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Pregnancy at School Policy

1. Background

1.1 The Bill of Rights, as contained in the Constitution of the RSA, Act 108/1996, affirms the democratic values of human dignity, equality and freedom, including the rights of children (Section 28) and the right to education (Section 29).

1.2 It is therefore imperative that school managers and governing bodies ensure that the rights and development of female learners are not curtailed and that special measures are taken in respect of pregnant schoolgirls.

2. Regulation history

2.1 This policy replaces the section on Teenage Pregnancy contained in Circular 0077/98: *General Manual for the Suspension and Expulsion of Learners from Public Schools (excluding Public Schools for Learners sent or transferred thereto in terms of The Child Care Act, 1983 (Act 74/1983) and/or the Criminal Procedure Act, 1977 (Act 51/1977))*.

3. Legislation

3.1 The Constitution of the Republic of South Africa., Act 108 of 1996; Section 28 and Section 29

4. Protocol

4.1 It is recommended that the school policy and the code of conduct for learners make provision for managing learner pregnancy within the framework of this policy document.

4.2 When it is evident that a learner is pregnant, the matter must be treated with **great sensitivity and confidentiality**.

4.3 The learner must be considered to be a Learner with Special Needs with access to counselling by professionals of the Specialised Learner and Educator Support (SLES) component within the EMDC. The principal must manage and co-ordinate this process.

4.4 In order to maintain confidentiality, the principal must report to the school governing body that a learner is pregnant, without necessarily divulging the learner's name.

4.5 Should the learner have become pregnant as a result of sexual abuse, incest or rape, the principal must follow the procedures in the *Abuse no More* protocol document.

4.6 The principal must convene a meeting with the learner and her parent(s) or guardian(s) to gain an understanding of how she and her parent(s) or guardian(s) intend dealing with the matter. The Principle should supply them with comprehensive information concerning all the appropriate health and guidance services available in the community; the services available in the school system and at the EMDCs; and the options available to her to continue her education during her pregnancy.

4.7 These alternatives may include the following:

4.7.1 Remaining at school as long as it is medically advisable and then obtaining learning material and support from the school.

4.7.2 Withdrawing from the school for the duration of the pregnancy and taking own responsibility for continued education.

5. A Grade 12 candidate

5.1 A Grade 12 learner must be fully informed about examination options and procedures, although she herself is responsible for registering as a private candidate for subsequent examinations.

5.2 Request the parent(s) or guardian(s) to obtain a medical certificate giving a possible date of confinement, the date from which it would be medically advisable for the learner to be absent from school before the confinement, and the date from which it would be medically advisable for her to return to school.

5.3 Discuss with the parent(s) or guardian(s) of the learner, the period during which she must be absent from school, based on the above information.

5.4 Enter into a written agreement with the parent(s) or guardian(s) and the learners which it is stated clearly that during the time she attends school it is at her own risk.

5.5 The school is indemnified from accountability for any pregnancy related injuries incidents during the time she attends school it is at her own risk

5.6 The school is indemnified from accountability for pregnancy related injuries or incidents

5.7 The school is indemnified from accountability for any pregnancy- related injuries or incidents.

5.8 No alternative or additional logistical arrangements can be demanded from the school.

5.9 No exceptions can be made regarding adherence to the school's code of conduct.

5.10 Make it clear that when the learner returns to school after the birth, she will not be allowed to bring the baby with her.

5.11 Make any further decisions, for example about :

5.11.1 Whether the matter must be handled confidentially or not

5.11.2 Appropriate behaviour and actions on the part of the learner

5.11.3 Participation in the school's extra-curricular activities

5.12 Should it be known or established that a male learner at the school is responsible for a pregnancy, it is essential that confidentiality be maintained.

5.13 The principal must inform the school governing body.

5.14 The principal and SLES professionals within the EMDC must ensure that attention is given to the male learner's co-responsibility.

5.15 The male learner is counselled and provided with information on matters of sexuality, responsibility for actions and the legal implications of obligations and rights.

5.16 A written agreement must be entered into with the parent(s) or guardian(s), the male learner and the governing body about appropriate behaviour, which conforms, to the school's code of conduct.

5.17 Should it be known or established that a learner at another educational institution is responsible for the pregnancy, the principal concerned must be notified and he or she must manage the situation in accordance with paragraphs 2.2.1 to 2.2.3.

5.18 The educational consequences of learner pregnancy and parenting are twofold: young mothers and fathers run a risk that they will not obtain the educational skills needed to become self-supporting, economically productive citizens, something which often results in their children entering the educational system with economic and developmental disadvantages.

5.19 A school is expected to act appropriately in cases of learner pregnancy. However, it is also important that the school should approach the situation from an educational and values-driven perspective, with as ultimate goal to enable the learners whose futures could otherwise be jeopardised by unfortunate circumstances, to achieve success in the classroom and in their personal lives.

5.20 It is essential for the learner concerned that her education should continue with as little disruption as possible. Alternative suitable arrangements must be made to cover the curriculum. This means that lesson notes and assignments must be made available to her and that she must take responsibility for completing and returning the assignments to the school for continuous assessment (CASS).

5.21 The process of gathering valid information about the learner's performance and the formal recording of her progress throughout the year (CASS) must be continued as far as practically possible whether she is at school or at home. The evidence of assessment and recording contained in her profile and portfolio will help the EMDC multifunctional team to decide about her progression at the end of the year.

5.22 The importance of providing children with the knowledge, skills, attitudes and values regarding their sexuality and the accompanying social responsibilities in especially the learning area: Life Orientation, cannot be over-emphasised. The principle that it is best for learners to abstain from sexual activity should be stressed. Emphasising the importance of good moral values should be the backbone of sexual education.

5.23 Schools can also enable parents and guardians to play a more active role in the sexuality education of their children by presenting parent involvement and educational support programmes.

5.24 In terms of the Constitution principals, school governing bodies and EMDCs are accountable for all learners' right to quality education, and this includes enrolled expectant learners or learners who are parents. In order to balance the parental responsibilities and educational needs of learners who are parents, partnerships with Education Support Services, Social Services and Health should be forged within the EMDCs.