

LEARNER CODE OF CONDUCT



OVERVIEW

Purpose	The purpose of the Learner Code of Conduct is to ensure that the principles of a safe, inclusive, and ordered teaching and learning experience, are clear to all and consistently upheld.
Custodian	Registrar of UCT Online High School and Registrar of Valenture Institute
Approval Authority	Vice-Chancellor
Version History	Version 1, Effective 21 July 2021
Key Stakeholders	Vice-Chancellor, UCT Online High School Registrar, and CEO



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1. INTRODUCTION

- 1.1. This framework has been developed by UCT Online High School.
- 1.2. UCT Online High School has adopted this Learner Code of Conduct, and as part of this Code of Conduct, we have defined a set of processes to follow when allegations of a breach of the Learner Code of Conduct are reported or identified.
- 1.3. This Code of Conduct replaces all other disciplinary rules and procedures previously published by UCT Online High School.
- 1.4. The legally enforceable Code is the version that is published on the Handbooks page of the UCT Online High School website:
www.uctonlinehighschool.com.
- 1.5. This Code of Conduct may not be amended except in writing, under the hand of the Registrar, and duly authorised by the Oversight and Governance Committee.
- 1.6. During the process of enrolling a learner at UCT Online High School, the parents / guardians confirm in writing that they accept the Programme Terms and Conditions, which confirms their agreement to be bound by the policies and procedures of UCT Online High School.
- 1.7. UCT Online High School subscribes to inquisitorial and restorative justice. Thus, we are committed to investigating all allegations / incidents with fairness, and the intention of adopting remedial action, wherever appropriate. Having said this, actions have consequences and the seriousness of an allegation can never be undermined. Should a learner be found to have committed an act that infringes on the Code of Conduct, UCT Online High School will enforce the consequences, taking into account the circumstances.
- 1.8. Parents / guardians, teachers, and the staff members of UCT Online High School accept that the Institute has a duty to learners, parents / guardians, and society to produce young people who will play a positive and constructive role in

society as adults with a developed sense of responsibility. Consequently, any act of misconduct must be dealt with by means of fair process, which may result in an appropriate consequence being imposed by the Faculty Board.

1.9. Parents / guardians accept that teachers, staff members, and management may be called upon to act in the best interests of the learner, the school, and other learners or parents / guardians, in situations of “manifest uncertainty”, and that certain decisions may or will have to be taken in the exercise of a general discretion exercised in this context.

1.10. When addressing occurrences of alleged / explicit breaches in learner discipline, all learners, staff members, parents / guardians, and UCT Online High School management will not threaten any particular punishment. All parties must refrain from threats, abuse of power, or any indication of bias, dislike, or interpersonal difficulties that may compromise the authority of the Disciplinary Process or the atmosphere of equity, of due process, and fairness in which Disciplinary Process should take place.

UCT Online High School has made every effort to ensure the accuracy of the information in our handbooks. However, we reserve the right, at any time, if circumstances dictate, to:

- (i) make alterations or changes to any of the published details of the substance and opportunities on offer, or
- (ii) add to or withdraw any of the provisions and opportunities on offer.

Parents / guardians and learners are given every assurance that changes will only be made as and when appropriate, and you will be fully informed as soon as possible.

2. LEARNER CODE OF CONDUCT UNDERTAKING

UCT Online High School believes that collaboration and engagement are vital towards cultivating a rich learning experience that is both stimulating and safe for all members of the learning community.

To support the best interests of the learning community, all engagement, regardless of participants, medium, channel, or format, must be conducted in a healthy and constructive manner that is underpinned by the rules of this Code of Conduct. The Code of Conduct defines the expected standards of conduct in respect of academic matters for all learners at UCT Online High School. Each learner at UCT Online High School is responsible for upholding and adhering to the Code of Conduct in all of their engagements.

As a learner at UCT Online High School, with commitment from your parent(s) / guardian(s), you must:

- 2.1. Ensure that all information provided to UCT Online High School is true and accurate.
- 2.2. Inform UCT Online High School timeously of any changes to your personal information.
- 2.3. Comply with any reasonable instruction issued by an authorised staff member of UCT Online High School.
- 2.4. Comply with all rules and policies of UCT Online High School, both available on the Handbooks page of the website, and including those relating to copyright and intellectual property.
- 2.5. Refrain from making any unauthorised use of the name of UCT Online High School, its logo, or any other materials that can be identified as belonging to UCT Online High School.



- 2.6.** Familiarise yourself with all procedures relevant to your status as a learner at UCT Online High School (for example, procedures relating to learner complaints), and abide by these.
- 2.7.** Refrain from behaviour or activities that would hamper or obstruct the work of UCT Online High School or the learning and overall academic experience of learners at UCT Online High School.
- 2.8.** Refrain from any behaviour or activity with a learner or staff member that could constitute corruption, such as the acceptance of any reward or compensation for taking part in an unlawful action.
- 2.9.** Comply with the findings and sanction of any disciplinary action brought against you.
- 2.10.** Treat all members of the learning community with respect and dignity at all times.
- 2.11.** Not engage in any forms of bullying towards either staff members or learners, and immediately report any instances within your knowledge to the appropriate authority. This includes, but is not limited to, demeaning or creating a hostile environment for a staff member or a learner based on their race, religion, beliefs, gender, gender identity, or sexual orientation.
- 2.12.** Not engage in, or subject another learner to, any form of initiation.
- 2.13.** Take personal responsibility for all academic work and adhere at all times to all rules and policies relating to academic integrity.
- 2.14.** Participate fully in all academic activities as required by your individual courses and programme(s).
- 2.15.** Take responsibility for your learning and pay attention to the requirements of your subjects and relevant programme(s).



2.16. Not share your learner number or other learner credentials with another person or persons.

2.17. Make use of UCT Online High School's online platforms only for their intended purposes.

2.18. Conduct yourself in a manner that is compliant with the laws of the Republic of South Africa.

2.19. Accept that a particular sanction imposed after the disciplinary process is legitimate and fair, and is a necessary consequence of the breach of this Code of Conduct.

UCT Online High School will, at all times, retain the right to bring disciplinary action and appropriate sanction (including expulsion) against any learner found, through the appropriate channels, to be in violation of this Code of Conduct.

An important note on bullying:

UCT Online High School has a zero tolerance policy towards bullying. Where allegations or identified incidents occur, the Institute will act swiftly and decisively in applying our Disciplinary Process. We believe that assigning demeaning and disempowering labels to individuals such as '*Bully*' or '*Victim*' do not help any of the Affected Parties concerned during the implementation of the Disciplinary Process, and that the focus must be concentrated on the behaviour of an individual / individuals, and determining the outcomes. Labelling individuals with these terms is not appropriate and will also be considered seriously.

For the purposes of clarity of upholding the above, learners who have allegedly or explicitly engaged in behaviour that is characterised as bullying, as well as the learner on the receiving end of this behaviour, will be referred to by their first names and collectively as the Affected Parties.



This framework is informed by, and must be read in conjunction with, the prescripts of UCT Online High School's Safeguarding of Children Policy.

3. UCT ONLINE HIGH SCHOOL'S OBLIGATIONS

3.1. Our primary consideration is to ensure that we uphold the safeguarding of each learner and the overall integrity of a safe environment for the learning community.

3.2. Our key objectives in cases of alleged learner misconduct are to:

3.2.1. Uphold our contractual obligation to protect all learners in our care as an institution.

3.2.2. Protect the privacy of every learner.

3.2.3. Be highly responsive to reported cases of alleged misconduct.

3.2.4. Ensure that all cases of alleged misconduct are handled by the appropriate forum and people.

3.2.5. Do all that we can to ensure cases of alleged learner misconduct are handled fairly.

3.2.6. Exercise the overriding discretion enshrined in all policies relating to misconduct using a careful and considered approach.

3.2.7. Adhere to the principles of inquisitorial and restorative justice.

3.3. To meet our objectives, we commit to following these policies and prescripts:

3.3.1. Comply with the prescripts of the following UCT Online High School policies:

3.3.1.1. Programme Terms and Conditions;

3.3.1.2. Safeguarding of Children;

3.3.1.3. Learner Handbook; and

3.3.1.4. Learner Code of Conduct.

3.3.2. Comply with all relevant laws and regulations applicable in each country in which we operate.

3.3.3. Respect the role of UCT Online High School's designated Safeguarding Coordinator and Principal, as well as the authority of the:

3.3.3.1. Operations and Governance Committee;

3.3.3.2. Oversight Committee; and

3.3.3.3. External regulatory authorities.

3.3.4. Not share the nature / information of the alleged misconduct with any team member who is not privy to this. Only the following team members may be informed of the required information:

3.3.4.1. Safeguarding Coordinator;

3.3.4.2. Principal;

3.3.4.3. Learner Support Coach;

3.3.4.4. Any staff member who has been directly mentioned by an affected party / or involved in part of the alleged misconduct;

3.3.4.5. Members of the Executive Committee;

3.3.4.6. Members of the Operations and Governance Committee;

3.3.4.7. Members of the Oversight Committee; and

3.3.4.8. External authorities as provisioned for under law.

4. LEARNER MISCONDUCT

4.1. First offences not deemed as serious misconduct

4.1.1. Teachers will use their own procedures and discretion, in harmony with this Code of Conduct, to ensure that effective learning takes place in the classroom.

4.2. Serious acts of misconduct

4.2.1. Section 5 of this Code of Conduct sets out the list of acts, which is a non-exhaustive list, and their level of severity. In the event of alleged or explicit serious misconduct, the following procedure will be followed:

4.2.1.1. If a learner is in immediate danger, action appropriate to the circumstances must be taken, which could include calling the parent(s) / guardian(s), police, medical services, or other appropriate agency.

4.2.1.2. The Safeguarding Coordinator or their designate must make contact with the learner (within 12 hours of the incident being reported / identified) who has been allegedly impacted by an incident of misconduct to inform them of our awareness and the process that will be followed.

4.2.1.3. Apply considered discretion (the Principal with contextual input from the Safeguarding Coordinator) to determine whether the alleged misconduct warrants a virtual disciplinary hearing with any affected party and their parent(s) / guardian(s).

4.2.1.4. Principal to call the parent(s) / guardian(s) of the affected parties' parent(s) / guardian(s) within 24 hours to inform them of the next steps.

4.2.1.5. Where it is determined that a virtual disciplinary hearing is not required, the Principal must liaise with the Registrar to draft the notice of alleged breach of Learner Code of Conduct letter to be sent to the accused party, or parties, within three working days of the incident being reported / identified.



- 4.2.1.6.** Collate all of the information and evidence within two working days of receipt, and store this securely.
- 4.2.1.7.** Convene a meeting of the Operations and Governance Committee to take place within two working days of all evidence being received.
- 4.2.1.8.** Circulate the collated information and evidence to all members of the Operations and Governance Committee within one working day of receipt.
- 4.2.1.9.** The Operations and Governance Committee must meet in a private space to review the instance of alleged misconduct.
- 4.2.1.10.** The meeting of the Operations and Governance Committee must be minuted by a representative as designated by the Registrar.
- 4.2.1.11.** Where the Operations and Governance Committee identifies evidence of negligence on the part of any team member of UCT Online High School, this must be reported separately to the respective team member's Executive Officer. This alleged negligence must be investigated by the respective Executive Officer, and the matter tabled for review by the Executive Committee to determine an outcome.
- 4.2.1.12.** The recommendation reached by the Operations and Governance Committee must be finalised by the Principal and Registrar and sent to the Oversight Committee of UCT Online High School by the Registrar.
- 4.2.1.13.** The UCT Online High School Oversight Committee must meet within two working days of receiving the recommendation and decide to uphold or override the recommendation. The Registrar must be included in this meeting to take minutes and provide counsel on matters of governance. Where the Oversight Committee decides to override the recommendation, they must provide a reason for this in writing. While the Board has the authority to override the recommendation, the decision must be compliant with UCT Online High School's policies as listed in this framework.



4.2.1.14. The decision reached by the Oversight Committee of UCT Online High School is final, and must be communicated to the affected parties and their parent(s) / guardian(s) in the standard determination letter.

4.2.1.15. Any sanctions imposed must be actioned immediately.

4.2.1.16. The Registrar must notify the Safeguarding Coordinator of the outcome reached.

4.2.1.17. The Safeguarding Coordinator must ensure that any support plan(s) required are initiated.

4.2.1.18. Any appeals will be directed to the Oversight Committee of UCT Online High School.

5. PRESCRIBED LEVELS OF MISCONDUCT SEVERITY AND CONSEQUENCES

5.1. The levels set out on the next page are to be used as a guideline. Nevertheless, the respective Committees must use their discretion in order to assess the severity of each incident.

5.2. It is important to note that the prescribed levels and the forms of misconduct therein are not intended to act as an exhaustive list, but rather as an indication of the type of severity of an infringement in general.

5.3. Instances of academic misconduct require consideration from the respective teacher.

5.4. One or more consequences / sanctions may be implemented as fitting to the circumstances of the incident.

LEVEL ONE	POSSIBLE CONSEQUENCES
<ul style="list-style-type: none"> • First offence of name calling or rude gestures. • Minor infringement of the live session or discussion forum etiquette. • Minor infringement of the Learner Code of Conduct. 	<ul style="list-style-type: none"> • First letter of warning outlining the nature of the offence, signed by the parent(s) / guardian(s), and kept on file. • Written apology for the infringement to the affected party. • Suspension from the Online Campus (maximum of three school days). • Compulsory development sessions with a Learner Support Coach. • Minor penalty on grade for assignment (in the case of academic dishonesty) and letter of apology.
LEVEL TWO	POSSIBLE CONSEQUENCES
<ul style="list-style-type: none"> • Repeated Level One infringements. • Making inappropriate comments, taunting or teasing, spreading rumours or embarrassing information about someone, impairing someone's reputation or relationships, or causing children to exclude others or avoid befriending them. • Forcing others to hand over property that belongs to them. • Defacing the property of others / the school. • Posting inappropriate content on the Online Campus. • Moderate infringement of the Learner Code of Conduct. • Moderate infringement of the live session or discussion forum etiquette. 	<ul style="list-style-type: none"> • Second warning letter, kept on file. • Written apology for the infringement to the affected party / parties. • Final warning letter, kept on file. • Virtual disciplinary hearing chaired by the Operations and Governance Committee. • Suspension from the Online Campus (maximum of three school days). • Moderate penalty on grade for assignment (in the case of academic dishonesty) and letter of apology. • Cancellation / reduction of scholarship, if applicable.
LEVEL THREE	POSSIBLE CONSEQUENCES
<ul style="list-style-type: none"> • Repeated Level Two Infringements. 	<ul style="list-style-type: none"> • Virtual disciplinary hearing chaired by the



<ul style="list-style-type: none"> • Making fun of, threatening, ridiculing, or humiliating a person or group of people, whether on the basis of their appearance, physical characteristics, sexuality, cultural background, religion, or otherwise. • Any form of physical assault. • Any form of impersonation, identity theft, and / or identity fraud. • Any act qualifying as a sexual offence under the Sexual Offences Act. • Any act that violates the law. • Severe infringement of the Learner Code of Conduct. 	<p>UCT Online High School Oversight Committee.</p> <ul style="list-style-type: none"> • Final warning letter, kept on file. • Written apology for the infringement to the affected party / parties. • Suspension from the Online Campus (maximum of five school days). • Compulsory community service. • Expulsion. • Receive zero for an assignment (in the case of academic dishonesty) and letter of apology. • Cancellation / reduction of scholarship, if applicable.
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Under NO circumstances will the administering of corporal punishment at the school ever be an acceptable disciplinary measure.