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QUALITY MANAGEMENT SYSTEM

STUDENT CODE OF CONDUCT POLICY

**This Policy has been issued on the authority of the College Council
of King Hintsa TVET College**

DOCUMENT CONTROL SHEET

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VISION

An institution recognised for training and academic excellence, and is responsive to the social and economic needs of our communities.

MISSION

King Hintsa TVET College offers a quality education and training that will equip our students with the essential skills to contribute to the development of rural communities

VALUES

The following organizational values will guide and direct King Hintsa TVET College in its interaction with service delivery to its external and internal stakeholders:

- Service excellence
- Professionalism
- Mutual respect for each other and our students
- Form positive and ethical partnerships with the business sector, government entities and communities

1. RULES AND CODE OF CONDUCT

Students are urged to study the following Rules and Code of Conduct very carefully and to adhere very strictly to them. In the event of any transgression, disciplinary measures may be taken against you.

1.1 Legal Mandate

Section 16(1) of the Further Education and Training Act, No. 98 of 1998, states that "Every student at a public further education and training institution is subject to the Rules and Code of Conduct, disciplinary measures and procedures as may be determined by the Council subject to provincial policy but the Rules and Code of Conduct disciplinary measures and procedures may only be made in consultation with the academic board and the Student Representative Council of the institution concerned.

1.2 Purpose

1.2.1 The Student Rules and Code of Conduct aims at ensuring a safe and healthy environment, which is conducive to learning, for all our students. This policy also articulates the College view on particular matters as well as the responsibilities of both students and staff in respect of these matters.

1.2.2 The Rules and Code of Conduct also reflect the core values of the College. It does not replace, but substantiates the rules and disciplinary codes of the College. The conduct of each staff member, student or person acting on behalf of the College is important for sustaining an environment that is conducive to freedom of inquiry and to the search for knowledge and truth. Accordingly, the College community requires a commitment from every individual to behave ethically, respectfully, responsibly and diligently.

1.3 Aims

- 1.3.1 To organize the daily routine and administration of King Hintsa TVET College.
- 1.3.2 To protect and promote the name of King Hintsa TVET College.
- 1.3.3 To promote effective learning without disruption or interruption.

1.4 Principles

The Rules and Code of Conduct is based upon the principle of self-respect, respect for others and respect for the property of other people.

1.5 Application

- 1.5.1 These Rules are applicable to all students enrolled at the King Hintsa TVET College and become applicable immediately that a student applies for registration.
- 1.5.2 The Rules will be available when a student registers and thereafter from the Heads of Division and SRC members.
- 1.5.3 All students must familiarise themselves with the contents of these Rules.
Non-compliance with the Rules can lead to disciplinary action.

1.6 Administrative Rules

1.6.1 Previous results

Previous trimester/ semester marks will be taken into consideration for the re-admission of students.

1.6.2 Absenteeism

A written explanation must be submitted for any absenteeism.

A medical note must be obtained and submitted if a student is absent

from a test or exam due to illness. Failure to obtain official leave from employers will not be accepted as an excuse for absence from exams. Absenteeism without permission is an offence and can lead to disciplinary action. The following may be considered as valid justification for not being able to write a final examination:

- Medical certificate
- Hospitalisation
- Being arrested
- Court appearance
- Job interviews

1.6.3 Procedure when leaving the campus or being absent from class

1.6.3.1 If a student will be absent from class or will leave the campus, he/she must inform the relevant lecturer/s.

1.6.3.2 Students may not leave the class/campus without permission.

1.6.3.2.1 When the student returns to the College, he/she must report to the guardian lecturer with written proof or a valid reason for having been absent from the class/campus during class time.

1.6.3.2.2 The guardian lecturer will keep the letter/ note/ written explanation in the student's file for record purposes.

1.6.3.2.3 If a student is absent for more than 20% of class time with or without a valid excuse, he/ she will be refused permission to write the final exam.

1.7 Disciplinary Rules

Discipline must be maintained at all times. Appropriate disciplinary action will be taken for any transgressions.

1.8 Disciplinary Measures

See CODE OF CONDUCT below

Disciplinary action can be initiated against any student who is convicted of a criminal offence during his study term and this can, in serious cases, lead to the student being expelled from the College.

1.9 General Behaviour

- 1.9.1 The behaviour of every student must be beyond reproach, as befits a student of an education institution.
- 1.9.2 The necessary respect must be shown to all College staff. Reasonable instructions must be obeyed at all times.
- 1.9.3 No money or personal equipment may be borrowed from staff or other students.
- 1.9.4 No selling will be allowed to either staff or students without the prior approval of the management of the College.
- 1.9.5 No insurance matters or recruiting of any students whatsoever may be conducted on the college premises unless this is for the purposes of participating in the activities arranged by the college or the SRC.
- 1.9.6 Students must familiarize themselves with the exact times when lectures start and finish and adhere to these times.
- 1.9.7 No foul or discriminatory language may be used.
- 1.9.8 Gambling in any form is prohibited.
- 1.9.9 No alcoholic beverages or drugs are allowed on the premises and no students may attend lectures while under the influence of drugs or alcohol.

1.10 Lecture Rooms

- 1.10.1 All students must maintain a high standard of cleanliness and neatness.
- 1.10.2 The lecturer is the manager in the classroom. In the event of him/ her leaving the room in an emergency, the Class Representative will be responsible for the discipline of students.
- 1.10.3 No private radios, cassette players or musical instruments will be allowed in the classrooms.
- 1.10.4 Students are not allowed to receive private telephone calls during their class time.
- 1.10.5 No smoking, eating or drinking will be allowed in the classrooms.
- 1.10.6 Any student leaving a class without permission may be refused further attendance of the class.
- 1.10.7 Cellular phones must be switched off during lectures.
- 1.10.8 No unnecessary noise may be made outside classrooms. All students have a right to continue with their lessons in a peaceful and quiet manner.

1.11 College Grounds

Students are required, at all times, to keep the college grounds and students' facilities clean and tidy and not to litter. All refuse (e.g. cans, papers, cigarette butts, etc.) should be placed in the available refuse bins. Students may only use the facilities demarcated for students and not those allocated to staff. The administration offices are out of bounds for ALL students.

1.12 Dress Code

1.12.1 Students must take pride in their appearance and dress appropriately.

1.12.2 Workshops and other practical training areas and programmes have separate, compulsory dress codes which must be complied with in terms of the Occupational Health and Safety Act.

1.13 Proper Channels of Complaint

If a student has a grievance, he/ she should attempt to solve the problem by taking it up with the person involved. Where it has not been possible to resolve the problem or conflict, the grievance must be taken up with the SSSO and if necessary, escalated to the Head of Department. If the Head of Department does not deal with the grievance to the complainant's satisfaction, the matter can be referred to the Deputy Campus Manager. Failure to solve the matter at this level will lead to it being dealt with by the office of the Campus Manager.

On all levels of the grievance procedure the student has the right to be assisted by the Campus Representative Council/ CRC. On all levels the student has the right to an answer within three working days. All grievances should be made in writing.

Any student who is alleged to have violated any rule that may require suspension or expulsion, must be referred to the Principal. The Principal, or the person delegated by him/her, shall hear the evidence and then decide on the action to be taken. Such action, will include the Principal or his/ her Deputy informing the parents in writing of the proposed action and arranging for a fair hearing by a disciplinary committee (tribunal) consisting of members designated by the Principal. This tribunal must not be intimidating to the learner.

Strikes, walkouts, vandalism, assaults etc. are not considered as acceptable mechanisms to deal with grievances and will be dealt with in an appropriate manner. If a conflict arises, the above channels should be followed to resolve the issue. Not following these procedures and resorting to strikes, walkouts, vandalism, assaults etc. will result in disciplinary action against those responsible, which could lead to the dissolving of the CRC, and the expulsion of individual participants. In extreme cases participants could also be criminally charged.

1.14 Preliminary Investigation

- Upon receipt of a complaint that a student has allegedly committed an infraction(s) of this Code, the Student Liaison Officer or designated representative shall conduct a preliminary investigation.
- If the preliminary investigation indicates the allegation to be unsubstantiated, the Student Liaison Officer or designated representative shall recommend to the principal to dismiss the complaint.
- If the allegation is found to have substance, the Student Liaison Officer or designated representative shall summon the student and conduct a preliminary hearing. A substantive allegation may result in a temporary suspension being placed on a student's record.
- The student may choose during the meeting to:
 - Admit knowingly and willingly to the allegation(s) in writing and waive all further hearings and right to appeal and agree to accept the disposition of the matter.
 - Admit knowingly and willingly to the allegation(s) and request an administrative (disciplinary) hearing.
 - Deny the allegation(s) in writing and agree to accept the Student Liaison Officer disposition of the matter without benefit of an administrative hearing or right to appeal.
 - Deny the allegation(s) and request an administrative hearing.
- Following the conference, the Student Liaison Officer or designated representative shall dismiss the complaint as unsubstantiated, administer appropriate sanctions, or schedule an administrative hearing.
- The outcome of the meeting will be provided to the student in writing in a letter or with a copy signed by the Student Liaison Officer through the normal college communication channels or by certified mail return receipt requested. The student may appeal a decision resulting from a conference

by requesting in writing an Administrative Hearing within three (3) class days after receipt of notification of the outcome of the conference.

1.15. Procedure for Hearing of Serious Offences

- A student charged with serious misconduct is entitled to a hearing adjudicated upon by the College/ Campus disciplinary committee. Number of Committee members will be determined by the size of the Campus and Chairperson be the Campus Manager or person nominated by the College Management, Liaison Officer as scribe of all meetings plus one SRC member.
- A student charged with serious misconduct must be given no less than 5 (five) working days' written notice of the hearing into the alleged misconduct, unless: -
 - The Principal directs, with good cause, that a shorter notice period shall apply; and
 - There is no prejudice caused to the learner by the shorter notice period.
- The notice contemplated in sub-paragraph above must: -
 - Contain sufficient particularity of the date, place and nature of the alleged serious misconduct to enable the student to identify the incident in question and to respond thereto;
 - Inform the student of the charges, place, date and time of the hearing;
 - Inform the student of provisional suspension, if any, the reasons therefore and any other matter required in connection with the provisional suspension; and
 - Inform the student of his/her rights in terms of this procedure.
- The Student Liaison Officer must give the notice contemplated in paragraph 1.14 to the student.
- At least one of the parents must accompany the student at the hearing if the student is less than 21 (twenty-one) years of age.
- If a member of the disciplinary committee, the student, his/her representative or a witness requires an interpreter, the disciplinary committee may not proceed with the hearing until an interpreter competent in the relevant language has been made available.
- If a student fails to appear before the disciplinary committee after due notice has been issued and without just cause for not attending the hearing, the hearing may continue in the absence of the student.
- The disciplinary committee must keep a full and accurate record of all proceedings before it.

- The prosecutor/ initiator must commence the proceedings at the hearing by setting out the charge against the student and thereafter presenting the case against the student.
- The chairperson of the disciplinary committee must ask the student whether the student pleads guilty or not guilty to the charge. The student must respond to the question. Should the student fail to respond, the student will be deemed to have pleaded **not guilty** to the charge.
- If the student pleads **guilty** to the charge: -
 - The chairperson must question the student with reference to the alleged facts comprising the misconduct as outlined by the prosecutor in order to satisfy the disciplinary committee that the student is indeed guilty of the charge;
 - If, upon questioning the student, it appears that the version of the student materially differs from the facts as outlined by the prosecutor, or if the chairperson is not satisfied that the student is guilty of the charge, the chairperson must enter a plea of not guilty in respect of the charge on behalf of the student;
 - If the disciplinary committee or the majority of its members is satisfied that the student is guilty of the charge, the disciplinary committee must find the student guilty of the charge.
- If the student pleads **not guilty** to the charge: -
 - The prosecutor/initiator may call witnesses or present other evidence under oath in respect of the allegations against the student;
 - The student or the representative of the student may question any witness and examine any evidence presented by the prosecutor;
 - After all the evidence has been led against the student, the student or the representative of the student may call witnesses or present other evidence under oath in support of the defence;
 - The prosecutor/initiator may question any witness and examine any evidence presented on behalf of the student;
 - The disciplinary committee may question any witness and examine any evidence at any time;
 - After all the evidence has been presented, first the prosecutor and then the student or the representative of the student may address the disciplinary committee as to the guilt or otherwise of the student;
 - The disciplinary committee may thereafter adjourn the hearing for not more than 2 (two) working days to a specified place, date and time in order to decide whether, on a balance of probabilities, the student is guilty or not guilty of the charge; and
 - At the date and time contemplated in sub-paragraph above, the

disciplinary committee must inform the student of its findings.

- If the student is found guilty of the charge, the prosecutor and the student or the representative of the student, may present evidence before the disciplinary committee relevant to an appropriate penalty, including but not limited to evidence of the personal circumstances of the student, general record of past conduct at the College, the nature and seriousness of the misconduct in question, and the interests of the College and its community.
- Immediately after considering any evidence presented in terms of sub-paragraph above, the disciplinary committee must impose on the student a penalty that is prescribed in terms of the Code of Conduct, and inform the student in writing thereof.
- If the disciplinary committee decides that the student should be expelled from the College, it must make a recommendation to that effect to the Principal/Administrator and may suspend the student from the College in consultation with the Principal/Administrator, pending the decision of the College Council on whether the student is to be permanently expelled.

1.16 Disciplinary Procedures

The following procedures will be followed when a student is considered to have committed an offence:

- 1.16.1 The student will be allowed to present a written statement
- 1.16.2 The student will be interviewed
- 1.16.3 The student will be presented with a written notice to attend a disciplinary hearing on a specific date and time.
- 1.16.4 The student will have the right to be represented by a person of his own choice in his own Campus.
- 1.16.5 The student will have the right to an interpreter.
- 1.16.6 The student will have the right to call a witness.
- 1.16.7 The student or his representative will have the right to cross examine the witness.
- 1.16.8 If found guilty, the student will be afforded the opportunity to prove mitigating circumstances.
- 1.16.9 The student will be informed in writing, of the outcome of the hearing and be supplied with a copy of the minutes of the meeting.
- 1.16.10 The student will have the right to appeal.
- 1.16.11 All sanctions, as stipulated in the code of conduct will only be enforced after the above mentioned disciplinary procedures have been followed.

1.16.12 In all cases, corrective measures will be explored and applied before expulsion.

1.16.13 Serious offences will result in immediate suspension until conclusion of the disciplinary process.

1.17 Code Of Conduct For Students And Sanctions

OFFENCE				
Absent without a valid excuse	First warning	Second warning	Final warning	Refused permission to write exam
Trimester Course	Absent for 4 periods	Absent for 7 periods	Absent for 10 periods	Absent for 11 periods
Semester course	Absent for 6 periods	Absent for 11 periods	Absent for 15 periods	Absent for 17 periods
Year course	Absent for 9 periods	Absent for 15 periods	Absent for 26 periods	Absent for 29 periods

NB: Refer to Attendance and Punctuality Policy.

Arriving Late or Leaving Early From Classes

Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence
Arriving late for class	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion
Leaving a class early without permission or valid documentary proof	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion
Extended breaks or rest periods	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion

Damage of College Property

Offence	1st Offence	2nd Offence	3rd Offence
Wilful damage to college property	Expulsion	Expulsion	
Negligence resulting in loss of or damage to college property	Written warning	Final Written warning	Expulsion
Wilful misuse of college property	Final Written warning	Expulsion	
Negligence resulting in misuse of college property	Written warning	Final Written warning	Expulsion
SAFETY			
Smoking in non-smoking areas.	Final Written warning	Expulsion	
Operating or using machines, vehicles, tools and equipment without authorisation	Final Written warning	Expulsion	
Recklessness	Final Written warning	Expulsion	
Activation of a fire alarm without a valid reason	Final Written warning	Expulsion	
Tampering with or damaging of fire or safety equipment.	Final Written warning	Expulsion	
Failure/refusal to carry out safety instructions or to wear protective clothing/equipment when requested to do so.	Written warning	Final Written warning	Expulsion
Infringement of any safety rule	Final Written warning	Expulsion	
Failure to report an accident/safety incident.	Written warning	Final Written warning	Expulsion

Violence

Offence	1st Offence	2nd Offence
Threats of violence/ assault/intimidation.	Final Written warning	Expulsion
Assault or attempted assault on any person	Expulsion	
Physically violent behaviour	Final Written warning	Expulsion
Unprovoked fighting	Expulsion	
Riotous behaviour	Expulsion	
Intimidation	Expulsion	
Possession/brandishing of a firearm or any other dangerous weapon	Expulsion	

Alcohol And Drugs

Offence	1st Offence	2nd Offence
Unauthorised possession or use of dagga, alcohol, narcotics or intoxicating substances on Campus or any other venue where the student is representing the College	Final Written warning	Expulsion

Theft

Offence	1st Offence	2nd Offence
Unauthorised possession of College property or the property of other students or staff	Final Written warning	Expulsion
Theft of College property or the property of other students or staff	Expulsion	
Removal of College property or the property of other students or staff	Final Written warning	Expulsion
Being in possession of College property or the property of other students or staff when leaving the College premises	Expulsion	

Fraud And Dishonesty

Offence	1st Offence	2nd Offence
Falsifying school/College/medical certificates or any other documents	Expulsion	
Giving or receiving or attempting to give or receive any bribes	Expulsion	
Making false statements and declarations	Final Written warning	Expulsion
Fraudulent registration procedures	Final Written warning	Expulsion
Misrepresentation.	Expulsion	
Fraudulent non-disclosure of relevant information.	Expulsion	
Disclosure of confidential information	Expulsion	
Fraudulent use of College Student cards	Final Written warning	Expulsion
Dishonesty when writing an exam or test.	Final Written warning	Expulsion

Security

Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence
Refusal/failure to clearly display Student card whilst on College premises	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion
Refusal/failure to comply with the security instructions, standards and procedures.	Written warning	Final Written warning	Expulsion		
Interfering with security staff in the execution of their duties.	Written warning	Final Written warning	Expulsion		
Failure to return temporary College Student card or	Verbal warning	Written warning	Final Written warning	Expulsion	

other form of student identification					
Unauthorized entry/exit to or from College premises	Written warning	Second Written warning	Final Written warning	Expulsion	

Disorderly Behaviour

Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence
Engaging in indecent behaviour or immoral acts.	Final Written warning	Expulsion			
Refusal/ failure to obey reasonable and lawful instructions from any member of the College staff.	Final Written warning	Expulsion			
Use of abusive language	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion
Insubordination	Written warning	Second Written warning	Final Written warning	Expulsion	
Causing disruption or a disturbance by using a cellular phone either in class or elsewhere within the College environment	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion

Unauthorised distribution of literature or communication of any kind on College premises which is in inciting or could cause conflict.	Final Written warning	Expulsion			
Gambling on College premises.	Written warning	Second Written warning	Final Written warning	Expulsion	
Sexual harassment	Expulsion				

Mass Action

Offence	1st Offence
Participating in an Illegal strike, sympathy strike, picketing or protesting actions (stay- aways).	Expulsion
Incitement of other to participate in a strike or other student action.	Expulsion
Misconduct, of whatever nature, during a strike or other student action.	Expulsion
College/study stoppage without a justifiable and/or legitimate reason.	Expulsion

Unsatisfactory College/ Study Performance

Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence
Failure to complete homework.	Verbal warning	Written warning	Second Written warning	Final Written warning	Expulsion
Failure to complete a task without justifiable, reasonable cause.	Written warning	Final Written warning	Expulsion		
Sub-standard performance with regard to the quality or quantity of work required while at the	Written warning	Final Written warning	Expulsion		

College.					
Non-compliance with established procedures or standing instructions	Written warning	Final Written warning	Expulsion		

1.18 Appeals

1.18.1 Composition of Appeals Committee

The Appeals Committee shall be comprised of the following persons:

- i. Member of the Council (Chairperson)
- ii. Senior manager
- iii. Senior Lecturer
- iv. An Student Representative Council member

A decision reached by a judicial body, or a sanction imposed by the disciplinary committee may be appealed by the accused student or complainant to an Appeals Committee within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Chairperson of the Appeals Committee.

Appeals shall be limited to review of the record of the initial hearing and supporting documents, except as required to explain the basis of new evidence for any of the following:

- To determine whether the original hearing was conducted fairly in the light of the charges and evidence presented and in conformity with the prescribed procedures, giving the complaining party a reasonable opportunity to prepare and present evidence that the Code of Conduct was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations;
- To determine whether the decision reached regarding the accused student was based on substantial evidence; that is, whether the facts in the case were sufficient to establish the fact that a violation of the Code of Conduct had occurred;
- To determine whether the sanction(s) imposed were appropriate for the violation of the Code of Conduct which the student was found to have committed; or
- To consider new evidence, sufficient to alter a decision, or other

relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.

The Appeals Committee will submit a written report of its findings and recommendations to the College Council within 20 working days. The Appeals Committee's report may include both majority and dissenting opinions. The College Council will make the final decision on the appeal and notify the accused student and/or complainant in writing within 10 working days.

In cases involving appeals by a student accused of violating the Code of Conduct, review of the sanction by an Appeals Committee may not result in more sanction(s) for the accused student. Instead, following an appeal, the Appeals Committee may upon review of the case, retain, reduce, but not increase, the sanctions imposed by the Disciplinary Committee.

In cases involving appeals by persons other than the student accused of violating the Code of Conduct, the Appeals Committee may, upon review of the case, reduce or increase the sanctions imposed by the Disciplinary Committee or remand the case to the original Disciplinary Committee.

1.19 Disciplinary Record Book

A Disciplinary Record Book shall be kept, in which the following shall be entered:

- The date of the sentence;
- The name and student number of the person found guilty;
- The nature of the charge;
- The finding at the disciplinary hearing;
- The penalty imposed;
- The name/description of the Disciplinary Body;
- The signature of the Chairperson of the Disciplinary Committee who reviewed the case.

The above information shall be submitted to the Registrar (Academic) or Registrar (Student Affairs) by the Chairperson of the Disciplinary Committee.

The Registrar shall also have a note made on the student's record indicating:

- That the student had been found guilty of an offence;
- The date of the sentence.

If on appeal, the finding and/or penalty is amended, this shall be entered in the Disciplinary Record Book or, if set aside, the original record shall be amended to indicate this and shall be removed [from the Book] from the Student's record.

