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CBC Mount Edmund Disciplinary Policy & Procedure

1. Policy

1.1. Loss of points and privileges

Allocation of points is a method of recording misbehaviour. The consequence of accumulating a certain number of points is a punishment or consequence as defined in the list of punishments and consequences. The privileges that may be lost are listed. In the case of a loss of privileges due to disciplinary action, it must be noted that certain classes of privilege cannot be earned back. The return of privileges will in all cases be subject to a three month cooling off period as described in the "working back of points" policy.

2. Procedure

2.1. When a learner misbehaves or is shown to have misbehaved the educator will issue a disciplinary (pink) slip.

2.2. The learner has to sign the relevant box to admit guilt or to deny guilt. Under no circumstances may a learner refuse to sign the pink slip.

2.3. The educator will in all cases pass the disciplinary slip to the Head of Grade (HOG) for further processing.

2.3.1 The HOG will capture the data onto the database.

2.3.2 The HOG will prepare a report of point totals for all learners to whom disciplinary slips have been issued regularly. This will determine the degree of punishment accorded to each learner. A printout of points will be made quarterly for all learners to be included in their academic reports so as to inform the learner and parents of the current points accumulation of the learner. In certain cases, the College may decide to communicate this information to parents more regularly. A learner may request a printout of his/her points at a time convenient to the HOG. The HOG will determine if multiple offences have occurred that may require an internal disciplinary investigation. If so then he/she will, together with the Head of High School, arrange for such an internal disciplinary investigation.

2.3.2.1 An internal disciplinary investigation will determine whether it is necessary to refer the case to a formal disciplinary hearing or whether further punishment or involvement of the parents in discipline will suffice to deal with the problem.

2.3.2.2 In the case of a level one offence in which the learner does not admit guilt, the HOG will arrange for an internal disciplinary investigation.

2.3.2.3 In the case of the learner being found not guilty, the learner will be released from all guilt.



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3. Punishment and consequences of loss of points

- 3.1. All disciplinary points will refer back to the same set of punishments as set out below. Take note that if the learner works back points prior to reaching the threshold then the punishment for that threshold will not apply. For this reason, all points deducted or gained will be added to the database in strict date order.

| Points lost | Punishment | Consequences |
|-------------|----------------------------------|--|
| 50 | Detention | Parents notified |
| 100 | Detention, loss of a privilege | Parents notified |
| 150 | Detention, loss of a privilege | Meeting with parents. Behaviour contract |
| 200 | Possible suspension or expulsion | Formal Disciplinary Hearing |

- 3.1.1 Detentions will take preference above all other activities and needs. This includes sport practices and matches.
- 3.1.2 Detention is a time when learners will do appropriate academic work, revision or exam preparation. Detention may include community service.
- 3.1.3 **High school learners will attend detention on a Friday afternoon from 13:30 to 15:30.**
- 3.1.4 Further non-compliance will lead to a meeting with the parents of the learner and/or a Formal Disciplinary Hearing.
- 3.1.5 Once learners have completed detention, 50 points will be subtracted from their conduct record.

3.2 List of privileges

- 3.2.1 Learners who behave well will be eligible for certain privileges. The continued loss of points or the loss of a great number of points due to the seriousness of a misdemeanour may have consequences beyond those of the punishments given. The disciplinary committee can decide that certain privileges are lost once the learner reaches a point total of 100.

- 3.2.2 The following privileges might be awarded or removed:-



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Afternoon functions, Evening functions, Matric Dance Privilege, Office bearers in clubs and/or teams and or Team Membership, Trips and Tours, Student Council Membership, Prefects and Student Council Office Bearers, Exam Privileges, Wearing Honours blazer and Matric parking privilege.

3.2.3 Loss of privileges may vary in time extent. Whilst some privileges, like attendance of afternoon and evening social functions could be regained, others may be lost permanently or for a longer period of time.

3.2.3.1 Loss of any office bearer capacity will last for three months.

3.2.3.2 In the case of Student Council membership, learners may also lose the opportunity to be elected in the following year.

3.2.3.3 In the case of other privileges, there will be a "cooling down period" or "probation" of three months from the date the privilege was lost to when it may be regained. The points may of course be worked back during this period. The Honours Blazer may be regarded as such a privilege.

3.4 Working-back of disciplinary points – policy and procedure

3.4.1. Policy

This procedure covers activities required for the activation of a system towards regaining points lost due to disciplinary actions.

If points and privileges are lost due to disciplinary action, then points may be earned in service to the College towards regaining the lost points and the privileges.

Five points will be allocated per one hour of service. Note that all service is regarded as being of equal value in this system.

When a disciplinary committee takes away privileges, it will indicate the number of points to be regained before these privileges can once again be granted. The regaining of 80% of the total points lost (as well as any new negative points gained in the interim) is suggested as the norm. Note that certain privileges cannot be regained.

3.4.2. Service acceptable for regaining of lost points

Clearing litter, cleaning classrooms or storerooms, first aid, chapel duties.



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Note that in each case there must be a specific need for the service and permission must be granted by the educator before conducting the service. Lost points worked back do not count towards Honours Blazer Service points.

3.4.3. Procedure

3.4.3.1 The learner intending to work lost points back should ensure that the service that he/she is engaging in is a service for which points could be earned as listed above.

3.4.3.2 The learner should ensure that the educator supervising the activity does want the service performed and would be prepared to sign the service notification. In the case of year-long service, both the learner and educator should keep record of the service performed. Note that any service given as a punishment cannot be counted for Honours Blazer points.

3.4.3.3 The learner must perform the service to the best of his/her ability.

3.4.3.4 The learner should complete the notification.

3.4.3.5 If the work was not done to the educator's satisfaction, the educator may indicate on the notification that a reduced number of points (or no points if necessary) are to be credited. The educator must sign the notification. The consistency of standards is essential and the Head of Grade should ensure that points are given equally.

The HOG must report lack of consistent application by an educator to the Principal or his representative who will follow it up and ensure that the system is applied justly.

3.4.3.6 The learner must sign the notification after it has been fully completed and hand it to the educator.

3.4.3.7 The educator must hand the slip to the HOG, who will capture the worked back points on the database and file the hard copy.



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3.4.3.8 At the moment the College Management and the Student Council have agreed to place a cap on the amount of points to be worked back at 50 points.

4. Disciplinary Guideline For Points System [Level 1 Offences]

4.1 NOTE:

- 4.1.1 The list of offences cited on the DISCIPLINARY PINK SLIP herein should not be regarded as exhaustive.
- 4.1.2 The suggested points are merely guidelines. Different points may be imposed based on the unique circumstances of each case.
- 4.1.3 Each case will be judged on its own merit after considering all mitigating and aggravating circumstances.

5. Part B: Misconduct [LEVEL 2 AND LEVEL 3 OFFENCES]

All cases of misconduct will initially be administered by the Principal through an internal disciplinary investigation procedure. Punishment for any of these offences can range from awarding of negative points to expulsion. In the event that it becomes apparent during any stage of the investigation that the misconduct may need to be heard in a formal disciplinary hearing the Principal must advise the learner and parents and refer the matter to a formal disciplinary hearing.

5.2 Acts of Serious Misconduct [Level 2 Offences]

The following offences will be deemed to be misconduct (Level 2 Offences)

- 5.2.1 Fighting or bullying, either physical or verbal or non-verbal, as well as initiation practices, assault, harassment and humiliation of other learners.



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- 5.2.2 Seriously threatening, disrupting or frustrating teaching or learning in a class.
- 5.2.3 Engaging in any conspiracy to disrupt the proper functioning of the College, through collective action. This clause will include any planned or collective trespass.
- 5.2.4 Insulting the dignity of or defaming any learner or any other person. This includes racist remarks.
- 5.2.5 Any act or omission amounting to dishonesty to persons in authority is considered to be misconduct.
- 5.2.6 Cheating in a test or an examination or any other form of assessment such as an assignment.
- 5.2.7. Forging any document or signature to the potential or actual prejudice of the College.
- 5.2.8 Distributing, or being in the possession of any test or examination material that may enable a person to gain an unfair advantage in a test or examination.
- 5.2.9 Attempting to bribe or bribing any person in respect of any test or examination to enable him or herself or another person to gain an unfair advantage.
- 5.2.10 Engaging in any act of public indecency.
- 5.2.11 Being in possession of pornographic material.
- 5.2.12 Contravention of the College Electronic Communication Policy.
- 5.2.13 Being under the influence of and/or in possession of alcohol or any other intoxicating substance.
- 5.2.14 Being in the possession of, consuming or dealing in any illegal or other harmful substance.
- 5.2.15 Being in the possession of, using or transmitting narcotic or unauthorised drugs or showing evidence of such possession, use or transmission.



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Breach of the College Drug Policy.

- 5.2.16 Being in possession of any dangerous weapon.
- 5.2.17 Assaulting or attempting to assault another person.
- 5.2.18 Malicious damage to property. Vandalism is seen to include any intentional damage whether it is of a temporary or permanent nature to the assets or property of the College.
- 5.2.19 Dangerous and reckless driving on the College property.
- 5.2.20. Any other act of serious misconduct.

5.3 Acts of General Misconduct [LEVEL 3 OFFENCES]

- 5.3.1 Sexually harassing another person.
- 5.3.2 Raping any person; or engaging in any sexual activity which amounts to an offence in law.
- 5.3.3 Engaging in fraud.
- 5.3.4 Being in unauthorised possession of, or without proper authority removing or attempting to remove any property belonging to the College.
- 5.3.5. Being in unauthorised possession of, without proper authority removing or attempting to remove any property belonging to a fellow learner, staff or visitors to the College
- 5.3.6 Holding any person hostage.
- 5.3.7 Endangering the life or safety of any person.
- 5.3.8 Any other offence which would be considered illegal or criminal activity.



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6. Disciplinary Hearings [Level 2 And Level 3 Offences]

6.1 Disciplinary hearing procedure

6.1.1 Written notice of a disciplinary hearing:

6.1.1.1 Written notice of a disciplinary hearing will be given to the parents/guardian of the learner at least 48 hours (two school days) before the scheduled date of the hearing. This will provide the parents with reasonable time to prepare for the hearing. Extension may be given but should not exceed 5 (five) school days.

6.1.1.2 The notification must provide sufficient information to ensure that the learner and parents are properly informed of the alleged complaint, the seriousness of the allegations, and the College's intention to convene a disciplinary hearing to investigate the infringement.

6.1.1.3 The learner and parents must also be advised of the possibility of formal and severe disciplinary action being taken should the learner be found guilty of the allegations made against him/her.

6.1.1.4 The notification will inform the learner and parents of the time and place of the enquiry or hearing. The learner and his/her parents [or legal guardian] are advised to attend the hearing as their non-attendance may prejudice their case, resulting in the hearing being held in their absence, and a decision being made without their involvement.

6.1.1.5 The learner and parents must also be advised of the learner's rights during the disciplinary process.

6.1.1.6 The learner has the right to be represented at the hearing by his/her parents/guardian.

6.1.1.7 A disciplinary hearing is an internal College procedure and external representation will not be permitted.

6.1.1.8 The learner (or his/her parents) has the right to examine all evidence presented and to cross-examine all witnesses called.



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- 6.1.1.9 The learner (or his /her parents) has the right to testify, present evidence and call witnesses in his/her own defence.
- 6.1.1.10 The learner has the right to follow proceedings in a language familiar to him/her.
- 6.1.2. The Principal shall appoint: -
- 6.1.2.1 **A Disciplinary Hearing Chairperson:**
- The Chairperson shall conduct the hearing in a proper manner that conforms to the rules of natural justice.
- The Chairperson shall control the proceedings and shall rule on all procedural, *in limine* and interlocutory matters.
- The Chairperson, in the event of a guilty finding, shall be responsible for deciding on and imposing an appropriate sanction.
- The Chairperson may consult other sources before making a final decision on an appropriate sanction.
- 6.1.2.2 **A Case Presenter.**
- 6.1.2.3 **A Scribe:** Responsible for keeping record (minutes) of the hearing proceedings. (Audio recordings of the proceedings may be made.)
- 6.1.3 The allegations (breach or misconduct) shall be read by the Case Presenter.
- 6.1.4 The accused learner shall be afforded an opportunity to plead to the allegations (charges).
- 6.1.5 In the event that the learner pleads **guilty** to the allegations, the Chairperson may, after satisfying himself that the learner understood the allegations and is admitting to all the material elements thereof, proceed to immediately hear and consider relevant mitigating and aggravating factors in order to enable him/her to decide on an appropriate sanction.
- 6.1.6 In the event that a learner enters a **special plea**, such as that he had already been acquitted of the same alleged incident of misconduct



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in a previous hearing (*atrefois acquit*) or that he had already been found guilty of the same incident of misconduct in a previous investigation or hearing (*atrefois convict*), the Chairperson must first consider and decide on such plea before proceeding with the hearing (if applicable).

- 6.1.7 In the event that the learner pleads **not guilty**, the onus will be on the Case Presenter to prove the learner's guilt on a balance of probabilities and the hearing will proceed accordingly.
- 6.1.8 If the learner **refuses** to plead at all or refuses or fails to clarify a plea of guilty to the satisfaction of the presiding officer, or is **absent** from the proceedings, a plea of not guilty will be entered on behalf of the accused learner and the hearing will proceed accordingly. In the case of a learner failing to exercise his / her right of attendance the hearing will continue *in absentia*.
- 6.1.9 The Case Presenter will be called upon to present the facts by introducing evidence and calling witnesses.
- 6.1.10 The accused learner and his/her parents shall be given adequate opportunity to scrutinise evidence and cross-examine witnesses.
- 6.1.11 The accused learner and his/her parents shall thereafter be given the opportunity to present relevant evidence and call witnesses (which may include the accused learner). The Case presenter shall *mutatis mutandis* have the same right as in paragraph 6.1.10 above.
- 6.1.12 Both parties shall be afforded an opportunity to argue the merits of the case and address the Chairperson as to an appropriate finding.
- 6.1.13 Depending on the complexity of the matter the Disciplinary Hearing Chairperson may make a finding as to whether or not the learner is guilty at the conclusion of the hearing or adjourn the hearing so that the minutes of the hearing and the evidence can be studied before a decision is made.
- 6.1.14. A learner who was found not guilty shall be notified accordingly and in writing but no reasons for the finding need be presented.



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- 6.1.15. Should the Disciplinary Hearing Chairperson determine that the learner is guilty of the alleged offence he/she shall, within 5 working days from such a decision:
 - 6.1.15.1. Afford the accused learner and his/her parents an opportunity to submit mitigating factors and present his/her view on the sanction to be imposed. The Case Presenter shall *mutatis mutandis* have equal opportunity to present aggravating factors and present his/her view on an appropriate sanction.
 - 6.1.15.2. The Disciplinary Hearing Chairperson shall within 5 working days from receipt of submissions as per paragraph 6.1.15.1 above, determine the appropriate sanction and inform the learner in writing of such a sanction and the reasons therefore.
 - 6.1.15.3 The Disciplinary Hearing Chairperson shall inform the parents in writing of their right to appeal the outcome of the hearing and the imposed sanction.

6.2. Admissible Sanctions

- 6.2.1. In the case of a Disciplinary Hearing, negative points is the most common form of sanction used, however, other forms of punishment, consequences and assistance may also be called for. The learner may have to perform duties, or service appropriate to the offence and may have to attend courses and or sessions with a psychologist or other service providers.
- 6.2.2. The Principal may, if appropriate and where the wellbeing of other learners is concerned, suspend a learner for a period not exceeding five days.



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7. Disciplinary Pink Slip

| | Offence | Points |
|------------|---|---------|
| 1. | Eating in class and chewing gum | 10 |
| 2. | Hair violations | 10 |
| 3. | Being in the presence of smokers | 20 |
| 4. | Books not at school / devices not at school | 25 |
| 5. | Bunking class, line-up, assembly or substitution | 25 |
| 6. | Bunking school | 50 |
| 7. | Class / Chapel / Assembly / Line up disruption | 20 |
| 8. | Copying homework | 25 |
| 9. | COVID Protocol violation | 25 |
| 10. | Disobedience | 15 |
| 11. | Disrespectful behaviour towards a staff member | 40 |
| 12. | Foul or inappropriate language in general | 15 |
| 13. | Foul or inappropriate language towards another learner | 20 |
| 14. | Dishonesty and lying | 25 |
| 15. | Any 'violation of dress code' as stipulated in the code of conduct | 15 |
| 16. | Holding each other in an intimate manner | 25 |
| 17. | Homework not done | 25 |
| 18. | Interclass movement, loitering in corridors and bridge between classes | 5 |
| 19. | Late for class, assembly or chapel | 25 |
| 20. | Littering | 10 |
| 21. | Not cooperating with afternoon programme | 20 |
| 22. | Out of bounds within College | 20 |
| 23. | Return slips outstanding | 10 |
| 24. | Smoking or possession of tobacco, on College grounds or anywhere in uniform | 50 |
| 25. | Test not signed | 5 |
| 26. | Throwing objects off balconies | 15 |
| 27. | Unauthorised use of electronic devices / earphones | 15 |
| Educator | | Learner |
| Guilty | | Date: |
| Not Guilty | | Grade |



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