otherwise justify such action.

Certain infringements set out below envisage that the misconduct may take place by the Student in person or by way of the use of technological devices e.g. a cell phone, internet etc.

	Type or nature of infringement/misconduct	Guideline: Recommended Penalty		
		First offence	Second/ repeated offence	Subsequent offence
<b>Type 1: VERY SERIOUS MISCONDUCT</b> <i>(Zero Tolerance Offences which could lead to immediate expulsion)</i>				
1.	<ul style="list-style-type: none"> <li>• Violent, abusive or threatening behaviour (verbal or physical)</li> <li>• Fighting, battery or assault (threatened or actual)</li> <li>• Victimisation, bullying or initiation of any sort</li> <li>• Transferring, using or being in possession of a dangerous weapon, fireworks, explosives or any object that may be considered as being potentially dangerous (at School or at School events)</li> <li>• Intimidating or wilfully interfering with others (attempted or actual)</li> <li>• Inciting, advising or rewarding others to perform violent, offensive or threatening acts</li> <li>• Any “gang” related activity that may threaten the safety or welfare of others (at School or at School events, or in relation to School)</li> <li>• Harassment (sexual, racial, cultural or religious)</li> <li>• Issuing a bomb threat or arson (attempted or actual)</li> <li>• Behaviour that may pose a danger to the safety and welfare of others (at School or at School events, or in relation to School)</li> </ul>	Suspension and Hearing followed by Suspension or Expulsion		
2.	<ul style="list-style-type: none"> <li>• Being in possession of, or under the influence of alcoholic, hallucinogenic or dangerous/prohibited substances, or distributing, storing or consuming any of these substances (at School or at School events)</li> <li>• Strong suspicion of habitual use (abuse) or regular use of medication, drugs or alcohol at School or at School events</li> </ul>	Counselling or Suspension and Hearing followed by Suspension or Expulsion		

3.	<ul style="list-style-type: none"> <li>• Being in possession of another’s property without their knowledge or consent, or attempting to remove another’s property without consent or their knowledge</li> <li>• Theft or attempted theft</li> <li>• Sale of another’s / stolen property</li> </ul>	Suspension and Hearing followed by Suspension or Expulsion		
4.	<ul style="list-style-type: none"> <li>• Serious dishonesty (actual or intended)</li> </ul>	Suspension and		
	<ul style="list-style-type: none"> <li>• Cheating, copying or tampering with test or exam results, reports or assignments</li> <li>• Being in possession of or distributing material or information that may give an advantage in a test or an exam</li> <li>• Extortion, bribery, corruption or fraud (attempted or actual)</li> <li>• Being an accomplice to, colluding, conspiring, assisting / abetting or instigating dishonesty, fraud, or theft</li> <li>• Inciting, advising or rewarding others to be dishonest or to cheat</li> <li>• Serious breach of School security procedures, unreasonably refusing to submit to a search</li> <li>• Off-site criminal misconduct that disrupts or substantially damages the School/Student relationship and the educational process</li> </ul>	Hearing followed by Suspension or Expulsion		
5.	<ul style="list-style-type: none"> <li>• Obscene, indecent or sexually explicit behaviour or gestures, or attempts to make unwanted physical contact</li> <li>• Sexual harassment, inappropriate sexual innuendos or graphic comments</li> <li>• Intentional and offensive, insulting, abusive, racist or lewd behaviour</li> <li>• Storage, creation, sale or distribution of pornographic, obscene or offensive material, publications, symbols, email, text/SMS/MMS, cartoons or objects</li> </ul>	Suspension and Hearing followed by Suspension or Expulsion		
6.	<ul style="list-style-type: none"> <li>• Sabotage, malicious or wilful damage to School or others’ property</li> <li>• Unauthorised occupation of any School property or facility, or having the effect of depriving others from using this property or facility. Preventing or seeking to prevent free assembly by others on the School’s property, without School permission</li> <li>• Blocking off any entrances or exits to or from the School premises, with the intention or effect of interfering with free access / egress by others</li> <li>• Participating in or supporting industrial or protest action, preventing Students from attending School activities</li> </ul>	Suspension and Hearing followed by Suspension or Expulsion		
7.	<ul style="list-style-type: none"> <li>• Actions that expose others to serious danger or injury, or expose the School to potential accidental loss or damages - whether due to wilful or negligent acts</li> <li>• Unsafe acts or behaviour that endangers the safety and welfare of others</li> </ul>	Counselling/ Suspension and Hearing followed by Suspension or Expulsion		

8.	<ul style="list-style-type: none"> <li>• Serious misconduct or actions that may bring the reputation of the School, Students or other stakeholders into disrepute</li> </ul>	Counselling/ Suspension and Hearing followed by Suspension or Expulsion		
9.	<ul style="list-style-type: none"> <li>• Any other misconduct considered to be very serious and possibly justifying expulsion as a first offence.</li> </ul>	Counselling/ Suspension and Hearing followed by Suspension or Expulsion		

<b>TYPE 2: SERIOUS INFRINGEMENTS</b>				
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10.	<ul style="list-style-type: none"> <li>• Playing of obscene, insulting or demeaning games</li> <li>• Dangerous horseplay</li> <li>• Malicious teasing</li> </ul>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
11.	<ul style="list-style-type: none"> <li>• Inappropriate behaviour or comments in public or at School events that brings the School into disrepute</li> <li>• Abuse of School privileges or seniority/status, abuse of position of authority</li> </ul>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
12.	<ul style="list-style-type: none"> <li>• Smoking or being in possession of tobacco or cigarettes (on the School premises or at School events)</li> </ul>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
13.	<ul style="list-style-type: none"> <li>• Forgery or falsification of School documents and reports</li> <li>• Lying and unfair behaviour (with less serious initial consequences)</li> </ul>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
14.	<ul style="list-style-type: none"> <li>• Vandalising property or equipment (School or others), improper use or not taking due care of property or equipment</li> <li>• Accidental damage to property through carelessness</li> </ul>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
15.	<ul style="list-style-type: none"> <li>• Acts or behaviour designed to create a hostile or threatening School environment, or that may reasonably have resulted in such an environment</li> <li>• Wilful disruption of School activities, interference with School authorities</li> <li>• Conduct designed to be prejudicial to good order or discipline at the School</li> </ul>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
16.	<ul style="list-style-type: none"> <li>• Any misconduct by the Student that is considered by School authorities to warrant more than Counselling, a verbal reprimand or an ordinary warning</li> </ul>		Suspension and Hearing followed by Suspension or Expulsion	

<b>TYPE 3: LESS SERIOUS INFRINGEMENTS</b>				
17.	<ul style="list-style-type: none"> <li>Disregard for rules, directions, instructions or for any persons in authority</li> <li>Defiance or disrespect towards School authorities, Parents/ Guardians, visitors or peers</li> <li>Being discourteous towards School authorities, adults or peers, or displays of insolence</li> <li>Being unreasonably intolerant of others and their religion, personal beliefs, cultural traditions, appearance or of diversity</li> <li>Persistent violation of School rules (with less serious initial consequences)</li> </ul>	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
18.	<ul style="list-style-type: none"> <li>Use of excessive force when playing games or during sporting events</li> <li>Playing games in an area where others may be injured or where property may be damaged</li> <li>Riding skateboards, wheelies, bicycles or motorbikes in areas where such activities are prohibited, or in such a manner as may cause injury to others or damage to property</li> </ul>	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
19.	<ul style="list-style-type: none"> <li>Noisy or disruptive behaviour, disturbing the activities of others</li> <li>Highly disruptive or unruly classroom behaviour</li> <li>Trespassing or entering School premises without permission or without supervision, and/or after School hours</li> <li>Refusing to identify oneself upon request by a School authority</li> </ul>	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
20.	<ul style="list-style-type: none"> <li>Swearing and use of vulgar, profane (foul) language</li> </ul>	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
21.	<ul style="list-style-type: none"> <li>Tardiness, littering and poor housekeeping</li> <li>Poor grooming, unhygienic personal habits, improper use of School facilities or ablutions</li> <li>Hair, dress or apparel that is not in accordance with School standards or rules</li> <li>Eating or drinking during class or School events / activities when consumption is not permitted</li> </ul>	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
22.	<ul style="list-style-type: none"> <li>Tampering with the possessions or equipment of others</li> <li>Use of School equipment without permission (with no serious consequences)</li> </ul>	Counselling and Reprimand or Warning /Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion

SAGAN ACADEMY CODE OF CONDUCT and DISCIPLINARY PROCEDURE

23.	<ul style="list-style-type: none"> <li>• Refusal or failure to complete homework or assignments</li> <li>• Refusal to deliver or return reports, reply slips or letters to Parents /Guardians or to the School</li> <li>• Unreasonable and unexplained refusal to attend or participate in School activities or compulsory events</li> <li>• General uncooperativeness and / or being wilfully obstructive</li> <li>• Poor application to studies, Schoolwork or assignments</li> </ul>	Counselling and Reprimand or Warning /Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
24.	<ul style="list-style-type: none"> <li>• Truancy, poor timekeeping practices</li> <li>• Unexplained absences from classes or from compulsory events or activities</li> <li>• Leaving class or School premises without permission</li> </ul>	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	<ul style="list-style-type: none"> <li>• Persistent late-coming or early unauthorised departure from class / School</li> </ul>			
25.	<ul style="list-style-type: none"> <li>• Persistent misuse of personal communication devices during School activities</li> </ul>	Counselling and Reprimand or Warning /Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
26.	<ul style="list-style-type: none"> <li>• Any other infringements that may be considered serious enough to warrant the implementation of corrective action and taking of disciplinary measures</li> </ul>	Counselling and Reprimand or Warning /Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion

I have read the Code of Conduct for Sagan Academy and fully understand its contents. I acknowledge my responsibilities and obligations to this document and the principles it outlines.

I pledge myself to uphold the standards outlined and appreciate the severe consequences which will result from any breach of the Code of Conduct.

Name of Student: \_\_\_\_\_

(Please print your name clearly)

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / 20\_\_\_\_

I, \_\_\_\_\_ parent/guardian of \_\_\_\_\_  
 (Print full name of parent/guardian) (Print name and surname of student)

hereby witness that my child is committed to the Code of Conduct and supports the standards outlined therein.

Parent's/Guardian's signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ /20\_\_\_\_