



# LAERSKOOl WIERDAPARK POLICY AND PROCEDURE RELIGION

Laerskool Wierdapark

LSWP – B – L- 016(E)

## Document Development and Approval

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# LAERSKOOL WIERDAPARK POLICY AND PROCEDURE RELIGION

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## 1. NAME OF SCHOOL

Laerskool Wierdapark

## 2. PREAMBLE

- 2.1 The Constitution and the South African Schools Act, sets the tone for people of goodwill to work out their own approaches and express them in the religious policy. We endeavour to treat each learner with respect and dignity, irrespective of their religious background. We acknowledge all learners' particular religious' beliefs and practices and encourage all learners to accept each other's religious differences.
- 2.2 The Constitution of the Republic of South Africa emphasises that there should be balance between freedom for religious belief and expression and freedom from religious coercion and discrimination. It guarantees that "Everyone has the right to freedom of conscience, religion, thought, belief, opinion, religious conviction, expression, and association." The Constitution also explicitly prohibits unfair discrimination on grounds that include religion, belief, and conscience.
- 2.3 The South African School Act, upholds the constitutional rights of all citizens to freedom of conscience, religion, thought, belief and opinion, and freedom from unfair discrimination on any grounds whatsoever, it allows religious observances to be conducted at a public school under rules issued by the governing body provided that such observances are conducted on an equitable basis and attendance by learners and members is free and voluntary. Within this constitutional framework, and as a public school, we have a responsibility to promote the core values of a democratic society, through the curriculum, through extracurricular activities, and in our approach in general.
- 2.4 The core values include:
- Equity: The education process in general, and this policy, must aim at the development of a national democratic culture with respect for the value of all of our people's diverse cultural, religious and linguistic traditions.
  - Tolerance: Religion in education must contribute to the advancement of inter-religious tolerance and interpersonal respect among adherents of different religious or secular worldviews in a shared civil society.
  - Diversity: In the interest of advancing informed respect for diversity, as an educational institution we have a responsibility to promote multi-religious knowledge, understanding, and appreciation of religions in South Africa and the world.
  - Openness: The School, together with the broader society, play a role in cultural formation and transmission, and we must promote a spirit of openness in which there shall be no overt or covert attempt to indoctrinate into any particular belief or religion.

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- e. Accountability: As systems of human accountability, religions cultivate moral values and ethical commitments that can be recognised as resources for learning and as vital contributions to nation building.
- f. Social Honour: While honouring the linguistic, cultural, religious or secular backgrounds of all learners, we cannot allow the overt or covert denigration of any religious or secular world-view

### 3. PURPOSE OF THE POLICY

- 3.1 The primary purpose of this religious policy is to:
  - 3.1.1 Ensure that there are no discriminatory practices amongst learners and staff based on religious beliefs and orientation to a particular faith or religion.
  - 3.1.2 Promote tolerance and unity among learners and staff through diversity of religious practices and beliefs existing in the school community.
  - 3.1.3 Ensure that minority religions in a school are protected and respected and afforded the dignity and status equivalent to the majority religion in the school.
- 3.2 The following aspects of religion will be accommodated and respected in the school within reasonable parameters and taking cognisance of the relevant legislation and policies of the DBE and GDE and the school.
  - a. religious observances;
  - b. freedom of conscience;
  - c. freedom of religion provided that it does not preach or practice hate speech;
  - d. religion education/instruction;
  - e. religious holidays;
  - f. religious festivals; and
  - g. closure of the school with the approval of the HoD or his/her designated official
  - h. faith-based practices
  - i. religion and admissions

### 4. TERMINOLOGY AND ACRONYMS

#### 4.1 Terminology

Term	Definition
Constitution	Means the Constitution of the Republic of South Africa.
Educator	Means any person, excluding a person who is appointed to exclusively perform extracurricular duties, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and education psychological services, at the school.

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Term	Definition
Freedom of conscience	Refers to the freedom of an individual to consider a fact, point of view or thought independent of others.
Freedom of religion	Free from religious expression, coercion and prejudice.
[School] Governing Body	Means the school governing body contemplated in section 16 (1) of SASA.
Learner	Means any person receiving education or obliged to receive education in terms of SASA at the school.
Member of staff/Staff	Means a person employed at the school.
Parent	Means- (a) the biological or adoptive parent or legal guardian of a learner; (b) the person legally entitled to custody of a learner; or (c) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a) and (b) towards the learner's education at the school.
Principal	Means an educator appointed or acting as the head of a school.
Religion	Is used to describe the comprehensive and fundamental orientation in the world belief system with regard to ideas of divinity, spiritual and non-secular beliefs, the organisation thereof which are established in order to promote and protect these beliefs
Religious observance	Activities, behaviours and practices that recognise and express the views, beliefs and commitments of a particular religion.
Religion Education	Describes a set of curriculum outcomes which define what a learner should know about that religion.
Religious holiday	Any recognised day of festivities celebrated by cultural or religious communities.
Religious festival	A day or period of celebration of any cultural or religious activity that is recognised as a feature of a particular cultural or religious community.
[The] school	Means Laerskool Wierdapark, a public school as contemplated in Chapter 3 of SASA.
School day	Refers to that portion of each day in which it is compulsory for teachers and learners to be at school. It entails the 7 hours contact time that is expected of educators and learners, including breaks, compulsory activities, assembly and extramural activities.

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## 4.2 Acronyms

Acronyms	Explanation
DBE	[National] Department of Basic Education
GDE	Gauteng Department of Education
HoD	Head of the Gauteng Department of Education
MEC	Member of the Executive Council
SASA	South African Schools Act, 1996 as amended.
SGB	School Governing Body

## 5. APPLICATION AND SCOPE OF THE POLICY

- 5.1 This policy applies to all the learners, educators, support staff and other staff, the school management, SGB and parents of learners at the school and visitors to the school.

## 6. LEGISLATIVE FRAMEWORK

- 6.1 The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), as amended.
- 6.2 National Education Policy Act, 1996 (Act No. 27 of 1996), as amended.
- 6.3 The South African Schools Act, 1996 (Act No. 84 of 1996), as amended.
- 6.4 Employment of Educators Act, 1998 (Act No. 76 of 1998).
- 6.5 Gauteng Education Policy Act, 1998 (Act No. 12 of 1998), as amended.
- 6.6 Gauteng Schools Education Act, 1995 (Act No. 6 of 1995), as amended.
- 6.7 National Policy on Religion and Education (General Notice No. 1307 of 2003).
- 6.8 Admission of Learners to Public Schools (General Notice No. 4138 of 2001).
- 6.9 Protection of Personal Information Act, 2013 (Act 4 of 2013), as amended.
- 6.10 Children's Act, 2005 (Act 38 of 2005), as amended.
- 6.11 The Child Justice Act (Act 75 of 2008), as amended.
- 6.12 National Regulations for Safety Measures at Public Schools.
- 6.13 Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners.

## 7. RELEVANT POLICIES AND PROVINCIAL CIRCULARS

- 7.1 DBE National Policy for Determining School Calendars for Public Schools in South Africa.
- 7.2 Admission Policy of the School.
- 7.3 Code of Conduct for Learners of the School and related rules and policies.
- 7.4 Code of Conduct of Parents and Visitors to the School.
- 7.5 Health and Safety Policy of the School.
- 7.6 School's Uniform and Appearance Policy.

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## 8. POLICY STATEMENTS

### 8.1 Freedom of Conscience

- 8.1.1 No person employed at Laerskool Wierdapark shall attempt to indoctrinate learners into any particular belief or religion nor denigrate any religion, nor shall the school allow such practices to take place by any other person or religious or cultural organisation.
- 8.1.2 In this regard, the School shall respect the right and duties of the parents to provide direction to their children in the exercise of their rights as learners, in a manner consistent with the evolving capacity of children concerned.
- 8.1.3 The School Governing Body recognises the right of educators and non-educators to freedom of conscience and will not impose duties or responsibilities on staff without their consent.

### 8.2 Religious Observances

- 8.2.1 Laerskool Wierdapark learners are predominantly of the Christian faith. Religious observances may include:
- occasions which make use of school facilities, for a religious service on a day of worship or rest;
  - occasions when the school community gather during a school break or during a school activity.
- 8.2.2 The school may avail its facilities for religious observances in the context of free and voluntary association and provided that facilities are made available on an equitable basis and in terms of stipulations of a contract for the use of the school facilities between the SGB and the relevant institution. All applications for using the facilities must be done in writing to the SGB for consideration.

### 8.3 Learner Participation in Religious Observances

- 8.3.1 Learner participation in these activities is free and voluntary. Learners cannot be forced to attend or to violate the rights of other learners and educators to attend these observances. No person employed at Laerskool Wierdapark shall in any way discourage a learner from choosing not to attend religious education classes or religious practices at the school.
- 8.3.2 Learners who choose not to attend will be involved in other activities approved by the school under supervision or while attending a religious service of their own faith led by a recognised religious leader and may not interfere with or disrupt school activities.
- 8.3.3 Parents may seek permission from the school in writing for their children to participate in religious festivities, religious holidays, commemoration days, initiation, mourning rituals and prayer times.
- 8.3.4 No person employed at Laerskool Wierdapark shall be obliged or in any way unduly influenced to participate in any of the religious observances at the school.

### 8.4 Educator Participation in Religious Observances

- 8.4.1 Educator participation in religious observances is free and voluntary.

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- 8.4.2 Educators have to be objective about religion while carrying out their duties as educators. They must treat all different religious and cultural traditions with fairness and respect.
- 8.4.3 Educators should not engage in or lead religious activities of learners during education contact time.
- 8.4.4 Educators may neither reward nor punish learners because they agree or disagree with their religious views.

#### **8.5 Freedom of Religion**

##### **8.5.1 Observance of Religious Holidays and Festivals by Learners**

- 8.5.1.1 Learners are allowed to participate in religious holidays/festivals in terms of the relevant DBE and GDE policies.
- 8.5.1.2 Arrangements should be made to make sure that the affected learners are able to catch-up with their academic work/schedule.
- 8.5.1.3 Parents of learners should notify the principal in writing well in advance of the learners' intentions to take certain school days off for the purpose of observing religious holidays/festival in terms of this policy.
- 8.5.1.4 Records of these requests will be kept for reference purposes.

##### **8.5.2 Observance of Religious Holidays and Festivals by Educator and Non-Educator Staff**

- 8.5.2.1 Educators and non-educator staff who wish to observe a religious holiday/festival must complete the relevant leave form and indicate that the leave applied for is special leave for religious observance.
- 8.5.2.2 Religious observances may not exceed three (3) working days per year for educators.
- 8.5.2.3 Planning for absenteeism of educator and non-educator staff owing to a religious holiday/festival must be completed by the end of the previous academic year and submitted to the District Director in terms of the DBE National Policy for Determining School Calendars for Public Schools in South Africa.

#### **8.6 School Calendar**

- 8.6.1 The school will ensure that religious holidays of all religions will be included on the annual school calendar to ensure that during the setting of examinations and tests, learners are not prejudiced by their attendance at religious observances.

#### **8.7 Dietary Requirements (Where Applicable)**

- 8.7.1 During the hosting of school functions etc., the school will encourage its members (learners, staff and parents) to provide suitable food for their respective communities/guests.

#### **8.8 Religious Instruction at the School**

- 8.8.1 Religious instruction does not form part of the official syllabus of the school but opportunity will be created for religious observances in the form of official openings, invited speakers and discussion groups when appropriate and then will take place in terms of the relevant prescripts of the GDE.

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- 8.8.2 Preachers/speakers from different denominations could be invited to address the learners on religious issues if and when applicable. Learners would then be free to ask questions on the issues addressed by these invited guest speakers.
- 8.8.3 Where days of religious significance are celebrated at school, objection on grounds of religion are acknowledged. Attendance of such events will be free and voluntary and these learners may be excused and be under supervision of an educator. Non-participation in singing religious songs outside of a particular learner's religious conviction is also permissible.
- 8.8.4 The practice of religion could also include:
- c. The voluntary singing of devotional songs.
  - d. The opening and closing of the school activities with scripture reading and prayer.
  - e. Inviting guest speakers to speak on religious matters, provided that such speakers do not attempt to indoctrinate learners.
  - f. Showing religious movies and plays of different religions, when appropriate.

#### 8.9 Religion Education

- 8.9.1 Laerskool Wierdapark follows the Life Orientation curriculum as set out by the GDE and each grade is exposed to facets of religions other than their own. Tolerance and acceptance undergird the material presented, encouraging learners to be more accepting of other cultural and religious and groups. Religion education is a programme for studying about religion in all its many forms without promoting any particular religion or faith.
- 8.9.2 The Life Orientation curriculum should purposefully pursue the moral and ethical development of learners whilst learning about the various religions and beliefs that exists.
- 8.9.3 A learner in the school shall have the right to religion education as envisaged by the (revised National) Curriculum.
- 8.9.4 Every learner at the school shall have the right not to attend religious education classes and religious practices at the school.

#### 8.10 Assembly and School Openings and other School Activities

- 8.10.1 Assemblies are held once a week. At Laerskool Wierdapark we seek to be an inclusive community however we respect the right of parents to withdraw their children of any religious part of Assembly and school activities. The school may not violate the religious freedom of learners and educators by imposing religious uniformity on a religiously diverse school community in the school assemblies, during the school day or other school activities.
- 8.10.2 Learners and staff who are not comfortable with the religious part of Assembly are free to decide whether they wish to attend that part of the assembly or not.
- 8.10.3 Learners will be excused after a written request is received from parents.
- 8.10.4 Learners who are excused from religious practices will be accommodated as follows:
- a. If they cannot attend religious practices presented by someone from their religion or faith, then they are allowed to sit in an allocated classroom under the supervision of an educator of the

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school and no additional work is set or followed in this time but learners are still to adhere to the School Code of Conduct and other rules and policies.

- 8.10.5 The school assembly may consist of reading of specific or universal prayers, songs of praise or a short prayer before commencement of announcements.
- 8.10.6 Assemblies should be used as forums for celebrating religious and cultural diversity, in keeping with the values of the Constitution.
- 8.10.7 If any religious materials are used at assembly, they should preferably be presented in the framework outlined for Religion Education, that is, as an educational experience rather than a religious ceremony.

#### **8.11 Closure of the School**

- 8.11.1 No learner or educator may be absent from school during the school day without permission.
- 8.11.2 Early closure of the school to attend a religious service (including burial/memorial services) may be permitted, provided it is within regulated contact time and is approved by the District Director.
- 8.11.3 Where a religious holiday/festival will result in large numbers of learners and educators being absent from school on a particular day, the school may consider closing for that specific day after obtaining permission from the District Director.
- 8.11.4 The school must apply through the District Director to get permission to close the school for that specific day.
- 8.11.5 Applications for such closure should reflect wide and representative consultation with the parent community. The request should include the details of how the school will make-up for the lost time resulting from the celebration of a religious holiday/festival.
- 8.11.6 If consultation does not result in consensus regarding the closure of the school, then the procedures in respect of withdrawal of individual learners from the school by their parents will apply.
- 8.11.7 The school must obtain written approval from the Head of Department of the Gauteng Department of Education or his her/delegate such as the District Director, well in advance, if possible.
- 8.11.8 Granting of permission for school closure will only be considered if the total number of school days for the year is not reduced.

#### **8.12 Religious Attire and Symbols in School**

- 8.12.1 The use of religious symbols as teaching aids is acceptable, provided they are used as examples of religious or cultural heritage and/or not denigrated and used as in context as teaching aids in the classroom.

#### **8.13 Accommodation of Religious or Cultural Rights of Learners**

- 8.13.1 Practices, conduct or obligations/observation that relate to the core values and beliefs of a recognised religion and/or culture of a learner and which practices, conduct or obligations are in conflict with any rule contained in this Code of Conduct may be accommodated with a consent

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- to a reasonable deviation from this policy and the Code of Conduct for Learners by the School Governing Body upon application to the School Governing Body.
- 8.13.2 The learner, assisted by his/her parent/s, must apply in writing to the SGB for a reasonable deviation from the standard school rules, if such rules are in conflict with or infringe on any religious and/or cultural rights of the learner.
- 8.13.3 Such application must be made in writing to the School Governing Body and must include the following details and/or information:
- a. A reasonable interpretation of the religious and/or traditional rights that the learner feels are offended by a rule in the School's Code of Conduct and a suggestion of how the rules may be supplemented/deviated from upon approval of the School Governing Body, to accommodate such religious and/or traditional rights.
  - b. The specific rule/s in the School's Code of Conduct and/or this policy that is/are offensive to the learner's religious and/or traditional practices, as contained in the Constitution of the Republic of South Africa.
  - c. The application must be accompanied by a letter from a Religious/ Traditional Leader, confirming:
    - i. the existence of such a religious and/or traditional practice, conduct or obligations; and
    - ii. if such a religious and/or traditional practice or conduct is voluntary or mandatory;
    - iii. whether the relevant cultural or religious community considers it to be a practice which ordinarily warrants exemption from school rules and this policy;
    - iv. that the learner belongs to such a religious and/or traditional group and actively takes part in its practices, conduct or obligations.
- 8.13.4 Upon receipt of the aforementioned written application, the School Governing Body shall:
- a. consider the application for deviation and/or exemption from any provision of the Schools Code of Conduct by any learner with the necessary earnestness and responsibility, taking into consideration the following:
    - b. the Constitution of the Republic of South Africa
    - c. relevant legislation and policy documents;
    - d. relevant court judgements;
    - e. if such a religious and/or traditional practice or conduct is voluntary or mandatory;
    - f. whether the relevant cultural or religious community considers it to be a practice which ordinarily warrants exemption from school rules;
    - g. the extent of the exemption and/or deviation required (how great the departure from the ordinary school rules and/or this policy);
    - h. the effect of granting the exemption and/or deviation on the achievement of a "disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process"; and
    - i. inform the learner and his/her parents of its decision in writing within 30 school days.

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#### **8.14 School Education and Other School Activities during Religious Holidays /Festivals**

8.14.1 Consideration should be given to the scheduling of the following activities during religious holidays/festivals to allow for maximum participation at these events and assessments:

- a. sporting activities/competitions;
- b. cycle tests/examination; and
- c. educational excursions.

#### **8.15 Religion and School Admissions**

8.15.1 Criteria for admission of learners to the school may not unfairly discriminate against learners on the basis of their religion, thought, belief and opinion and will be undertaken in terms of the Admission Policy of the School and the relevant GDE prescripts which may include consultation/seeking guidance from the GDE District Director, the HoD and/or MEC.

#### **8.16 Orientation of New Learners and Parents with Regard to the Policy**

8.16.1 The school authorities will dedicate as part of new learner's orientation to the school at the beginning of the school year to orientation regarding religion at the school so as to:

- a. affirm that all learners are welcome and equally valued by the school;
- b. inform parents of the content of the religious policy, the precise rules for religious observances and, where applicable, religious instruction, the right to be excused on the grounds of conscience, and the alternatives available for those not wishing to attend;
- c. inform and educate learners about equality, diversity, tolerance, and the importance of not only respecting, but also welcoming those who hold beliefs that are different from their own; and
- d. in general, educate and empower learners so that all learners' right to freedom of religion may be meaningfully realised in the respondent schools;
- e. have information on the school's current religious policy available at school open days for prospective learners and their parents' information, and to inform such learners and parents that such religious policy is subject to annual review by the SGB, which takes into account inter alia the needs of learners and the wishes of parents of learners at the school; and
- f. publish an extract/summary of the policy, if deemed necessary by the SGB in the learners' diary and/or in a circular to parents.

#### **8.17 Assistance with Any Grievance or Complaint**

8.17.1 Any learner and/or parent may approach the Disciplinary Head for assistance with any grievance or complaint in the event of any incidents of any form of bullying, discrimination, intimidation, hate speech or any other matter relating to this policy.

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## 9. REVIEW AND VERIFICATION

The religion policy of the school is subject to an annual review by the SGB, which will take into account inter alia the needs of learners and the written requests of parents of learners at the school and subject to verification by the HoD or his/her delegate.

## 10. APPROVAL AND VERIFICATION:

Short Title	Religion Policy
Start date	1 July 2024
Validity	29 November 2018

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